

Resisting the Enforcement of Sexual Harassment Law

Justine E. Tinkler

Most people in the United States believe that sexual harassment should be illegal and that enforcement is necessary. In spite of such widespread support for antiharassment regulations, sexual harassment policy training provokes backlash and has been shown to activate traditional gender stereotypes. Using in-depth interviews and participant observations of sexual harassment policy training sessions, this study uncovers the micro-level mechanisms that underlie ambivalence about the enforcement of sexual harassment law. I find that while the different locations of men and women in the status hierarchy lead to different manifestations of resistance, gender stereotypes are used to buttress perceptions that sexual harassment laws threaten norms of interaction and status positions that men and women have an interest in maintaining. The research has implications for understanding the role of law in social change, legal compliance, and the potential/limits of law for reducing inequality.

From here on out, we can no longer be friends . . . consider this my retirement from comedy. In the future if I want to say something funny, or witty, or do an impression, I will no longer EVER do any of those things.

Michael Scott, NBC's *The Office*

INTRODUCTION

On a 2005 episode of NBC's popular sitcom *The Office*, Michael Scott, the politically incorrect and socially inept boss, reacted against "Corporate's" effort to educate him on their sexual harassment policy by making the above announcement to his staff. The comedy succeeded at two levels—on the one hand, because Michael Scott is foolish and lacking in social skills, the scene can be read as a joke on men who complain about sexual harassment policies; on the other hand, because he is a sympathetic (albeit cringe-worthy) character, the scene can also be read as a joke about the oversanitizing effect of sexual harassment policies on the workplace. In essence, the episode reveals a familiar paradox about perceptions of sexual harassment: at the same time that sexual harassment is widely perceived as wrong, the enforcement of policies and the use of litigation as a strategy for redressing sexual harassment are often met with resistance. Using data from participant observations of sexual harassment policy training sessions and from in-depth interviews with undergraduates at a university in

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California, I show that this paradox is partly due to unspecified micro-level processes through which sexual harassment regulations confront the existing gender status hierarchy. This conceptualization roots resistance to sexual harassment law in men's and women's stake in existing status relations, and in so doing, provides a general framework for considering resistance to many laws aimed at reducing inequality.

In the mid-1970s, the courts first recognized sexual harassment as a violation of Title VII of the Civil Rights Act of 1964, the law that forbids discrimination on the basis of sex, race, religion, and national origin. Implied in this legal acknowledgment was the hope that reducing the incidence of sexual harassment in the workplace would, over time, produce a labor market with less gender inequality (MacKinnon 1979). In the United States, the law has largely placed this responsibility in the hands of employers by making them liable for sexual harassment if they do not take care to prevent it (Saguy 2003). With over 90 percent of large employing organizations having adopted a sexual harassment policy (Dobbin and Kelly 2007) and most creating departments and procedures for dealing with such issues (Edelman, Uggen, and Erlanger 1999), there is little question that the law has played a direct role in organizational change. There is also evidence that sexual harassment policies and procedures can curtail sexually harassing behaviors (Gruber 1998). However, to date there is little social scientific evidence demonstrating the effect of antiharassment regulations on the broader goal of reducing gender inequality at work, and a number of sociolegal scholars have argued that such laws produce effects counter to their equalizing aims (Abrams 1998; Patai 1998; Bisom-Rapp 2001; Halley 2002; Schultz 2003). Research has shown that the enforcement of sexual harassment law discourages men from mentoring female colleagues (Epstein et al. 1995), reinforces paternalistic stereotypes of women (Schultz 1998; Abrams 1998), and usually reflects managerial interests over the rights of employees (Edelman, Uggen, and Erlanger 1999; Marshall 2005). In addition, recent studies have uncovered evidence of resistance and backlash to workplace sexual harassment rules (Marshall 2003; Tinkler, Li, and Mollborn 2007; Tinkler 2008; Munkres 2008).

This article focuses on understanding what individual-level resistance to the enforcement of sexual harassment rules means for the current status of the feminist and civil rights agendas to alter not only the material but also the ideological conditions that perpetuate inequality. Systems of inequality are sustained by cultural beliefs about group difference and the enactment of those beliefs in behaviors and institutions (Sewell 1992). Gender scholars have shown how widely held cultural beliefs that hold men to be more competent and status-worthy than women influence behavior at the interactional level, maintaining the existing gender hierarchy (Ridgeway and Correll 2004). Changing cultural beliefs about group difference and inequality should be necessary for legal interventions to effect lasting change. As such, studying resistance to the enforcement of sexual harassment law is important since such resistance may undermine long-term goals of changing social structure (Ridgeway 1997; Correll 2001).

This study requires an approach that looks less at people's attitudes about legal doctrine and more at people's perceptions of the law's effects on existing social relations. Case law and the regulatory guidelines for compliance are broad and ambiguous with respect to the behaviors and degrees of severity and unwelcomeness that constitute illegal harassment. In light of this ambiguity, organizations have been the primary enforcers of the law and have constructed the meaning of the law through their

compliance (Edelman 1992). In general, employing organizations comply with sexual harassment law by establishing policies and grievance procedures and educating their employees on them (Edelman, Uggen, and Erlanger 1999). Since avoiding legal liability is of primary importance to employers, organizations have tended to discourage more sexual conduct than is legally actionable. The cautious approach taken by organizations and media's overreporting of high-profile cases in which plaintiffs win big (Nielsen and Biem 2004) means that most people learn that any unwelcome sexual behavior can be legally sanctioned if a "reasonable person" would deem it unwelcome, serious, and/or pervasive enough (Schultz 2003). The ambiguity in sexual harassment law is partly a reflection of the difficulty inherent in forcing changes in existing gender norms and status relations. As the law is translated to everyday citizens, its broad reach challenges the taken-for-granted beliefs, interests, and norms of the gender system.

