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An analysis of a legal case regarding sexual harassment in a Swedish high school

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Do schools normalise sexual harassment? An analysis of a legal case regarding sexual harassment in a Swedish high school

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ABSTRACT
Sexual harassment has become so frequent and ubiquitous in schools that these behaviours have become normalised and expected. In order to prevent the re-enactment and perpetuation of this problem, it is important to explore processes that contribute to its existence. A high school sexual harassment lawsuit in Sweden is used as a case study to illustrate ways that might explain how sexual harassment is normalised at the organisational level. A thematic analysis has been used to identify themes and subthemes. The results show a multi-layered web of factors and practices related to sexual harassment at the organisational level in the school. In order to change a school’s culture from one where sexual harassment is normalised, multiple needs must be addressed: organisational weaknesses must be strengthened; adults enact their responsibility to change the situation; and awareness of the relationship between sexual harassment, gender, and power needs to be increased.

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Adolescence; discrimination law; gender safety; gender-based violence; gender regime; organisational level

Introduction
Both Swedish statistics and those gathered by international agencies show that sexual harassment in schools is a global phenomenon affecting both boys and girls, although girls are exposed more frequently (AAUW 2011; DeSousa and Ribeiro 2005; Friends 2015; Leach, Dunne, and Salvi 2014; Witkowska 2005). In the US, the federal law Title IX, passed in 1972, was interpreted to cover peer-to-peer sexual harassment, which has led to several legal decisions about sexual harassment in schools. Pupils in Sweden, on the other hand, were not included in the national law until 2006 (SFS 2006:67). It was not until 2012 that the Office of the Ombudsman against Discrimination (DO) decided to take the first sexual harassment case against a school to court in Sweden. This paper will use that lawsuit as a case study of a school’s reactions and responses to a situation where a girl in high school was sexually harassed by a boy and who reported it to the school authorities. Analysing this legal case enables critical reflections on other cases of...
Sexual harassment is a form of gender-based violence, but there is no single definition of sexual harassment in the international literature, and none of the existing definitions establish clear-cut boundaries for which behaviours ought to be considered sexual harassment (Gillander Gådin 2011). According to scholars who study this problem in the US, some behaviours that are considered sexual harassment overlap with legal definitions of criminal sexual assault, for example, pinching a particular body part (breasts and genital areas), attempting to pull off clothing, and forcing a kiss (Fineran and Bennett 1999). Some researchers have included derogatory comments about gender in their definition of sexual harassment (Witkowska and Menckel 2005), while other scholars would call those comments sexist harassment (Robinson 2005). This confluence and overlap demonstrate the lack of a distinct, objective and universal definition of sexual harassment.

According to the Swedish Discrimination Act (SFS 2008:567), sexual harassment is defined as ‘a behaviour of a sexual nature that violates a person’s dignity’. Since sexual harassment is included in the discrimination act, it is seen as a form of discrimination with a focus on gender and power. However, the inclusion of the formulation ‘a person’s dignity’ makes the definition gender neutral, as it suggests that both boys/men and girls/women can be targets of sexual harassment. This definition makes it easier for sexual harassment to be interpreted as an individual problem and not as a process which reproduces an unequal gender order at a structural level in society. Although both boys and girls can be victimised, and both genders can be perpetrators, sexual harassment is still an act of reproducing an unequal gender order (Leach, Dunne, and Salvi 2014). Girls can police each other for being too sexual and boys can be harassed if they deviate from a heterosexual hegemonic masculinity ideology (Tolman, Davis, and Bowman 2015). Both cases are examples of gender-based harassment that supports structural gender inequality.

Scholars have emphasised the importance of distinguishing between bullying and sexual harassment (Charmaraman et al. 2013; Conroy 2013; Stein 2003). Sexual harassment includes sexualised interactions and targets a person based on gender or sexual orientation, and it is linked to sociocultural constructions of gender and (hetero)sexuality. Sexual harassment is also largely directed at girls and has more pronounced negative outcomes compared to bullying (Gruber and Fineran 2007; Zetterström Dahlqvist, Landstedt, and Gillander Gådin 2012). Being exposed to sexual harassment is related to a wide range of negative health outcomes, such as psychological distress (Landstedt and Gillander Gådin 2011), bad physical health, low life satisfaction, and trauma symptoms (Gruber and Fineran 2007). The victim is often afraid, loses confidence, feels unpopular and embarrassed (Duffy, Wareham, and Walsh 2004), and suffers educational consequences such as decreased school achievement, absenteeism, reduced participation in class, and avoiding particular locations at school (AAUW 2011; Duffy, Wareham, and Walsh 2004).

