

Sexual Harassment of Female Employees at a State University in Zimbabwe

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Abstract

The focus of the study was to analyse sexual harassment of female employees at one state university in Zimbabwe. The study aimed at creating an in-depth understanding of sexual harassment for systematic and effective legislation to be formulated and implemented against perpetrators of sexual harassment and protection of real and potential victims. Mixed methodologies were applied in data collection. Social science ethics were observed throughout the study. The study revealed that sexual harassment of female employees is rife at the university and that sexual harassment against female employees is under reported. The results point to the urgent need for university policies on sexual harassment, stiff preventive laws on offenders and clear protection of victims of sexual harassment.

Keywords: Sex, gender, sexism, sexual harassment, sexual discrimination, gender violence, domestic violence, act and policy, hostile work environment.

1. Introduction

Sexual harassment is a critical social problem at workplaces and society in general. Harassment of any person on the basis of his or her sex is against contemporary laws, protocols and conventions on human rights and human development. National, regional and international authorities reveal that sexual harassment is mainly perpetrated by men while the main victims are women. This state of affairs has roots in male dominated culture. Sexual harassment at workplaces comes in several forms. Despite the variety in forms, sexual harassment is an obstacle to good work conditions, relations and productivity. Universities are not an exception on sexual harassment despite the fact that these institutions have a mandate of transforming societies towards positive change and development.

2. Background to the Study

Brison (2009) explains that sexual harassment is as old as humanity itself and it is a characteristic of all human societies and organisations. Historically sexual harassment against women in work organisations and society in general was accepted as norm. In no society has sexual harassment been considered an offence or unlawful. Msasa Project (2011) notes that it was only through the rise of organised feminism and feminist movements' pressure on human rights bodies such as United Nations (UN), African Union (AU) and Southern African Development Community (SADC) that sexual harassment was considered a social problem that has to be included in legislations. Sexual harassment is not a new phenomenon in Zimbabwe, Africa and the world over, but until recently nothing significant was done to address it in many countries. The problem is currently being addressed through legislation aimed at prevention and eradication.

Eyre (2009) points out that sexual harassment in the employment environment is an area of great concern. With the advent of new legislation a positive duty has been placed on employers to take steps to combat the problem. Cases have already been brought before the courts in terms of the new legislation and the courts have shown no hesitation in implementing the law. Recent decisions in Zimbabwe and other countries have spelt victory for victims of sexual harassment whilst sending out a clear message to perpetrators and employers. The approach adopted by the courts is a laudable one.

The United Nations (2011) explains that scene has been set in most countries for the eradication of sexual harassment in and outside the work environment but the last step is the creation of a culture of non-victimisation. Employers have a crucial role to play as far as their employees are concerned. New legislation does address this issue but awareness is necessary to enable individuals to exercise their rights without fear of victimisation. This is of paramount importance if the various pieces of legislation are to achieve their objectives.

3. Statement of the Problem

Going by media reports in Zimbabwe, the rate of sexual harassment in institutions of higher education has been on the increase in the past few years. The most reported cases are those that constitute a thigh for a pass, especially in teachers colleges. In universities such reports have been very minimal but this does not exonerate universities from this devil practice. Listening to university students (both male and female) discussing their social life in the

university gives a hind on the state of affairs vis a vis sexual harassment in universities. Several cases go unreported, with many students forcibly infected with HIV and AIDS. Many students die of AIDS a few years after graduation because of exploitative sexual relationships in the institutions of higher learning. That being the case, it is important to note that most studies that have been carried out on sexual harassment in institutions of higher learning have focused on the exploitative relationship between lecturers and students. Very few studies have focused on male employees versus female employees. This study seeks to fill in that gap. The study investigates the state of sexual harassment of female employees at one of the universities in Zimbabwe.

4. Research Question

This study has been guided by the following research questions:

- What is the state of sexual harassment of female workers at the studied university?
- Who are the perpetrators of sexual harassment of female workers at this university?
- What should be done to improve the situation?