RESISTANCE TO SEXUAL HARASSMENT LAW

Resistance to antiharassment regulations is usually *not* driven by the belief that unwelcome sexual behavior is harmless and should be tolerated in the workplace. Survey research has shown widespread agreement that unwelcome sexual attention is injurious. In a 1994 study of federal employees, 89 percent of males and 94 percent of females agreed that uninvited touching or pinching is sexual harassment, while 64 percent of males and 76 percent of females agreed that uninvited sexual jokes or remarks are harassment. This suggests that even the most prevalent and least serious forms of uninvited sexual conduct at work are considered by the majority of men and women to be injurious. However, from the same study, 37 percent of males and 25 percent of females reported that normal attraction is often misinterpreted as sexual harassment, 64 percent of males and 50 percent of females agreed that people are too quick to take offense when someone expresses a personal interest in them, and 17 percent of males and 4 percent of females reported that fear of being accused of sexual harassment makes their workplace uncomfortable (US Merit Systems Protection Board 1995). While these statistics are consistent with prior research in showing important gender differences in attitudes about sexual harassment and the rules against it (Lonsway, Cortina, and Magley 2008; Ohse and Stockdale 2008; for a review, see Rotundo, Nguyen, and Sackett 2001; Wiener et al. 1997), they also reveal a pattern that has received less scholarly attention: a substantial proportion of men *and* women resist the enforcement of rules against sexual harassment (for an exception, see the work of Christine Williams and her colleagues).

There has been little research that directly examines the underlying sources of resistance to sexual harassment rules (except see Lonsway, Cortina, and Magley 2008), but there has been substantial research on men's and women's perceptions of and tolerance for unwelcome sexual conduct (Russell and Trigg 2004; Terrance, Logan, and Peters 2004).¹ In particular, research on men's and women's

1. A literature search was conducted by searching the SocINDEX database for the terms sexual "harassment," "resistance," and "backlash." While hundreds of articles contain these terms, a closer examination of the relevant citations revealed few studies focused specifically on understanding resistance to sexual harassment rules. I have cited all the research on this topic of which I am aware.

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reluctance to define some unwelcome sexual behaviors as harassment suggests that men's and women's different structural positions in the gender status hierarchy lead to different sets of concerns about the threat the law poses to their own status.

Some researchers have situated men's reluctance to define sexual harassment as a social problem with respect to men's greater tendency to sexually harass and be accused of sexual harassment. Sexual harassment laws not only lead to material sanctions when violated (primarily by men), but also threaten male privileges afforded by interactional and sexual power. It has been argued that sexually harassing behavior is one tactic by which men assert and preserve their power over women in the workplace (MacKinnon 1979). Consistent with this, Burgess and Borgida (1999) find that women who work in traditionally male occupations often face hostile work environment harassment because they violate traditional sex roles and pose a real or perceived threat to the job security of men. Uggen and Blackstone (2004) show that sexual harassment is intrinsically linked to power relations and the preservation of heterosexual masculinity with evidence that women *and* men who hold the least workplace power are more likely to be victims of sexual harassment. Work environments that are more permissive about sexual harassment may serve to preserve masculinity and subjugate women, thus benefiting even those men who do not engage in the behaviors themselves (Gruber 1998).

In addition, while a sizable proportion of men report experiencing unwanted sexual attention (US Equal Employment Opportunity Commission 2009), men are not socialized to associate their own experiences with such conduct as harassment, and thus less often recognize the potential for the law to protect them. As such, men are more inclined to perceive sexual harassment laws as threatening rather than protective of their interests.

With respect to resistance by women, research has consistently uncovered a gap between the amount of uninvited sexual attention women report experiencing and their tendency to label such experiences as sexual harassment (Wiener et al. 1997). In particular, research has shown that women hesitate to define many forms of unwanted sexual attention as harassment because "taking it personally" can be disempowering (Bumiller 1988; Hinze 2004; Quinn 2000; Tinkler 2008). Quinn (2000) shows how humor is used as a power tactic to provoke socially inappropriate displays of emotion, thus disempowering women who take offense at sexual jokes/remarks. The common complaint that sexual harassment policies give space for overly sensitive women to misuse the law is intrinsically linked to gender stereotypes about women's emotionality (and irrationality). As a result, women make efforts not to take sexual joking personally and perceive people who do as overly sensitive and too quick to take offense (Tinkler 2007). Women who are concerned about being associated with negative stereotypes may resist the enforcement of sexual harassment law because it is disempowering.

In sum, prior research provides evidence that men and women resist the effect of sexual harassment law's enforcement, but their different structural locations in the gender status hierarchy lead men to have an interest in preserving their higher status and women to have an interest in avoiding further loss to their status position.

THREATS TO GENDER INTERACTION NORMS

The presumption behind antidiscrimination laws is that existing relations among designated social categories of people are unacceptable and must be sanctioned legally for change to occur. Legal interventions threaten not only material and status privileges, but also commonsense understandings about the way people conduct their lives. Zimring and Hawkins (1971) argue that when the law is used to promote social change, it is likely that compliance requires those accustomed to the illegal conduct to significantly reorient their values and behavior. They further argue that when the customary behavior is widespread, laws against it are more likely to threaten normally socialized individuals. While laws aimed at reducing inequality may threaten the power and resources of only those at the top of the status hierarchy, the enforcement of these laws makes the cultural beliefs and norms of the entire society more vulnerable. Even those who are unwilling to accept their unequal position in the status order have reasons to behave according to social norms. As such, the effectiveness of sexual harassment law may depend on men and women reorienting deeply entrenched beliefs and norms.

Ridgeway (1997, 2006) suggests that people rely on shared categorization systems to inform how they communicate with one another in order to ease interactions. According to social cognition research, there are a few primary categories that people almost always rely on in interaction situations; in the United States they are sex, race, and age (Fiske 1998). These categories are useful in interaction situations because there is a cultural consensus about what kinds of behavior can be expected from persons of a given category. As such, interaction norms incorporate stereotypes that people use to relate to one another. Evidence suggests that these primary categories are automatically and unconsciously activated, informing our subsequent understanding of the person. Because of this categorization process, shared beliefs about who people are and how they are supposed to interact are important to us, and contestations over these beliefs are likely to provoke resistance (Mendes et al. 2007).

Unlike affirmative action or gender discrimination laws aimed at hiring and promoting practices, sexual harassment policies are unique in that they are trying to force changes in the way men and women relate to each other in the workplace. Because men and women interact frequently and are mutually dependent on each other, shared beliefs about how men and women are supposed to behave facilitate their relationships. Scholars contend that part of the reason women's (and men's) definitions of sexual harassment are narrower than legal definitions is that sexuality is very much a part of many workplaces and is often experienced as pleasurable (Dellinger and Williams 2002; Giuffre and Williams 1994). Social norms dictate that women are communal and should flirt through body language, while men are assertive and should flirt in a more explicit, confrontational way. Conforming to these norms is often essential for seeming attractive to the other sex. As such, a law that largely targets the behavioral style of men may disadvantage men *and* women in their pursuit of romantic relationships. In support of this point, Giuffre and Williams (1994) show that people are more likely to perceive sexual attention as harassment when the "perpetrator" is a different race and sexual orientation. In other words, when the behavior violates interaction norms, it is perceived as sexual harassment, but when the behavior conforms to such norms, sexual harassment rules pose a threat to normal interaction.