The Swedish discrimination act includes several obligations related to school-aged pupils. According to the law, school personnel are obliged to investigate and analyse the situation if a pupil complains about sexual harassment, document any actions taken, and confirm that the behaviours have ceased. In addition, schools are required to have an anti-discrimination action plan that covers sexual harassment and includes an annual evaluation that involves students in the process (SFS 2008:567).
Ironically, Sweden is widely recognised as one of the most gender equitable countries in the world (UNDP, 2013). Therefore, it is quite surprising that there are relatively high levels of gender-based violence (Leander et al., 2012), including a high frequency of sexual harassment in schools in the country (Friends, 2015; Zetterström Dahlqvist, Landstedt, and Gillander Gådin, 2012; Witkowska, 2005). To better understand the high occurrence of sexual harassment among pupils, it is necessary to analyse normalisation processes at school which might explain how this problematic behaviour continues despite laws, policies, and a national curriculum that focuses on democracy, social competence, and gender equality.

**Normalisation of sexual harassment**

There are several factors which increase the risk for normalising sexual harassment at school. One factor is that a high frequency of sexual harassment behaviours increases the risk that those behaviours are considered normative (Larkin, 1994; Timmerman, 2003). A high frequency of sexual harassment enhances the risk of increased intensity, that sexual harassment is taken for granted, that the threshold for what counts as sexual harassment becomes elevated and, finally, that sexual harassment becomes normalised in the organisation (Hearn and Parkin, 2001). If sexual harassment becomes normalised it can move the recognition of it to a less conscious level and the perpetrator becomes desensitised, while the victim becomes more and more objectified (Hearn and Parkin, 2001). Furthermore, the boundaries for accepted behaviour get distorted and are displaced by a higher tolerance threshold (Gillander Gådin, Weiner, and Ahlgren, 2013). There is also a higher risk for normalisation if the occurrence of sexual harassment is concealed and never discussed in school (Gillander Gådin, 2012; Larkin, 1994). The construction of masculinities and femininities in society, which is deeply connected to the views that men are dominant and sexually aggressive while women are subordinated and sexualised objects (Kimmel, 2008; Mac an Ghaill, 1994), can also increase the risk that sexual harassment of girls by boys is interpreted as normal behaviour.

This paper will analyse the ways in which school communities provide conditions where sexual harassment can become normalised, with a focus on the organisational level. Bacchi (1998) argues that the culture of an institution can inadvertently support sexual harassment and allow it to flourish. This paper has an explicit feminist perspective as we want to advance the understanding of the ways in which dominance and power work to sustain and reproduce a patriarchal gendered order, that is, the gendered social practices that systematically privilege men as a social group and disadvantage women as a social group (Connell, 1987; Lazar, 2007).

The specific ways in which gender is produced and reproduced in specific institutions denotes distinctive ‘gender regimes’, which are the particular enactments of power relations between men and women, their division of labour, and allocation of resources (Connell, 1987). The school is an institution in which teachers and pupils negotiate the gender regime and in which boys and girls construct and reconstruct masculinities and femininities from an early age. Thus, the school is an important arena for change in gender relations both between individual boys and girls and between boys and girls as distinctively gendered groups (Connell, 2002).
According to Meyer (2008a), sexual harassment is an accepted part of the school culture, which operates to regulate and reinforce traditional heterosexist gender norms. There is an increased risk that sexual harassment is dismissed as a result of normativity if the gender norms in a school approve stereotypical views of masculinity and femininity and thus support the idea of gender division of labour, asymmetric power between women and men, and essentialist views of men and women as distinctly different (Conroy 2013).

This paper argues that sexual harassment has become so frequent and ubiquitous in schools that these behaviours have become normalised and expected. In order to prevent the re-enactment and perpetuation of this pervasive problem, it is important to explore processes which contribute to its existence despite the prominence of national laws and educational policies. A high school sexual harassment lawsuit in Sweden is used as a case study to illustrate the processes at the organisational level which could explain the ways in which sexual harassment is normalised and allows these behaviours to continue.

**Case background**

The victim was an 18-year-old high school girl (henceforth called Kate) who was sexually harassed by a male classmate (henceforth called Harry) of the same age. Although she had protested against the behaviour and repeatedly complained to the school staff, the harassment continued and even escalated. Kate was exposed to repeated verbal, non-verbal and physical behaviours, carried into effect at school, on her way to school and on school-related field trips. For example, Harry peppered her with dirty talk filled with sexual allusions, particularly related to Kate’s boyfriend and their (sexual) relationship. As he spoke in a vulgar way, he moved his hips in a sexual way towards her face, commented about her body in a sexualised way, asked for sexual favours (e.g. ‘Do you want to follow me home and give me a blowjob?’), and called her sexually offensive names. According to one of their classmates, this happened almost daily and occurred mostly when there were no witnesses and bystanders. The behaviour took place during a whole year. Kate reported the harassment to her teacher and the headmaster after approximately half a year. Ultimately, it was Kate’s boyfriend who finally reported the harassment to DO. Interestingly, the school authorities and the DO were in agreement that Kate had indeed been exposed to sexual harassment.