5. Review of Related Literature

The International Labour Organisation (2006) defines sexual harassment as unwanted conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behaviour that is welcome and mutual. Sexual attention becomes sexual harassment if the behaviour is persistent, although a single incident of harassment can constitute sexual harassment; and/or the recipient has made it clear that the behaviour is considered offensive; and/or the perpetrator should have known that the behaviour is regarded as unacceptable.

The Equal Employment Opportunity Commission (EEOC) (2010) defines sexual harassment in its guidelines as unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

According to Msasa project (2011), sexual harassment may include the following:

Verbal:

- referring to an adult as a girl, hunk, doll, babe, or honey;
- whistling at someone, cat calls;
- making sexual comments about a person's body;
- making sexual comments or innuendos;
- turning work discussions to sexual topics;
- telling sexual jokes or stories;
- asking about sexual fantasies, preferences, or history;
- asking personal questions about social or sexual life;
- making kissing sounds, howling, and smacking lips;
- making sexual comments about a person's clothing, anatomy, or looks;
- repeatedly asking out a person who is not interested; and
- telling lies or spreading rumours about a person's personal sex life.

Non-Verbal:

- looking a person up and down (elevator eyes);
- staring at someone;
- blocking a person's path;
- following the person;
- giving personal gifts;
- displaying sexually suggestive visuals;
- making sexual gestures with hands or through body movements; and
- making facial expressions such as winking, throwing kisses, or licking lips.

Physical:

- giving a massage around the neck or shoulders;
- touching the person's clothing, hair, or body;
- hugging, kissing, patting, or stroking;
- touching or rubbing oneself sexually around another person; and

- standing close or brushing up against another person.

Sexual harassment in the education sector is a burning issue, not only in Zimbabwe and other African countries but across the world. However, because of the lack of reliable statistics, this issue has had to be managed in the dark in most countries. According to the United Nations (2011), sexual harassment statistics merely form part of the larger category of unfair dismissals. The history and sociology underlying sexual harassment have been disregarded to a great extent due to the emphasis that is being placed on avoiding liability. Sexual harassment in schools, colleges and universities is a way of expressing and confirming masculinity within a heterosexualised racial and gender order.

Eyre (2009) reiterates that not only is an employer subject to strict liability if a case of sexual harassment occurs in the workplace or at learning institutions, but a plethora of claims can follow and has been known to follow the employer of the harasser. This applies especially to the education sector where the *in loco parentis* principle reigns supreme and where codes of conduct and policy need to be developed to protect both learners and educators.

Studies in South Africa and America show that nearly two thirds of all female employees experience sexual harassment during their tenure (UN, 2011). It has also been found that gendered performance intersects intimately with relations of power (ibid). The authors of this paper strongly believe that the reinforcement of male heterosexuality and the authentication of male masculinity are often the cause of females becoming victims of the sexual harassment in an education environment.

Tertiary institutions and schools are no longer the ivory towers of the past (EEOC, 2010). They have become a breeding ground for unfair discrimination and victimisation on sexual grounds. Gender stereotyping is one of the main reasons for the high number of sexual harassment cases reported in the education sector in Africa and other continents (ibid). Only if the socio-political, historical and cultural factors underlying this phenomenon are fully understood can sexual harassment ever be eliminated.

As part of the expanding global village, most countries have a variety of cultures and races of which the education sector must take cognisance in order to fully eradicate all forms of sexual harassment in education. According to Robinson (2000), empirical evidence from studies done in Australia over a ten-year period shows that the relationship between masculinity and sexual harassment in secondary schooling still stems from the perception that men, collectively, have power over women and that the very definitions of manhood maintain this notion. Sexual harassment seems to be integral to the performance of homogenised masculinity. It is a powerful means to reinforce culturally dominant relations of gender across class, race, and sexual orientation.

Harrison (2003) observes that victims of sexual harassment often ask themselves what they have done wrong, what part of the problem they own, what they have done to contribute to sexual harassment, what they have wrongly observed and to what they have silently given consent. Sexual harassment often occurs where in the eyes of male colleagues the woman's sex role overshadows her role as an employee. It is against this backdrop of women's history that sexual harassment has been silenced for years and continues to pose a problem (Ibid). It must be kept in mind that learning institutions are not only vehicles for teaching learners but remain a workplace for educators as well.