DATA AND METHODS

Since I was interested in identifying the underlying social psychological sources of resistance to laws against sexual harassment, I chose to employ participant observation and in-depth interviewing methods at a university in California.² Resistance to the enforcement of rules against sexual harassment is not of the march-in-the-streets variety; there are no organized political movements or treatises written to stop the regulation of sexual harassment. Rather, resistance takes on more subtle forms—with humor and trivialization (Montemurro 2003) as the primary tools against the law's effect. For this reason, people are inexperienced at articulating their views on this topic, making survey-based methods insufficient. The participant observations of sexual harassment policy training sessions revealed the natural reactions of employees to their workplace training, while the in-depth interviews allowed me access to the subjective meanings produced through conversations about sexual harassment.

Participant Observations

I attended six training sessions—four designed for university faculty/supervisors and two designed for university staff (nonsupervisors). I attended the sessions as a participant and took extensive notes on a notepad during all sessions. Because other attendees were encouraged to take notes, my presence as a researcher went unnoticed. Three of the sessions for supervisors were two-hour mock trials held in a large auditorium seating 200+ attendees who watched a mock sexual harassment trial and then divided into small groups (around eight to twelve people/group) to deliberate and act as jurors in the trial. The trial was designed to raise difficult questions and, by legal standards, was likely to result in awards for the plaintiff.

The other faculty/supervisor session was an interactive training led by a drama troupe in which actors performed a play about a sexual harassment incident and then involved the audience in a question-and-answer session with the characters the actors were playing. Midway through the session, an attorney representing the university presented a Microsoft PowerPoint presentation of the university's policy and then discussion between the audience and the actors resumed.

The staff policy information sessions (around twenty to twenty-five attendees) were led by a human resources officer and involved a PowerPoint presentation followed by a small-group activity (four to six people/group) in which attendees discussed various sexual harassment scenarios. In contrast to the mock trials, which were explicitly framed with respect to legal liability, the sexual harassment scenarios required participants to discuss how the victims or witnesses of sexual harassment should deal with various situations. Since many workplaces have moved to online tutorials, the three training sessions I attended were unique in the extent to which participants engaged with the information provided.

The attendees I observed in all sessions ranged in age between thirty-five and seventy years old. In the small-group sessions, I joined mixed-sex groups with an

2. Pseudonymous field and interview notes are available upon request.

approximately equal number of men and women. In the faculty/supervisor sessions, nearly all the people in the groups I observed were white, whereas the staff sessions better reflected the local community with about 60 percent white, 20 percent Asian, and 20 percent Latino attendees. The participant observation data come primarily from the group discussion activities in all sessions, as it was in these situations that I was most able to observe people's reactions to the sexual harassment training. During the jury and drama troupe discussions, the groups were big enough that I was able to blend in without contributing my own opinion. In the small-group staff-training sessions, I did talk when not participating seemed inappropriate, but I tried to limit my influence and included detailed information about my own participation in my fieldnotes. While I was only able to observe one small-group discussion per session, the topics that arose in the small-group discussions were similar to those discussed in the larger post-activity discussions, suggesting that the groups I observed were not unique in their reactions to the training.

Interviews

I conducted in-depth interviews with two populations. First, I interviewed two of the sexual harassment policy officers employed at the university to organize and lead the staff, faculty/supervisor, and student training sessions. Both policy officers were white women in their late forties/early fifties and had worked at the university for more than five years. The semistructured interviews were about sixty minutes and covered questions about the officers' job responsibilities, the university's approach to combating harassment, and, most importantly for this study, perceptions of people's attitudes about sexual harassment and the regulation of it. Since the policy officers had communicated with hundreds of people over many years about sexual harassment rules, the data from their interviews help validate the theoretical generalizability of the themes that emerged from the other data sources.

The participant observations of training sessions and interviews with sexual harassment policy officers allowed me to document people's general reactions to the law's enforcement, but the data are limited for what they can reveal about the social psychological processes underlying people's reactions. To investigate further, I supplemented my findings with data from thirty-eight in-depth interviews with students at the same university in California. Since the goal in this study was not to quantify the extent of resistance to antiharassment regulations but to develop theory about resistance when it occurs, data from students offered important insights.

From a theoretical perspective, it made sense to interview people who would express the most resistance. Consistent with prior research (McCabe and Hardman 2005), the policy officers I interviewed reported that male and female students expressed more negative attitudes about sexual harassment rules than middle-aged employees.³ In addition, since I was most interested in understanding what it means for

3. College students have more liberal sexual attitudes and young people tend to be employed in restaurant and service jobs that tolerate a greater degree of flirtation (Giuffre and Williams 1994). As such, sexual harassment law may seem like a greater threat to their norms than to other groups who are older and who have more work experience in a variety of jobs.

people to have a law that regulates interaction and existing status relations between men and women, talking to students whose perspectives were inchoate and less informed by work experience than by general discourse was informative in this regard. Moreover, since prior research comparing students and nonstudents has shown that gender attitudes partially mediate the effect of age on sexual harassment beliefs (Ohse and Stockdale 2008), those sources of resistance that I identify among students as being rooted in the maintenance of gender beliefs and norms should have relevance for other age cohorts as well. A final strength of the student sample is that it provides preliminary data on the attitudes of those who came of age after sexual harassment policies proliferated in workplaces and educational settings. Gender attitudes of students of this generation reveal important information about the success of feminism at the ideological level.

The sample included sixteen female and twenty-two male students, all of whom ranged in age between eighteen and twenty-three years old. The racial composition of the sample was diverse: 40 percent ($N = 15$) of the interviewees were white, 10 percent ($N = 4$) were black, 10 percent ($N = 4$) were Latino, 24 percent ($N = 9$) were Asian, and 16 percent ($N = 6$) were multiracial/other. The interviewees were US-born citizens, except for four students who were from Brazil, Costa Rica, Pakistan, and India. None of the interviewees explicitly revealed their sexual orientation, though all but a few of them (who did not reveal their sexual orientation) implied at some point in the interview that they were straight. This is a limitation of the sample; since gays and lesbians are more often sanctioned for their sexual behaviors (Giuffre and Williams 1994), it is possible that their attitudes about sexual harassment laws are different than those of straight people.