DO decided to take legal actions against the school administration, because they found that the school had not followed the regulations as required by the national law against discrimination (SFS 2008:567). In particular, they found that the school personnel neither properly analysed the situation nor documented what they had done to stop the harassment. They furthermore did not succeed in stopping the harasser, and they had a poor action plan. (All names in the present text are fictitious.)

**Material and methods**

**The evidence**

Among the analysed documents are the defendant’s plea, the victim’s testimony, and reports of the proceedings from the school (i.e. the responsible school authority) and
the DO. The documents include protocols from meetings with DO representatives and Kate's and Harry's teacher, the school counsellor, the principal of the programme, and the principal of the school, personal interviews with Kate as well as telephone interviews with the other girls in the class by a DO administrator. The first complaint (application for a summons) was sent to the court in February 2012, yet the trial did not begin until 9th of June 2014. The verdict was given the 13th of August, 2014, and the judgement was that the DO won the case and that the municipality was liable and had to compensate Kate financially for the discrimination she suffered. The guilty verdict was based on the school's not having followed the law when it came to investigating the situation and taking remedial action as the law requires as soon as the staff at the school was informed of the discrimination. The court also raised a statement from the trial in which the expert witness had indicated that there were different norms for boys and girls in place at the school. All documents except service notes with witnesses are public documents and can be ordered by the district court of Värmland (Mål T 980-12) (in Swedish).

**Analysis**

The material was analysed with a thematic analysis in accordance with Braun and Clarke (2006) who claim that the method is flexible in that it can range between a descriptive and a positivist standpoint to a constructionist perspective, that it can be applied across a variety of theoretical and epistemological approaches, and provide insightful and complex analysis that answers particular research questions. They further argue that thematic analysis not is rooted in a pre-existing theoretical framework but instead adjusts to the research question and that the researchers clarify their theoretical positions.

Braun and Clarke (2006) have specified six phases of thematic analysis which are described in relation to our analysis. (1) Familiarising yourself with your data: All documents were read thoroughly several times to achieve a comprehensive view of the material. Before the thematic analysis started, the first author had been hired to serve as an expert in the case for the DO. In that capacity, she had read the material and wrote an expert statement about the case related to issues DO wanted her to elaborate on. Included in the expert’s statement were the following issues: definitions of sexual harassment; consequences of sexual harassment; differences between sexual harassment and other forms of harassment; her opinion of the case, in particular in regards to the question whether Kate had been exposed to sexual harassment and whether the school authorities had acted as required by the discrimination act. In addition to writing this expert report, the first author gave testimony as an expert witness during the trial. (2) Generating initial codes: The analysis started after the expert statement was finalised. The documents were then scrutinised more in detail and the initial coding related to the aim of the study was initiated. The initial coding involved several codes, such as ‘staff focusing Kate’s behaviour’ and ‘staff focusing on Kate’s reactions’. These were categorised as ‘individualisation’. (3) Searching for themes: After all codes were grouped into different categories, the process of searching for more latent themes began. The categories were written on separate papers and sorted until three separate themes and eight subthemes representing different underlying assumptions of normalisation processes for sexual harassment at an organisational level emerged. Even if sexual harassment is the focus of this paper, the case was not about whether Kate had been exposed to sexual harassment or not. Rather, the analysis of the lawsuit was about
the responses from the school personnel once Kate reported her sexual harassment. (4) Reviewing themes: The data related to the themes were scrutinised in relation to coherence in order to identify as distinctive themes as possible. In order to increase the credibility of our analysis, we have made the analysis available to the attorneys and legal advisors at DO as well as to Kate so they could ensure that the researchers have understood and used the legal vocabulary correctly and accurately described the process. (5) Defining and naming themes: When the themes were defined, we ensured that they could answer the research question and that there was not too much overlap between themes. The data were analysed in an inductive way in which the coding was not driven by presumption of possible codes or themes. However, as both co-authors are experienced researchers in studies on sexual harassment, the approach cannot be seen as entirely neutral. This means that we have a theoretical (pre)understanding of sexual harassment and also have knowledge of categories and themes from previous studies. While reading and coding the data, we could thus alternate between a theoretical (pre)understanding and a data-driven inductive analysis. However, as only the first author can read Swedish, the initial coding of the material was conducted by that researcher alone. (6) Producing the report: In order to present the complexity of data in the most valid and rigorous way possible, data extracts from the legal documents have been chosen to demonstrate the essence of the themes. These are discussed below in relation to earlier research and a gender theoretical perspective.

Results and discussion

Organisational deficiencies, shifting responsibility for the sexual harassment from the school and the perpetrator to the victim, as well as ignorance of gender and power are the themes found in the materials provided by this lawsuit. Even if this is a case study of sexual harassment from a single school, our analysis reveals several factors on the organisational level that are integral to gendered normalisation processes.