Greenberg and Barling (1999) notes that whereas sexual harassment often is rife even in elementary school, it often escalates in high school, both in frequency and type, as students progress through school to tertiary institutions. This phenomenon has been described as a disturbingly prevalent trend. Sexual harassment at universities has been understood as the exercise of power by specific individuals, and it has been dealt with via insufficient policies and grievance procedures. From an article written by Eyre (2009) from the University of Brunswick, it is clear that this problem is far greater than the mere deviance by individual students. It is alleged that women's voices are silenced in university communities by those that hold powerful positions and that due to confidentiality clauses this serious problem has not received the attention it should.

MacKinnon (1998) described the harassment of students, especially female students, as a form of violence against women and coined the term "sexual harassment." The book "The Lecherous Professor" refers to a survey of the Fortune 500 companies in which it was found that 90 percent of the top 500 companies had received sexual harassment complaints, more than 30 percent had been sued, and 25 percent had been sued more than once. The same problem was experienced by all - the lack of a mechanism that would encourage victims to come forward and use the system. It is argued that the number of formal and informal complaints remains minuscule in comparison with the total number of incidents of sexual harassment, either in the workplace or in schools or universities.

The survey further stated that sexual harassment by male university lecturers of their female counterparts, secretaries and other administrative staff is a fact of campus life and that the silencing thereof is part of the reason for the historical invisibility of the problem: silence, promoted by the fear that somehow they (the victims) are responsible for the sexual harassment in one way or the other, and/or the fact that female university staff know they are subordinate to male staff.

The most prevalent defence is that it is the female employees who lure their male counterparts.

However, according to McKinnon (2008), the fact that mutual consent is often raised as a defence by male employees can also not stand the test of time. She argues that sexual give-and-take is based upon mutual consent, which is not possible in the Lecturer-secretary/administrator relationship because of the power imbalance and the magnitude of the role disparity. It must be kept in mind that in sexual harassment the concern is about the unhealthy sexual dynamic, about behaviours that are exploitative, abusive and psychologically and academically damaging (ibid). It has been the primary task of academia to educate and to pursue knowledge, but now the faculty are also tasked to clarify values, to develop character, to impart wisdom, to nurture good citizenship, to foster creativity and to encourage growth. However, in this new plight the role of some academic staff for example professors and doctors and male bosses has changed to that of violating the freedom of their female counterparts.

The International Labour Organisation (2003) explains that different people have different forms of power over subordinates in commercial and non-commercial organisations and are able to abuse that power within those limits. The supervisor has power over the subordinate as the male vice chancellors, bursars and lecturers have over their secretaries and learners. According to researchers who study sexual harassment in secondary schools, this organisational power perspective can explain the sexual harassment of pupils by lecturers. It is this potential abuse of power that links sexual harassment in education to the workplace.

The International Labour Organisation (2008) states that survey published in Hong Kong in February 2007 showed that nearly 25% of workers interviewed suffered sexual harassment with one-third of them men. Among male workers, only 6.6% reported their grievance (compared to 20% of women) because they felt too embarrassed to face ridicule. According to a 2004 report issued in Italy, 55.4% of women in the 14-59 age group reported having been victim of sexual harassment. One out of three female workers are subjected to sexual intimidations for career advancement with 65% blackmailed weekly by the same harasser, usually a co-worker or supervisor. Furthermore, 55.6% of women subjected to sexual intimidation had resigned from the job. In the European Union, 40-50% of women have reported some form of sexual harassment at the workplace.

According to a survey carried out by the Australian Equal Opportunity Commission in 2004, 18% of interviewees aged between 18 and 64 years said they had experienced sexual harassment in the workplace. Of those who experienced sexual harassment, 62% were physically harassed and less than 37 % were likely to report the abuse. Research shows that the type of women most vulnerable to sexual harassment are young, financially dependent, single, or divorced and with a migrant status. For men, those most harassed are young, gay, and members of ethnic or racial minorities. Sexual harassment between people of the same sex is a recent but growing trend.