The students were new to the workforce and had not begun their careers, but they all reported having paid work experience. Most of the students reported having short-term and part-time work experience in positions on campus, summer internships, lab assistantships, and as waiters/bartenders. They were all born between 1982 and 1987 and most students reported first learning about sexual harassment in middle school. Among the interviewees, 80 percent reported having attended a formal sexual harassment training session, with 49 percent having been trained at work (and often at school as well) and 31 percent having been trained at school. Even the minority of students whose knowledge of sexual harassment training was gained more informally were in a position to evaluate their university policy since an interviewer read it to them midway through the interview.

Interviews were conducted by undergraduate students enrolled in a course on the sociology of gender as part of a research practicum requirement. The students conducted the interviews with their friends (not enrolled in the class), and were instructed not to interview close family or romantic partners. For sensitive topics that deal with issues of sexuality, peer-facilitated interviews have an advantage in establishing rapport and have been shown to produce data comparable to those derived from interviews conducted by trained graduate students with no prior relationship to the interviewee (England, Shafer, and Fogarty 2008). Since all participants in an interview participate in the production of meaning (Holstein and Gubrium 1995), the intimate relationship between interviewers and interviewees should be acknowledged. The preexisting relationship may have encouraged interviewees to express views they knew their friends

shared and discouraged them from expressing views that may have conflicted with their friends' opinions. This was likely compounded by gender (Williams and Heikes 1993); research has shown that though sex-of-interviewer effects tend to be small, men and women express more gender egalitarian attitudes when interviewed by women (Kane and Macaulay 1993). About half the interviewees in this study were interviewed by women and I did find evidence that men interviewed by women expressed more gender egalitarian attitudes than men interviewed by men. Findings should be understood in this context.

Before conducting the interviews, student interviewers attended a two-hour training session on successful interviewing techniques. The training covered strategies for establishing rapport, upholding neutrality, facilitating responses (including prefatory statements and probing), and maintaining control of the interview.⁴ Students were also provided with a document summarizing interviewing tips and were encouraged to review the document prior to conducting the interview. This method of data collection allowed me to collect a large number of in-depth interviews and, since students were thoroughly trained and their interview transcripts were graded, the data quality was very high.⁵

The forty-to-sixty-minute interviews were semistructured, and students were required to follow an interview guide. Most research on sexual harassment attitudes has been careful to avoid imposing legal definitions on respondents' understandings of sexual harassment by designing survey and interview questions in ways that allow respondents to distinguish between sexual conduct and harassment. Since I was interested in how people react to the enforcement of the law as it is taught in policy training sessions and disseminated in workplace policies and even by the media and in general discourse, I did not take this approach. I wanted to know what students thought about sexual harassment and all the freight that accompanies the term.

The interview began with questions about work experience and progressed to definitions of sexual harassment (e.g., When do you remember first hearing the term sexual harassment? What do you think of when you hear it now? How would you explain to a foreigner the way that sexual harassment is defined in the United States?), gender relations (e.g., In a relationship, what responsibilities do you believe are the (wo)man's? In what ways do you think men are different from women?), experiences with sexual harassment training, attitudes about sexual harassment enforcement (e.g., How has learning about the law and workplace or university policies changed your beliefs about sexual harassment? What impact do you think that policies against sexual harassment have on people's behaviors? What about attitudes?), and experiences with sexual harassment. In addition, after being asked about their experiences with training, all interviewees were read an excerpt of their university policy and were asked to comment on it. To guide the student interviewers, the interview template also included

4. The training, conducted by the author, was based on the qualitative interviewing chapter from Michael Patton's textbook, *Qualitative Research and Evaluation Methods* (2002).

5. Because the students were required to submit a transcript of the interview to be graded, they took the task seriously and in general did a very good job conducting the interviews. While rare, there were a few instances in which students seemed to influence the responses in a way that deteriorated the quality of the data. In analyzing the data, I coded for instances in which I thought the student was leading the respondent and accounted for this in my analyses.

prefatory statements, transition statements, probes, and follow-up questions. All interviews were tape-recorded and transcribed by the students.⁶

Analysis

Using NVivo, a qualitative software package, I analyzed the interviews and fieldnotes with a coding scheme that I developed based on prior literature and modified as the patterns and themes emerged from the data. Specifically, I began by reading through all the fieldnotes and interviews and coding the data for four types of reactions to antiharassment enforcement: ambivalence, resistance, support, and gender stereotyping. I identified subthemes of resistance and then refined the codes based on what emerged from the data. The subthemes of resistance were: (1) people make too big of a deal, (2) afraid of getting into trouble, (3) people are overly sensitive, (4) antagonism against women, (5) policies are bad for women, and (6) policies threaten normal interaction. At this stage, I engaged in axial coding (Strauss and Corbin 1998), wherein I examined the relationships between concepts and began to construct a theoretical explanation for why men and women resist the enforcement of sexual harassment law.

FINDINGS

When I asked the university sexual harassment policy officers how people tend to react to the training sessions, both indicated that in general the feedback had been positive. Susan, the policy officer who had worked for the university for thirty-seven years, even said she was surprised workplaces were still conducting policy training sessions, stating: "It seems so taken for granted now. At the beginning it seemed so fraught, but now it doesn't." For the most part, I also observed little active resistance by trainees. Most people listened attentively to the trainers and engaged in the small-group discussions. Likewise, when asked, "How important do you think it is for us to have laws against sexual harassment?", every student interviewee but one expressed support for sexual harassment law and most believed it was very important. In spite of widespread support for having legal sanctions against sexual harassment, I also observed a sizable minority of participants who passively resisted the policy training sessions, dozing off, leaving only to return at the end, rolling their eyes and snickering throughout the session, and whispering to colleagues that it was "a waste of time" and "common sense." In addition, about 75 percent of female (twelve) and male (sixteen) students expressed negative attitudes about the consequences of sexual harassment policies/laws.

My data show that this paradox—support for sexual harassment law but resistance to its enforcement—is rooted in the way that sexual harassment law often activates, but does not sufficiently challenge, gender stereotypes of women as passive, emotional, and duplicitous. The data from the participant observations show how, contrary to the equalizing aims of sexual harassment law, policy training sessions often polarize men and

6. All names have been changed to protect the privacy of training session attendees and interviewees.

women and reify rather than break down traditional gender stereotypes. The data from the student interviews show how these stereotypes undergird men's and women's perception that sexual harassment laws threaten important norms of interaction and men's and women's respective status positions in the gender status hierarchy. In discussing the findings, I begin with an analysis of the ways that the policy training sessions activate gender stereotypes and then turn to the findings from the student interviews to show how these stereotypes are used to articulate resistance to the law's enforcement.

