The issue of sexual harassment has gained prominence over the last few decades. On some college campuses, this has resulted in attempts to put a ban on consensual relations between college faculty and students. Proponents of such a ban argue that students can never give consent, hence all sexual relationships are coercive and exploitative in nature. In this paper, I explore the issues of power and consent in student-faculty relationships, arguing that students can give true consent for such relations. I also examine some possible consequences of such a ban, arguing that eventually such policies will harm the very women they seek to protect. In conclusion, I assert that future debate in this area must be shaped by the results of empirical research rather than conflicting personal opinions.

The concept of sexual harassment first gained prominence in the mid–1970s. At that time sexual harassment came to be considered as a subset of sexual discrimination, which was illegal according to Title VII of the Civil Rights Act of 1964 and Title XI of the Educational Amendments of 1972. Since then, the concept of sexual harassment has gained much publicity and its definition has expanded to include not only discriminatory practices but also opinions, words, gestures, and acts. The current definition of sexual harassment according to the U.S. Equal Employment Opportunity Commission (EEOC)—a definition that has been very influential and has been adopted by most educational settings—is as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an

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individual’s work performance or creating an intimidating, hostile, or offensive work environment (EEOC, 1980).

This definition is problematic as it stands. The clause which states “purpose or effect” moves sexual harassment from the typical quid pro quo scenario to one that includes the creation of a “hostile environment” as perceived by the victim. Such a definition does not leave room for good intentions on the part of accused. Nor does it leave room for bad intentions on the part of the accuser or misunderstanding on the part of either party. Furthermore, the definition of sexual harassment, as implemented at most universities, has now come to include not only unwanted sexual attention but also wanted sexual attention, as in the case of consensual relations between students and faculty members.

The problem with the definition of sexual harassment, as Patai (1998) points out, is that it is an “accordion” concept—one that can stretch infinitely. The constant expansion of the term by some feminist scholars is counter-productive because the offense loses its egregiousness. A look, a violent assault, and a consensual relationship should not all be defined by the same measure. Not only does such a policy wrong the accused, but as I will show, it harms the very victims that it seeks to protect. The purpose of a sexual harassment policy should be to empower the victims. A ban on consensual relationships will not achieve that goal; it will only make them more powerless.

It is this constant expansion of the definition of sexual harassment that has led to a move toward a ban on consensual relationships between students and faculty in academia. This ban is supported by the belief that students can never consent (Dziech and Weiner, 1984), hence all “consensual” relations are, in reality, instances of harassment and should be forbidden. Can a consensual relationship exist between a professor and a student? I argue that it can. This paper deals with the issues surrounding student-professor relationships in colleges and universities. More specifically, I focus mainly on situations involving female students and male professors, since that is still the most common form of student-professor relationships. It is also the form that is most likely to provoke public outrage.

Empirical Research

Although there is a wide array of literature on sexual harassment, directed at various audiences, there is very little empirical research on consensual relationships. The most widely known, published empirical studies dealing with consensual relationships between students and faculty—Skeen and Nielsen (1983) and Glaser and Thorpe (1986)—reveal that perceptions and experiences of consensual student-faculty relationships are ambiguous at best. Skeen and Nielsen (1983) conducted in-