It is highly unusual that an adolescent girl acts the way Kate did, that is, protested several times against the sexual harassment she was exposed to by telling both the perpetrator, her teachers, and two principals (primary and second), and also agreed to be a witness in a trial. Studies show that even if there is a high frequency of students reporting sexual harassment in anonymous questionnaire studies, few of them report the episode to a person in a position of authority at school (AAUW 2011; Gillander Gådin, Weiner, and Ahlgren 2013; Timmerman 2003). The most common strategies for high school students are to do nothing, try to avoid the situation, or walk away. Telling an adult is the last resort (deLara 2008).

The focus of this study has been on normalisation processes at the organisational level, and Table 1 shows the themes and the subthemes found in the analysis of the documents.

Organisational deficiency

The first theme and subthemes reveal the organisational deficiencies which enabled sexual harassment at the school to flourish.

Not following the law

In the school authority’s first written reply after the initial complaint to DO, the school officials admitted to some small insufficiencies in how they had dealt with the situation and in
their compliance with the law, but they claimed that ‘these deficiencies did not affect Kate negatively as they would not have altered the process or events during the school year’. The school officials argued that they had acted with all possible speed and that they had an actual action plan, despite the fact that their plan had not changed since 2006, even though it must be reviewed yearly. However, the school officials admitted that they failed to follow the checklist in their (inadequate) action plan, as they had not conducted the mandatory follow-up investigation within one week after sexual harassment was reported by Kate. They continued to argue that even if they had conducted the one-week follow-up, ‘the answer had probably been that there is no problem’. Here, they refer to the fact that Harry started to sexually harass Kate again two weeks after Kate’s first report to one of the two principals, and indicate that they would have missed it anyhow.

It was apparent that the staff at the school either did not know or purposefully ignored what the discrimination act required them to do. This study also makes it obvious that laws and policies against sexual harassment in schools are not enough. According to Hlavka (2014), the school staff must also understand and agree on the underlying reasons for the sexual harassment to occur in order to take action. The lack of a current action plan and the school’s vague understanding of how sexual harassment should be prevented and responded to increases the risk that school staff members rely on their own intuitive judgement when taking action, which could reinforce the normalising process of sexual harassment (Anagnostopoulos et al. 2009).

### Table 1. Themes and subthemes that emerged in the text as parts of normalisation processes for sexual harassment in a high school at an organisational level.

<table>
<thead>
<tr>
<th>Themes</th>
<th>Organisational deficiency</th>
<th>Shifting the responsibility</th>
<th>Ignorance of gender and power</th>
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<tbody>
<tr>
<td>Subthemes</td>
<td>• Not following the law</td>
<td>• Individualisation</td>
<td>• Acceptance of sexual harassment</td>
</tr>
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<td></td>
<td>• Lack of boundaries and consequences for the offender</td>
<td>• Blaming the victim</td>
<td>• Ignorance of gender and sexuality</td>
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<td>• Trivialising</td>
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<td>• Lack of surveillance</td>
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**Lack of boundaries and consequences for the offender**

According to the principal at the school, one of the teachers had talked to Harry and told him to stop harassing Kate. However, as his sexual harassment continued and even got worse during the spring term, this instruction was obviously not effective. Yet, there was no negative consequence for this behaviour. The head principal had a ‘firm talk’ with Harry about his sexual harassment behaviour, and after that his harassing of Kate finally ended just a couple of weeks before the school term ended. The main principal had told Harry that his behaviour was so severe that he could be reported to the police; that it would be Harry’s fault if the school was reported to the School Inspectorate, and that even Harry, not only the school, would be portrayed negatively in the media. The principal thought that finally articulating all of these consequences to Harry would have an impact on his conduct. However, the head principal also contacted Kate and said that ‘if you and your boyfriend hang out the school out to dry in the media, we will drag you down with us’.
Common consequences administered by school personnel to those students who are harassing others include: being reported to the principal several times, being re-located to another class, or temporary suspension. Yet most of these consequences are perceived as inefficient, because the boys’ behaviours rarely change (Keddie 2009). Further, such consequences can even be regarded as a reward rather than a punishment by the boys, as it gives them a chance to show off and be cool in front of the other boys, that is, as a way to demonstrate hegemonic masculinity. When a teacher or some other staff at school tells a student to stop harassing other students, it is important that the reprimand really leads to a positive change; otherwise, there is a risk for negative expectations by the victim, which is a signal to other students that perpetrators can continue their harassment unpunished, and there is also a risk of retaliation (Keddie 2009; Gillander Gådin, Weiner, and Ahlgren 2013). This was the case for Kate, whom Harry sexually harassed more than he did other girls largely because she protested against his behaviour whereas the other victims did not do.