Policy Training Sessions: Gender Stereotypes and Polarization

Social psychological research has shown that when gender is made relevant in a situation, widely held cultural beliefs about gender difference become salient and guide behavior (Ridgeway and Smith-Lovin 1999). Even if sexual harassment policy training is successful in reducing the incidence of harassment, it calls attention to gender differences (Tinkler, Li, and Mollborn 2007; Tinkler 2007). The activation of gender stereotypes may be one cognitive source of resistance to sexual harassment law.

In most of the small-group sessions I observed, discussions and the disagreements that arose from them were polarized by gender. In one of the small-group discussions during the staff training session, I was grouped with two men, Joe and Tim, and two women, Shirley and Mary. In evaluating a scenario in which a student was uncomfortable with a visiting scholar's compliments about her physical appearance, Joe and Tim both agreed that the student needed to be upfront that she was not interested in the visiting scholar, while Shirley and Mary worried that she would jeopardize her success on the project if she was too upfront. The men and women in the group were aware of this gender divide and commented on it.

Mary: Now that is interesting hearing from the guys. See you guys have a different take on it. We women always want to be careful not to hurt people's feelings . . .

Joe: Coming from the guy's perspective, it is interesting because I work with undergraduates a lot and it is hard to know, when women are not clear, how to act. Young girls come into my office and you know, when it is warm, they come in wearing tight clothes—you know, showing everything. And people notice when you walk around like that. And I wonder, is this appropriate?

Here, Mary and Joe characterize "we women" and "guys" as so different as to need each other to translate their respective gender's perspectives. In addition, Mary relies on stereotypes about women's socioemotional strengths, and Joe implies women are duplicitous by dressing provocatively *and* not wanting unwelcome sexual attention.

Gender polarization also characterized the mock trial discussions. In one of the mock trials, the jury was asked to consider a female plaintiff's case against the university for ignoring her complaints to Human Resources about her male supervisor's behavior. The plaintiff accused her supervisor of quid pro quo harassment for promoting a woman with whom he was having an affair (in spite of the plaintiff being more qualified) and hostile environment harassment for displaying ninety artistic postcards

of nude women in his office and involving office staff in the drama of his romantic relationships with two women at work. Consider an excerpt from my fieldnotes of a jury discussion about whether the university should be held accountable for the female plaintiff's complaints:

A woman who has voted in favor of plaintiff interjects that it is important that HR never even got back to Sweet (the plaintiff) or interviewed her. Others agree. The most disgruntled guy says, "Maybe HR decided not to get back to her because she was overemotional and HR didn't agree with her." A number of women disagree and say that is not the way HR should respond, even if they don't believe her. The foreman's male friend says "yeah" to the disgruntled guy "and really she should have gone to the sexual harassment policy office" (says with a snicker and a smile and repeats it when nobody responds). This comment seems intended as a joke about the content of the training since it was emphasized earlier that people should contact the policy office if they have a concern or complaint. (mock trial fieldnotes 10/25/05)

In this instance, the discussion was polarized by gender, with women holding the university liable for not responding and men holding the plaintiff liable for being overemotional and not going directly to the sexual harassment policy office. In both training sessions described above, men and women have contrasting perceptions of the sexual harassment situation and rely on familiar gender stereotypes to communicate these perceptions. In particular, the policy training sessions appear to activate stereotypes of women as overemotional, passive, and duplicitous in the way they react to sexual harassment policies.

During the training performed by the drama troupe, I once again observed male and female attendees disagreeing with each other about the incident played out by the actors. The incident involved Jack, a male assistant professor who went on two dates (one of which included a kiss) with Karen, his female assistant professor colleague. After having his invitations for future dates politely (and somewhat passively) declined, he became obnoxiously persistent in his pursuit of her. Karen eventually asked Tim, her really close friend and colleague, whether she should tell their department chair that she was being sexually harassed. Tim discouraged her. During the Q&A session with the actors, most of the women attendees expressed disapproval of Karen's behavior. My fieldnotes document their reaction:

Another woman raises her hand and asks Karen in an accusatory tone, "Why did you go out with him?" Karen asks the audience if she should have been clearer. Many hands go up . . . Another older white woman (who I know to be a law professor) is called on and says in an angry tone, "Karen, you need some leadership training. You might have a legally actionable claim, but you really need to work on your manner—be clear, don't be equivocal." (drama troupe fieldnotes 11/07)

The women attendees express anger at Karen for leading Jack on and being passive in her reaction to his aggressive pursuit of her. In other words, the women reveal an awareness of the problem of behaving in a way that conforms to stereotypes and express anger at Karen for not disconfirming such stereotypes.

Many of the men also accused Karen of being “too nice,” but rather than blaming Karen for the incident, a number of the men attendees expressed anger at Karen’s friend, Tim, for not doing more to support and protect her. At one point, an older male raised his hand and when called on, pointed at Tim and said:

You are trivializing your friendship. If you are somebody’s best friend, you should go punch him (Jack) out. She may have been really stupid in the car on the 2nd date, but he is a real jerk and you should punch him.

Here, the man implies that Karen’s decision to kiss the man was “stupid,” but that the real burden falls on her male friend to protect her. This interpretation relies on stereotypes of men as aggressive protectors of women and, once again, of women as passive and duplicitous (for being “stupid” enough to kiss a man she was ultimately uninterested in). The evidence above suggests that the policies can incite men to see themselves as benevolent protectors of passive and pure women. While not prompting anger and hostility, this effect has been shown to perpetuate rather than break down status inequality (Glick and Fiske 1996; Jackman 1994; Schultz 1998). The women’s anger directed at Karen reveals an awareness of the disempowering effect of a law that reinforces stereotypes of women as passive victims.

In sum, the policy training sessions activated traditional gender stereotypes that govern interactions between men and women. At the same time that the training sessions discouraged (mostly) men from using their sexual power to dominate (mostly) women, they polarized attendees along gender lines and activated stereotypes of men as aggressive and rational and women as passive, overemotional, and duplicitous. In my interviews with students (described below), I found that each of these stereotypes buttressed resistance to the law’s enforcement. The data from interviews revealed what men and women perceive to be at stake when a law implicates the norms and interests that maintain the gender system. In part, the stereotype of women’s passivity (and men’s aggressiveness) governed the students’ sense that the law limited normal and innocent male-female interactions. The stereotype of women’s overemotionality and duplicity allowed men to be dismissive of sexual harassment as a social problem and led some men to express hostility toward the type of women who make sexual harassment complaints. Women recognized the potential for sexual harassment laws to reinforce negative stereotypes of women and reacted with resistance to the enforcement of the law and resentment toward the type of women who make too big a deal of sexual harassment.