6. Methodology

The study was based on qualitative research design. The major aim of the study was to investigate participants' views and perceptions; hence the qualitative design became the most appropriate design for this study. Informal discussions were the major data collection instruments.

7. Findings

Ninety percent of the respondents said female employees are the main victims of sexual harassment while men are the main perpetrators. They said the reason for this state of affairs is rooted in a culture that stresses male superiority and female inferiority in social, political and economic issues.

The study revealed that the number of victims who take formal action against their harassers stands in stark contrast to the percentage of victims who suffer emotional distress as a result of sexual harassment in the workplace. Only 5% of the female respondents explained that they take formal action because they fear victimisation and they take sexual harassment as a norm in their work environment.

Both the male and female respondents understand the side effects of sexual harassment, including somatic symptoms such as disturbed sleep, nightmares, headaches, fatigue, nausea, neck pain, back pain, gastrointestinal disturbances, loss of appetite and weight loss.

The study also revealed that work-related complaints associated with sexual harassment can manifest as increased absenteeism, poor work performance and poor work evaluation. Psychological effects include a lack of self-esteem, irritability, isolation, depression, anger, guilt, fear, frustration and helplessness.

Some female employees reported that they avoid certain places on campus, change their schedules, activities or change their lives to avoid sexual harassment. Sexual harassment can damage students' wellbeing, provoke and exacerbate conflict among students, and contribute to a hostile work environment. Some female respondents explained that they are more likely to be absent from work for fear of harassment. Moreover, the study revealed that fear of being fired forces especially low level female staff to silently accept to be harassed and abused.

Female employees reported that harassment negatively influenced their social relations, work satisfaction and performance. The study also revealed that female employees are burdened by the psychological

effects of sexual harassment and that they are more likely to be embarrassed, afraid, less confident and confused about themselves than their male counterparts.

The study also showed that victims of sexual harassment lose trust in environments similar to where the harassment occurred and also lose trust in the types of people that occupy similar positions as the harasser or his or her colleagues, especially in case they are not supportive, difficulties or stress on peer relationships, or relationships with colleagues. Weakening of support network, or being ostracized from professional or academic circles, having to relocate to another job and loss of references/recommendations also result from sexual harassment.

8. Conclusions

Based on the above findings, the present study concluded that:

- Sexual harassment is rife among university employees with female employees being the main victims while men are the main perpetrators.
- A culture of gender inequality where the men are considered superior on the basis of culture shapes organisational culture and generally limits women's chances in and outside the work environment.
- Due to the absence of proper and reliable statistics, the magnitude of the problem has been underestimated, and it has been treated like any other compliance issue in the workplace and in education.
- Sexual harassment severely affects the social, emotional, psychological and economic wellbeing of victims (who in this study are mainly female employees).
- Proactive preventive practices should be instituted to attain a culture of non victimisation and balanced human rights enjoyment by all university staff and students.

9. Recommendations

Data analysis paves way for the following recommendations:

- The problem of sexual harassment in universities cannot be managed unless it is brought into the open, effective policies are developed. Experiences in many countries have shown that effective action against sexual harassment in the workplace requires a combination of legal frameworks as well as greater enforcement, adequately funded institutions and a greater awareness of the issues.
- It is imperative in the education sector that an effective and well documented sexual harassment programme be developed to stipulate the wrong behaviour to correspond with the Codes of Conduct required as per the national and international legislation.
- The prevention of sexual harassment in education should be seen as an educational challenge. The focus should be shifted from the avoidance of liability to the need to educate learners and educators on the effects of sexual harassment, the myths surrounding sexual harassment, and the role that culture plays in the perception of sexual harassment.
- The unethical conduct of male sexual harassment perpetrators should be treated with disdain.
- It is of the utmost importance to afford counselling and assistance to the victims of sexual harassment. Even the perpetrator should be sent for counselling.
- It is of the utmost importance that user-friendly reporting procedures be instilled in universities and other organisations. An informal network of advice is not sufficient to combat the problem of sexual harassment in institutions.
- A proactive approach rather than a reactive approach should be crafted at universities.

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