**Trivialising**

The school officials claimed that Kate’s boyfriend’s report of harassment was exaggerated. They claimed that if Kate’s harassment had indeed been that severe she would surely have gone to the police. They also argued that the sexual harassment Kate was exposed to was so minor that it should not even qualify as sexual harassment, and that she had embellished Harry’s behaviours once she started to talk with the DO representatives. The author(s) interpreted this as a way to minimise the problem of sexual harassment which existed at the school and as a way to trivialise Kate’s experiences.

The school officials also thought that Kate would have displayed more severe reactions to the alleged sexual harassment that she claimed to be experiencing. Despite the severe harassment, Kate continued to attend school (as she wanted to take an exam), and she did not report any ill health effects apart from being tired of the harassment. Thus, the school officials did not think that she was experiencing harassment of a serious nature, if any at all. Since Kate did not explicitly report that she felt bad as a result of the harassment, one of her teachers did not think it was important to take notice and stated that ‘… it is different if a person feels bad [if a person’s health is affected]. Then you have to act’. It seems as if they considered Harry’s harassing behaviour part of normal social interactions between pupils, and thus failed to define it as the serious and enduring problem it constituted for Kate (Keddie 2009).

The school officials’ (mis)interpretation of the law seems to be predicated on the requirement that a student expresses ill health before the adult staff take sexual harassment seriously. They also mistakenly felt that Kate, the targeted student, was required to take action on her own again against the harasser. These same school officials did not seem to understand or know about other possible negative consequences apart from an impact on health, such as truancy, school phobia, sleep disturbances, general anxiety, etc. (AAUW 2011; Duffy, Wareham, and Walsh 2004). The pupil in this particular case, Kate, did not stay away from school even when she was tired of the harassment that was constantly directed at her. However, even severely harassed students continue to go to school if they do not see any alternatives and also if they do not want their parents to know about the situation (Oliver and Candappa 2007).
Lack of surveillance
When Kate was worried that Harry would harass her again during a planned school-sponsored field trip, she shared her worries with her school counsellor, who suggested that she should ask the teacher accompanying the students on the field trip to keep an eye on her. The teacher promised to do so. However, during the field trip, Kate was harassed again while standing outside a bathroom waiting for her friend: Harry passed by and said ‘maybe we can take a quickie in the bathroom before she is ready’. Because the school failed to organise the trip in a way that would guarantee Kate’s safety and because the teacher who agreed to watch Harry did not in fact supervise him, Harry got another opportunity to harass Kate.

Sexual harassment can occur both with and without the presence of school personnel, but in most cases there are no adult witnessing the incidents (AAUW 2011). Therefore, recommendations for reducing sexual harassment include increasing the presence of teachers and other staff in locations where there is a high risk of incidences of sexual harassment, such as hallways and cafeterias (Lichty and Campbell 2012). The authors, however, further report that sexual harassment also occurs in spaces such as classrooms, at recess, on the bus, and according to some pupils, it could happen anywhere. Because high-risk locations can differ from school to school, it is important for pupils and school staff to together define local high-risk areas, by, for example, mapping safe and unsafe spaces at school (Taylor, Mumford, and Stein 2015).

Shifting the responsibility
The second theme shows how the school officials refused to treat sexual harassment as an organisational problem that needs to be resolved by the adults at the school but instead put the focus on the behaviour and the personality of the victim as well as the perpetrator. Studies of gender-based violence show that responsibility is frequently shifted and instead of questioning the perpetrator’s behaviour, the focus turns to the victim’s responsibility in the matter (Hlavka 2014; Keddie 2009).

When Kate complained to the headmaster a second time, he arranged for her to meet with the school counsellor. The principal could have sent the boy to the social counsellor, since it was his behaviour which needed to be scrutinised and changed. However, even if Kate potentially benefitted from talking to a counsellor about her situation, the school counsellor assigned Kate the responsibility for changing the harassment she was experiencing. According to Hlavka (2014), placing the responsibility on the victim erases the institutional responsibility of the school.

Individualisation
DO interrogated one of Kate’s schoolmates who reported that Harry used to harass the other girls, too but that they were not bothered in the same way as Kate was, and that they had considered his conduct to be of a joking manner. The school officials thus took Kate’s classmates’ interpretation to be a more nuanced view of the harassment and concluded that Harry was childish, and immature. The fact that only Kate reacted even though several students were harassed was interpreted to Kate’s detriment. They considered Kate’s personality the problem; if she had only been more like the other
girls, she would not have cared about being repeatedly exposed to Harry’s sexual harassment.

In addition, one of the teachers thought that ‘this story with Harry’ was a call for help on Kate’s behalf because she felt controlled by her mother and by her boyfriend. This teacher came to this interpretation after reading Kate’s public blog. The teacher said in the same interview that he understood that ‘even another girl in the class was exposed [to sexual harassment by Harry], but that she was temperamental and took pills’. It is unclear how the teacher made the connection between being exposed to sexual harassment and the personal characteristic of Kate and another girl, but it served as a way to individualise the problem and put the focus on the victim.