Student Reactions: Threats to Interaction Norms

When I asked Cathy, the faculty and student policy officer, to discuss men’s and women’s reactions to the policy training sessions, she first noted that both men and women express concern about dealing with oversensitivity brought on by sexual harassment rules and want to know: “How do we still be ourselves and have fun?” My in-depth interviews with students also revealed a concern among men and women about the potential threat sexual harassment rules pose to norms of social interaction. Around 60 percent of the young men (thirteen) and women (ten) mentioned ways in which the

laws are detrimental to normal interaction. In particular, the students said that people could *not* be as “warm and friendly,” “playful,” or “act normal” because the laws “create tension,” “limit the quality of interactions,” and make people more “disconnected,” “paranoid,” “reserved,” and “constricted.”

Heterosexual masculinity norms prescribe men to be assertive and women to be passive in their pursuit of sexual relationships. In addition, even outside the context of romantic relationship formation, girl-watching, sexual joking, and touching are often performances of masculinity that depend on women to play the part of a passive object of male attention (Grazian 2007; Pascoe 2007; Quinn 2002). Given that men and women are held to different sexuality standards, a law that sanctions sexually aggressive conduct disproportionately targets the behavioral styles of men more than those of women. The male students in this sample expressed concerns about sexual harassment rules in terms of their fear of being accused of sexual harassment for behaviors they perceived to be relatively innocent:

there might be circumstances where it just means that there are women who are being “hit on” by guys where they don’t want this to be happening and it makes the person feel uncomfortable or unsafe and, OK, it’s a bad thing, but I don’t like the idea that this can be used as some sort of threat. (twenty-one-year-old male student)

Here, the student acknowledges that unwanted sexual attention can be bad, but then highlights his concern that a woman could use the law as a threat against men. This association of sexual harassment with threat was echoed by others, who reported that their workplace/university policy made them “very nervous,” “frightened,” and “scared.” Men framed these concerns by linking them to what they perceive to be normal behavior.

Sure, like, I personally would think that it should be ok to tell a female co-worker that she is wearing a nice outfit, but I would not dare say that in a work environment for fear of a harassment wrist slap. (nineteen-year-old male student)

Another male student echoed this sentiment.

I personally feel that if you are under a very strict, explicit policy, people might adopt behaviors, purely as a result of that. I mean, they become paranoid. Particularly the guys, the men, you wouldn’t really want to be too friendly with the female colleague because maybe she would get you in trouble for it. (twenty-one-year-old male student)

Here, the student not only expresses “paranoia” as an effect of the policy, but also suggests that female colleagues are the perpetrators. On the one hand, the male students have an exaggerated sense of what could get them into legal trouble and, on the other hand, by characterizing sexual attention at work as “friendly,” they reveal their uncertainty about whether women actually perceive such attention as unwelcome. This uncertainty is, in part, because norms prescribe women to be passive and equivocal in response to men’s more active pursuit of them. The fear that women get men into

trouble for nonmalicious (albeit unwanted and sexual) behavior exposes the unease that comes with rules that challenge existing interaction norms—particularly norms that undergird a status hierarchy that privileges men and masculinity.

Just under half the young women (seven) expressed similar concerns about the limits sexual harassment policies impose on friendliness. These women felt like the policy training sessions had made the workplace “more stuffy” and “politically correct” (in a pejorative sense), and were wrong to discourage hugging and touching in the workplace. The women students, like the men, also felt that friendships with men were less comfortable because of the laws. Most of the young women who believed that the policies/laws threatened normal interaction did not report that the laws changed their own behavior, but expressed concerns about the way they limited men’s behaviors and comfort in the workplace. The female students expressed sympathy for men whose intentions are innocent.

I mean, men sometimes can be uh get in trouble for doing things that they find completely innocent, unharmed and umm that’s just an unfortunate part of almost every law, there’s loopholes and um ways to get around it. (Shannon, nineteen-year-old female student)

Just any type of physical interaction . . . if one person takes it as being too sexual, then it puts males in a very, very bad place being that any type of remark that they make or type of movement or gesture they make, whether or not intentionally sexual in nature, can be misconstrued as that. (Ann, twenty-year-old female student)

The messages of the above statements are that men’s—not women’s—interactional styles are infringed on by antiharassment regulations. While neither men nor women report concern about not being able to develop romantic relationships, both want to be able to communicate normally, and for these students, “normal” involves touching, hugging, and talking about sex. The fact that these female students are concerned about the negative effect the laws have on men may be partly because they empathize with the fear of getting into trouble, but may also be because they do not necessarily want men to change their behavioral styles. When asked questions about men’s and women’s differences, nearly 70 percent of the women essentialized differences between men and women in stereotypical ways (e.g., men as more rational, aggressive, confident; women as more emotional, better communicators, nurturing), and all the women students with these stereotypical attitudes also suggested that sexual harassment law threatened normal interaction. Of the four women who expressed sympathy for men with respect to sexual harassment laws, three of them endorsed/adhered to relationship norms that prescribe men to be chivalrous and assertive. When asked what she believed to be the man’s role in a relationship, Ann replied:

I feel like the man should offer to drive, should open the door for the woman. He should attempt to pay if he has the ability to. I’m not saying always, especially if the financial situation is different between the two, but I am saying he should offer to pay. In a relationship, the man is supposed to be the protector of the two . . .

Shannon replied to the same question in the following way:

In my opinion I think that the man um, should in some way, ah not, not really control that's not the right word but um, kind of guide the relationship a little bit like for example I just think that the guy should ask the girl out on a date first and um stuff like that so I guess I still kind of have a little bit old fashioned beliefs in that way.

Shannon and Ann hold men who are chivalrous in high esteem and so respect the bind that such men are in when laws proscribe against behavioral styles that, outside the workplace, are valued. In this way, some women react against policies that outlaw behaviors that are “normal” and attractive in the dating world, even when they do not necessarily want to be romantically pursued in the workplace.