The school tried to present the problem of sexual harassment as a personal shortcoming and claimed that she would have behaved in a particular way if she had indeed been harassed. They claimed that she was instead overly sensitive, which was a problem she herself could change. Instead of seeing Harry’s behaviour as reflective of a school culture and part of the gender regime at the school, where sexual harassment was permitted to reign and thus maintained an asymmetric gender relation in favour of the boys (Rahimi and Liston 2011), both the focus and the onus were instead put on Kate.

School officials regarded Harry as childish, immature, and ‘having a short temper’. Even though Harry as well as Kate were old enough to legally be regarded as adults, Harry was not expected to take responsibility for his behaviour. Only Kate, not Harry, was expected to act like an adult. Focusing on the harasser’s deviancy and not taking his social surroundings into account increases the risk that the responsibility for the harassment is shifted to the victim (Eyre 2000).

In another study of school staff responses to sexual harassment, Anagnostopoulos et al. (2009) conclude that a focus on the victim’s signs of distress is a way to shift the responsibility away from the perpetrator, who consequently escapes surveillance, and onto the victim. The focus on Kate’s potential symptoms of ill health was thus not only a way to trivialise the problem but also a way to shift responsibility from Harry onto her.

**Blame the victim**

Kate was the only girl in the class who protested against Harry’s behaviour, even though most of the girls seemed to have experienced some form of sexual harassment by him. Kate’s efforts were extensive: she reported the sexual harassment to her teacher, to the principal, and to the school counsellor; she anticipated that Harry would likely try to harass her during the field trip and thus asked a staff member to supervise both her and Harry. Despite these efforts, the school administration accused Kate of being passive in the face of the harassment. According to a memorandum from a meeting at DO with Kate, she claimed that she said that she would not complain again to the school personnel about Harry’s conduct, because they had not done anything about his behaviour when she had reported it earlier. Later, the school personnel claimed that Kate should have reported the harassment to the police, because she was an adult, once again putting the responsibility on Kate instead of the school personnel to monitor and report his illegal conduct.

Before the field trip, the school counsellor asked Kate if she wanted Harry to be excluded from the trip. Kate indicated that it would be mean to do that and that it was not necessary. Putting the decision on Kate and then accusing her for not demanding
that Harry be excluded was also a way for the school to blame Kate and absolve itself from its responsibility. The school counsellor suggested that Kate and the other girls in the class should stick together, change their behaviour, and not laugh at Harry when he behaved badly. This suggestion implies that Kate needed to take more responsibility for the situation and protest more actively against Harry’s behaviour. According to interviews with Kate and with one of her classmates, the girls speculated that Kate received the most harassment of all the girls because Kate was the one who showed most resistance and protested [against Harry].

The fact that school personnel defined Kate as passive even though she actively tried to handle the situation could be explained as a part of a heteronormative discourse (Hlavka 2014). If there is a belief that female sexuality is linked to passivity, vulnerability, and submissiveness, in contrast to a male sexuality of dominance and aggression (Connell 1987; Kimmel 2008), this discourse could have influenced the interpretations of students’ actions.

**Ignorance of gender and power**

Even if organisational deficiencies and the shifting of responsibility are factors that help to normalise sexual harassment at school, sexual harassment could not occur or be sustained unless the underlying presence of gender inequality and power asymmetries in the school context were tolerated. The third theme concerns the ignorance of gender relations, of asymmetric power between boys and girls, and a lack of understanding of the relationship between sexual harassment and gendered power.

**Acceptance of sexual harassment in the school**

A school administrator commented that Kate’s classmates had a more nuanced picture of Harry’s harassment. Since he harassed several [students] other than Kate and the others did not care, it was implied that sexual harassment of students was acceptable as long as the victims said the harassment did not bother them. Even if these girls had not complained about specific behaviours, the school staff should have defined sexual harassment as a threat to a positive learning environment and should have taken action to rid the school environment of it, as Witkowska and Menckel (2005) suggest. The school staff should also have been aware of the dynamics within a group of girls who might like to avoid the appearance of weakness or alternatively feel ashamed of victimhood, as deLara (2012) describes.

Moreover, it is possible that they might have been afraid of being considered mentally ill and consequently being socially excluded unless they proved that they could ‘take it’ (deLara 2008). There are also studies that indicate that a generally hostile environment can negatively affect students’ health, even if they are not individually exposed (Landstedt and Gillander Gådin 2011).

Kate told DO that there was a substitute teacher who often argued with Harry about his behaviour and whom Harry often treated rudely and called ‘bitch’ or ‘c***’. It seems that the staff at the school were also exposed to sexual harassment from Harry and that he created a hostile work environment for the staff, and this was also ignored by the school administrators. We do not know if or how this was dealt with, but according to Kate this behaviour occurred repeatedly, which creates the impression that Harry’s
conduct was largely ignored and that he experienced no negative consequences. Thus, yet again, his behaviour found acceptance.

According to DeKeseredy and Schwartz (2005), boys’ violence is accepted and allowed to continue as long as it is not considered behaviour that clearly breaks a cultural norm. In some contexts, this can mean that it is acceptable for boys to demonstrate heterosexual masculinity through an aggressive and dominating behaviour. Different kinds of discriminatory behaviours, in this case sexual harassment, can be seen as a part of a systematic oppression, a social routine, something that everyone knows will be exerted and that is constantly present, and as a way to uphold white, heterosexual men’s privileges and dominant position in society (Young 1990).

Ignorance of gender and sexuality
The school authorities claimed that Harry’s comments to Kate were meant as a joke; that this was common jargon among the students; and that he had not meant any harm. In a meeting with DO, the teacher said that he talked with Harry the day after he had been called to the headmaster’s office for the first time and that he concluded that Harry had not understood that he hurt someone. He stated that he thought Harry was immature, and he also speculated that Harry would have difficulties in his relationships with girls. These sentiments were also echoed by the social counsellor who commented to Kate that Harry seemed immature and that he had ‘not yet left babyhood’. All in all, the school personnel seemed to excuse Harry’s behaviour as a consequence of his immaturity and childishness and thereby reduced his behaviour to something out of his control rather than regarding it as a deliberate strategy to gain power over Kate. While Harry was infantilised, Kate was made into an adult and blamed.

According to Conroy (2013), the developmental perspective, which focuses on the perpetrator’s immaturity, is problematic because it suggests that sexual harassment is a consequence of not understanding which behaviours are socially appropriate when indicating one’s interest in another person. Conroy (2013) further argues that a developmental perspective fails to see the gendered power structure in society and that this has consequences for future interventions. From a feminist perspective, the school personnel could have interpreted Harry’s behaviour as a gendered performance of power and control and as a social construction of hegemonic heterosexual masculinity (Butler 1990; Connell 1987; Kimmel 2008). If teachers regard sexual harassment as part of the natural course of sexual and interpersonal development, they may be less willing to take action to stop the behaviour (Anagnostopoulos et al. 2009).

The teachers’ view that Harry was harassing girls because he had problems relating to them in an appropriate manner is not supported in the literature. Not many harassers see themselves as rejected suitors, and many are unwilling to acknowledge that their behaviours may affect others negatively (AAUW 2011). To sexually harass a girl is a way to police her within a patriarchal society in which a double standard for girls’ (hetero)sexual sexuality exists (Rahimi and Liston 2011; Tolman, Davis, and Bowman 2015). Additionally, the teachers’ framing of Harry’s behaviour as a harmless joke not intended to hurt Kate brings to mind a study by Rahimi and Liston (2011), which found that the boys’ own perspective on their behaviours indicated whether teachers saw it as a problem or not. Boys who harass other students frequently assert that sexual harassment is just a joke (Robinson 2005), but it is seldom appreciated by the victim, because the person performing the
harassment and defining it as a joke is in a dominant position and uses harassment to assert heterosexual masculinity (Landstedt, Asplund, and Gillander Gådin 2009). The school authorities claimed that Kate and Harry were equals in terms of power, as they both were of legal age and were regarded by the law as adults.

When Kate reported Harry’s behaviour to the principal for the first time, it was important to her that it was confidential, since she was afraid of retaliation. This indicates that their relationship was not equal in terms of power.

Moreover, the two principals had one formal meeting each with Harry in which they informed him that he had to stop sexually harassing Kate. According to the school personnel, the harassment finally stopped after a sharp order from one of the principals at a third meeting. Thus, it can be questioned if Harry’s behaviour can be attributed to his immaturity if he was immediately able to cease such behaviour when firm enough action was taken by the school. Harry also promised the head principal that he would not harass Kate again, and he contacted Kate the same day to ask her for forgiveness. Finally, after almost a year of repeated events, Harry stopped the harassment.

**Methodological considerations**

Most of the material from this lawsuit is available to the public from the District Court in Karlstad, Sweden. The analysis and interpretations of the case study are our own.

One of the criteria for a good thematic analysis is that the themes are internally coherent and consistent and do not overlap (Braun and Clarke 2006). We argue that our themes meet these criteria, but we acknowledge that a certain degree of overlap is difficult to avoid. It is possible that ‘trivialising’ sexual harassment is a consequence of ‘ignorance of sexual harassment’, but we claim that defining these phenomena under different themes increases our understanding of how sexual harassment is normalised.

In addition, we do not claim that our result is transferable to all cases of sexual harassment in schools, to different age groups, or to pupils in other grades. However, the large number of subthemes and three more specific themes enable us to provide a thick description of possible normalising processes that might be useful when other educators want to analyse their own work in sexual harassment prevention.

Finally, the thematic analysis utilised in this study is similar to content analysis in that the analysis cuts across data with a search for patterns and themes. However, our analysis is different because it emphasises context and includes an effort to integrate latent and manifest content (Vaismoradi, Turunen, and Bondas 2013).