Student Reactions: Threats to Status Position

When asked whether she observed gender differences in people's reactions to the sexual harassment policy training, Cathy, the policy officer, said that unless a man is a target (and it was very uncommon that she met with men who perceived themselves as targets), men seem to be more concerned with protecting themselves from false allegations. While Cathy emphasized that not all men's questions were “self-serving,” she said that “compared to women, men seemed to be a lot more self-concerned—what is okay and what is not? Can I compliment somebody? I can't tell dirty jokes?” In contrast, Cathy stated that “women in general are more concerned about not being a target, how to handle it, how do we create an environment that doesn't sexualize the workplace.” She also reported that among undergraduate students in particular, “women are confused about how assertive they should be, whether they are over-reacting sometimes,” and that men are concerned about fairness, and feel that “there is a double standard . . . that women can get away with something and men can't.” Interviews with students lent support to Cathy's observations, showing that although men and women both adhere to gender interaction norms and recognize the threat to these norms that sexual harassment policies pose, their different structural locations in the status hierarchy lead to different sets of concerns.

Threat to Men's Status

Research on group position shows how advantaged group members express a greater sense of entitlement to resources and status *and* perceive efforts to improve the conditions of disadvantaged groups as a threat to those resources (Bobo, Kluegel, and Smith 1997). The link between policy support and self-interest has been convincingly specified in a variety of contexts (Blumer 1958; Jackman 1994; Sidanius, Pratto, and Bobo 1996). One of the advantages of dominant group membership is the privilege to perceive existing relations as natural and normal and challenges to existing relations as illegitimate (Jackman and Muha 1984). Jackman (1994) suggests that dominant groups

maintain inequality and avoid conflict by espousing ideologies that support their interests. Since sexual harassment laws by and large protect people who are feminine and sanction those who are masculine, they have the potential to disrupt the privileges afforded by masculinity. In this context, men have an interest in diminishing the severity and frequency of sexual harassment. In my analysis of men's attitudes about the enforcement of antiharassment rules, I found evidence that men fail to recognize sexual harassment as a social problem, in part because stereotypes of women's overemotionality (and, in contrast, men's rationality) allow them to (1) dismiss the harm caused to women and (2) deny that they could be victims of sexual harassment.

Although men and women were equally likely to think that sexual harassment laws make people too sensitive to other people's behaviors, men were more dismissive of sexual harassment as a problem, while women were more concerned with the negative effects of being perceived as sensitive (which I discuss below). Male students more often suggested that sexual harassment could be solved with "common sense" and tended not to recognize the potential positive effects of workplace harassment policies. As one student put it:

I think it can either make people feel like they are walking on thumbtacks either in the work place or around certain people. But it could have no effect on other people because they know the boundaries because it's common sense material.

Here, the student can see only the negative consequences and fails to even consider that the law could reduce unwanted sexual conduct. Implied in this minimization of sexually harassing behavior is the stereotype that those who do mobilize the law overreact. As one male said:

but I don't see a lot of issues with sexual harassment in the office place. And so that's why I mean, sure, it doesn't exist there. If we had to go through training about sexual harassment, I don't know if it would make a big difference either, because I think people generally understand that it's not going to happen and it's not—I also have a philosophy that people need to chill out sometimes. . . . (twenty-one-year-old male college student)

The student implies that people (men and women) are unified in their perception that antiharassment training is unnecessary, but then suggests that people who do perceive sexual harassment need to "chill out," that is, not overreact.

Prior research has shown that men often experience unwelcome sexual attention, but fail to label it as harassment (Uggen and Blackstone 2004). All the women reported having personal experience with sexual harassment (either experiencing or knowing somebody who experienced self-defined sexual harassment), yet only three of the men reported such experiences. Since women are far more likely than men to perceive themselves as victims of sexual harassment, the people who "overreact" tend to be feminine and those who "chill out" tend to be masculine. Men's reluctance to perceive unwelcome sexual attention as harassment is related to the ways in which victimhood is feminized. As one nineteen-year-old male student put it, "the thought of a man being in a position that he is harassed by a woman, like, oh look, a little puppy dog . . . I'll

admit to it, I still think it's kind of funny." Since gender norms feminize victimhood, there is a real, not imagined, asymmetry in who is protected by and who feels threatened by the law.

The sense that men were more likely to be victims of the law's misuse than benefactors of its protection led some of the male students to express hostile attitudes about the types of women who make complaints about less serious forms of unwanted sexual conduct. In response to being asked to give their thoughts on a case in which a woman won a large settlement against a car dealership for allowing pornographic e-mails and jokes, a few people expressed very hostile opinions of the female accuser that incorporated the stereotype of women's duplicity.

That makes me furious . . . the woman invoked the law, so to speak, knowing full well what she was doing. . . . it seems obvious that the reason she complained was because she was expecting some sort of consequence—negative consequence—on those colleagues. (twenty-one-year-old male college student)

Here, the student does not acknowledge the woman suffered harm, but characterizes her actions as vindictive and self-serving. Two of the men suggested that the woman who sued her workplace should go to jail for abusing the law.

That makes me mad . . . but I feel like the money should be gone to— [jokingly]
Ah I'll be serious. I think the money should be gone to locking her up. [in earnest]
Lock her up. (twenty-one-year-old male college student)

These men believed we should have laws against sexual harassment, but their hostile reaction toward the woman who sued successfully for sexual harassment shows that they are, in fact, threatened by the law. The criminalization of the woman reimagines the men as victims and the woman as a perpetrator. Dominant groups routinely interpret reality and set norms in a way that serves their interests. Men were not explicit (nor necessarily conscious) in linking their hostility to a desire to preserve their status privileges, but their reliance on negative female stereotypes to dismiss the prevalence and severity of sexual harassment and their prescriptions for "locking up" the woman who challenged such privileges nonetheless serves their interests. Moreover, at the level of ideology, acknowledging their own victimhood in their experiences with unwanted sexual conduct threatens the beliefs (e.g., that men are strong and women are weak) that uphold men's dominant status position.

Threat to Women's Status

Research has shown that citizens rarely pursue legal strategies for redressing discrimination because they hesitate to see themselves as victims (Bumiller 1988). In the context of harassment, many women perceive reliance on the law as an indicator of weakness and handling it oneself as an indicator of self-sufficiency (Nielsen 2000; Quinn 2000). An experimental study found that women who endorse egalitarian gender norms react to watching a sexual harassment training video by rejecting stereo-

types of women as weak *and* rating other women as inconsiderate (Tinkler 2007). A similar pattern emerged in interviews for this study. The complaints women students offered most were that the sexual harassment policies allowed women to be too sensitive and quick to take offense. Those who were concerned about this tended to think that the laws were “important to be there as a safeguard,” but that sometimes “[they] can go overboard and women can use it in ways that they probably shouldn’t. Like they take advantage of it as a rule. . . .”