**Implications and conclusions**

The results from this case study show a complex and multi-layered web of factors and practices related to sexual harassment at the organisational level. To change a school culture in which sexual harassment is normalised to a school culture of gender safety (Stein, Tolman, Porche, and Spencer 2002), multiple needs must be addressed, as shown in the present study: strengthening organisational weaknesses; putting the responsibility for changing the situation where it belongs (on the adults); and increasing awareness of the relationship among sexual harassment, gender and power. It is of vital concern to both prevent sexual harassment at school and take adequate actions when it does
occur, because it is the obligation of the school staff to create a safe and positive learning environment free from all kinds of harassment.

To counter the heterosexist hegemony within school culture, it is important to use a critical feminist lens, to understand the underlying factors that permit sexual harassment to occur, and to challenge hegemonic masculine values (Meyer 2008b).

The fact that Kate was exposed to greater sexual harassment from Harry than the other girls could be explained by the fact that she actually protested against his harassment while the other girls in the class did not. An absence of protest reflects an awareness that those who publicly confront harassers and abusers are at greater risk for retaliation, and such an awareness may come from past personal experience or from witnessing the sexual harassment of others (Keddie 2009; Gillander Gådin, Weiner, and Ahlgren 2013). A lack of protest can also be regarded as being complicit with patriarchy as well as an indication of women’s subordination (Eyre 2000). The teachers in Kate’s school saw her as more vulnerable and sensitive than the other girls and believed that she wanted attention due to circumstances in her personal life outside of school. Even if that had been the case, Harry’s behaviours still constituted sexual harassment. What is more, it should be viewed with more alarm precisely because he directed his aggressive behaviour to a person whom the staff considered highly sensitive and vulnerable.

This case study shows how the school staff made excuses for the boy’s behaviour by framing it as a joke; that they excused his conduct as a consequence of immaturity; and that they chose to interpret it as if he did not mean to harm anyone. In addition, the school staff failed to recognise that they had excused his behaviour and put responsibility of the harassment on the girl. If the school staff does not intervene and stop sexual harassment, they endorse a certain form of masculinity of aggression and dominance, which may increase the problem of sexual harassment at the school (Robinson 2005). The acceptance of this form of masculinity and the public performance of gender violence and sexual harassment in schools may also increase the risk of violence against women in the future as girls learn to expect violence from men and boys learn that it is an accepted and tolerated form of behaviour (Stein 1995). Even if the school as an institution cannot change the gender order at the societal level, the school itself is a social arena in which both boys and girls embody gendered practices, and it is thus a site where constructions of masculinities and femininities can be challenged and altered as we strive to create gender safe schools (Stein et al. 2002).

Moreover, we do not claim that all schools would react like the one in this case study, but given the frequency of sexual harassment in Sweden, the US, and globally, one can infer that many schools tolerate its existence. Even if there are studies showing that teachers have an intolerant view of sexual harassment and want to take action (Meyer 2008a; Stone and Couch 2004), the problem is tenacious and seems to flourish regardless of some teachers’ efforts. A study by Sela-Shayovitz (2009) shows that teachers perceived self-efficacy to deal with violence and harassment at school is related to the level of support they receive from the school organisation, that there is a need for training of teachers to deal with violence and harassment at school and that there should be courses in school violence prevention in the teacher preparation curriculum.

In accordance with Eyre (2000), who critiqued a single case of sexual harassment in a university community, our analysis illustrates that the problem is not attributed to specific individuals. Rather, the school organisation and social processes within the school
provided conditions by which sexual harassment could occur and become normalised. Acker (1990) argues that organisations are not gender neutral and that gendered processes that lead to gender inequality occur in several interacting processes, most of which also relate to the educational sphere, such as division of labour, behaviours and emotions allowed, patterns that enact dominance and submission, choice of appropriate work, and presentation of self as a gendered member. School is an arena where femininities and masculinities are constructed and individual gender identity developed (Connell 2002) and can thus act as a promotor for changing gender relations.

In conclusion, sexual harassment can be used to police both boys and girls, but it is always a way to police gender non-conformity (Conroy 2013). It is also a behaviour that works as an instrument for creating and maintaining a gendered hierarchy where men are dominant and women are subordinated (Kimmel 2008; MacKinnon 1979; Robinson 2005).

Finally, this case study exists solely because one girl was brave and took action – she decided to oppose the normative understanding of sexual harassment as something that she would tolerate, despite the risk for retaliation. By doing that, she made the norms visible, which open them up for analysis. In addition, the courage of the DO to report the school to the judiciary stands out. It is vital that school personnel provide an environment in which students who are exposed to sexual harassment dare to report it and also that the staff is competent enough to handle the situation and to live up to the intentions set forth in the Discrimination Act.

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Disclosure statement

No potential conflict of interest was reported by the authors.

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References