This ambivalence reveals a desire to have laws that protect against sexual harassment, but a resentment of women who overreact. While this reaction does not read much differently than the ones men gave, it reflects a different concern, specifically, distancing oneself from the negative effect of stereotypes about women’s oversensitivity and duplicity. Female students referred to women who make a big deal of sexual harassment as “hypersensitive,” “babies,” and “pussies,” and believed women who complained were sometimes “bullshitters.” This antagonism toward other women was also observed in the policy training sessions and seems to come from the sense that women are causing problems for themselves and other women. Expressing this sentiment, one female student said:

some women if they get flowers from someone they don’t like then it’s harassment, but if it’s from someone they do like then all of a sudden it’s sweet, you know. So, I mean, I think in some sense a lot of women kind of create the confusion because like if they did get flowers from someone they did like then it would be fine but because it’s [from] someone they don’t like the person then it’s like “Oh my god! Leave me alone! Bla . . . bla . . . bla . . .” You know?

Here again, this student implicates women rather than the laws or policy training sessions as the problem. It is helpful to understand this in light of women’s status in society relative to men. Women struggling to be treated as equal to men—especially in the workplace—are often put in the double bind of lacking legitimacy because of their association with stereotypes of emotionality or weakness and at the same time facing resentment and backlash if/when they disconfirm these stereotypes. In other words, women who assert their right not to be sexually harassed in the workplace are perceived to be both overly sensitive (i.e., weak) and “femi-nazis” (i.e., aggressive) for complaining. By distancing themselves from the types of women who make a big deal of sexual harassment, the women students who were interviewed avoided this double bind and showed that they are strong enough to “suck it up” in the face of adversity.

I found these concerns to be well founded. My observations of policy training sessions showed that gender stereotypes are often made salient, and both men and women do look down on women who complain about sexual harassment. Given women’s tenuous status, some of the resistance to sexual harassment law is rational. Men resist the law for the threat it poses to their own status privileges, while women resist for the threat to status that complaining invokes. That is, while women and men both highlight the negative ways that the law has been misused by women, their unequal locations in the status hierarchy lead to different underlying reasons for this resistance.

DISCUSSION

In this article, I use data from participant observations of sexual harassment policy training sessions and interviews with students to examine resistance to the enforcement of antiharassment regulations. I find that policy training sessions activate gender stereotypes and polarize men and women. Students' articulations of their attitudes about sexual harassment enforcement showed how gender stereotypes provide a rationale for resisting legal challenges to existing gender norms and status relations. Sexual harassment laws target interaction norms and the status positions of men and women. At the normative level, men and women have an interest in preserving existing interaction norms. At the status level, the law was designed to reduce inequality between men and women and this means taking away some of the status rights inherent in being at the top of a status hierarchy. Since the gender beliefs that have historically maintained the gender system associate men with strength and women with weakness, the law has been constructed in such a way that men fail to see themselves as potential victims and women recognize the disempowering effect of being associated with victimhood.

Limitations

These findings are based on a sample of professionals and heterosexual students at an elite university, making it unclear whether the findings are generalizable to other groups. In particular, age, years of work experience, class, race/ethnicity, and sexual orientation may influence the extent of resistance to sexual harassment law. In light of research showing that racial and sexual minorities are more often targets of sexual harassment accusations (Giuffre and Williams 1994), a more complete understanding of resistance to the enforcement of sexual harassment laws will require attention to not only gender, but also race and sexuality status processes. Members of status-disadvantaged groups (including women) who are targets of accusations because of their lower status position are an important group for future research (Halley 2002).

Still, there is sufficient reason to believe that the underlying reasons why some people resist the enforcement of sexual harassment law may be similar across groups. A number of studies have shown that sexist attitudes and ideological support for the feminist movement predict perceptions of sexual harassment more than group-level differences such as age and gender (Lonsway, Cortina, and Magley 2008; Ohse and Stockdale 2008; Russell and Trigg 2004). Ohse and Stockdale (2008) found that the effects of age on perceptions of sexual harassment are partially mediated by ambivalent sexist attitudes and that age does not moderate the effects of gender or sexist attitudes on such perceptions. These findings suggest that to the extent that resistance relates to attitudes about the gender status structure, the social psychological *sources* of resistance may be similar across age and years of work experience. Future research with a larger, more diverse sample will be important for teasing out how group differences in experiences with sexual harassment law influence resistance to its enforcement.

Theoretical and Policy Implications

In spite of limitations in the sample, the findings from this study provide important theoretical insights that may help us understand resistance to a variety of laws designed to destabilize existing patterns of interaction. Sexual harassment law and other equal opportunity laws like affirmative action, racial integration mandates, and sexual orientation protections share the assumption that existing relations between social groups are unacceptable and must be sanctioned legally for change to occur. While there has been considerable scholarly attention paid to opposition to equalizing policies by status-advantaged groups (e.g., white opposition to affirmative action), less attention has been paid to resistance among members of social groups who the laws are designed to protect. In showing that sexual harassment law threatens men's *and* women's existing status beliefs, status positions, and interaction norms, the data reveal the stakes status-advantaged and status-disadvantaged actors have in existing relations. A theoretical approach that accounts for the interests all groups have in these existing relations should be useful for understanding resistance to many equalizing laws.

This research also has policy implications. The data reflect current scholarship in showing that sexual harassment policy training sessions can have effects that run counter to the goal of reducing gender inequality (Halley 2002; Munkres 2008; Schultz 1998; Tinkler, Li, and Mollborn 2007). However, rather than advocate against such educational interventions, I suggest it is important to recognize what the policies are up against; gender is an organizing element of all social relations and is sustained by everyday interactions (Ridgeway and Smith-Lovin 1999). Sexual harassment policies are unlike other equal employment opportunity laws in that they explicitly target interaction as a site for change. In this way, sexual harassment policies may be especially vulnerable to backlash, but also uniquely capable of change. Understanding resistance in more general terms paves the way for clarifying the particular situations in which people support and oppose legal sanctions. For example, people's perceptions of the degrees of unwelcomeness or pervasiveness that should rise to the level of legal sanction are invariably tied up in their beliefs about gender and the norms that follow from these beliefs. Part of the reason people support the law on the one hand and resist its enforcement on the other is that there is a strong consensus about certain types of conduct and a lot of uncertainty about other types. Greater understanding of the sources of resistance may aid legal scholars in proposing reforms and policy officers in implementing policies that address and reduce the sense of threat, and also chip away at the beliefs, privileges, and norms that buttress the gender system.

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