

KATRI LAMESOO

Social Construction of Sexual Harassment  
in the Post-Soviet Context on  
the Example of Estonian Nurses





**KATRI LAMESOO**

Social Construction of Sexual Harassment  
in the Post-Soviet Context on  
the Example of Estonian Nurses



Institute of Social Studies, University of Tartu, Estonia

Dissertation is accepted for the commencement of the degree Doctor of Philosophy (in Sociology) on October 3, 2017, by the Doctoral Committee of the Institute of Social Studies, of University of Tartu.

Supervisor: Raili Marling, Associate Professor  
University of Tartu, Estonia

Co-supervisor: Dagmar Kutsar, Associate Professor  
University of Tartu, Estonia

Opponent: Professor Marjo Kuronen  
Department of Social Sciences and Philosophy  
University of Jyväskylä

Commencement: November 20, 2017

The publication of this dissertation is granted by the Institute of Social Studies, University of Tartu and by the Doctoral School of Behavioural, Social and Health Sciences created under the auspices of the European Social Fund. This research was also supported by the European Social Funds's Doctoral Studies and International Programme DoRa, which is carried out by Foundation Archimedes.



DoRa

ELLU VIIB SIHTASUTUS  
ARCHIMEDES

ISSN 1736-0307

ISBN 978-9949-77-592-7 (print)

ISBN 978-9949-77-593-4 (pdf)

Copyright: Katri Lamesoo, 2017

University of Tartu Press  
www.tyk.ee

# CONTENTS

LIST OF ORIGINAL STUDIES .....	7
ACKNOWLEDGEMENTS .....	8
INTRODUCTION: THE AIM AND CONTEXT OF THE STUDY .....	9
1. THEORETICAL FRAMEWORK .....	15
1.1. Legal framework of defining the concept 'sexual harassment' .....	15
1.1.1. Recognition of sexual harassment in the European Union .....	18
1.1.2. Feminist critique on legal approaches to sexual harassment .....	22
1.2. Sexual harassment as a research field .....	23
1.2.1. A historical overview and position among disciplines .....	23
1.2.2. Theoretical explanations on sexual harassment .....	27
1.3. My position .....	31
1.3.1. Reflexivity and its epistemological value in studying sexual harassment .....	33
1.4. Finding the research topic of sexual harassment .....	35
2. CONTEXT OF THE DOCTORAL THESIS .....	41
2.1. Estonia's post-Soviet context .....	41
2.2. Sexual harassment research in Estonia .....	43
2.3. Sexual harassment in nursing .....	46
2.3.1. Nursing – an occupation between several hierarchies .....	46
2.3.2. Sexual harassment research in nursing .....	49
2.3.2.1. Measuring the extent and impact of sexual harassment in nursing .....	50
2.3.2.2. Discursive approach in sexual harassment studies in nursing .....	52
2.4. Introduction of the Studies .....	55
2.4.1. STUDY I: “Some things are just more permissible for men”: Estonian nurses' interpretations of sexual harassment .....	55
2.4.2. STUDY II: Sexual harassment as a field of research – challenge for Estonia (in Estonian: Seksuaalne ahistamine kui uurimisvaldkond – proovikivi Eestile) .....	55
2.4.3. STUDY III: Competing discourses in Estonian nurses' self-positioning: gender and struggle for empowerment .....	56
3. METHODOLOGICAL CONSIDERATIONS .....	58
3.1. Pitfalls in sexual harassment research methodology .....	58
3.2. Grounded theory .....	60
3.2.1. Grounded theory in sexual harassment research .....	62
3.3. Discourse analysis (from grounded theory to feminist post-structuralist analysis) .....	63
3.3.1. Discursive approach in sexual harassment studies .....	64

3.3.2. Finding a suitable discourse analysis methodology for the secondary analysis (Study III) .....	66
3.3.2.1. Subject positioning in discourse .....	67
3.3.3. Epistemic footing and degree of agency .....	68
3.3.3.1. Subject positioning in empirical analysis .....	70
3.3.4. Feminist Post-Structuralist Discourse Analysis (FPDA) (Study III) .....	71
3.4. Data and analysis procedure .....	72
3.4.1. Data analysis procedure within grounded theory approach.....	74
3.4.2. Focal points in my theoretical analysis .....	75
3.4.3. Data analysis procedure within FPDA .....	75
3.4.4. Ethical considerations .....	76
4. REFLEXIVE DISCUSSION ON FINDINGS .....	78
4.1. When hospital hierarchy eclipses with gender hierarchy (findings from study I) .....	78
4.2. Gender harassing sexualized behavior (findings from Study II) .....	81
4.3. Making nurses' power position visible (findings from study III) ....	84
5. CONCLUSIONS .....	90
REFERENCES .....	95
SUMMARY IN ESTONIAN .....	111
PUBLICATIONS .....	119
CURRICULUM VITAE .....	181
ELULOOKIRJELDUS .....	183

## LIST OF ORIGINAL STUDIES

This dissertation is based on original publications that will be referred to in the dissertation by their respective Roman numbers.

- I. **Lamesoo, K.** (2013) “Some things are just more permissible for men”: Estonian nurses’ interpretations of sexual harassment. *NORA – Nordic Journal of Feminist and Gender Research*, 21/2, pp. 123–139
- II. **Lamesoo, K.** (2013) Seksuaalne ahistamine kui uurimisvaldkond – proovikivi Eestile. Ariadne Lõng: nais- ja meesuuringute ajakiri, 2012 (1–2), pp. 3–18
- III. **Lamesoo, K.;** Marling, R. (2015) Switching Discourses and Subject Positions – A Strategy to Cope with Sexual Harassment among Estonian Nurses, in Ortega S.H. (Ed.), *Sexual Harassment and Sex Offenders: Patterns, Coping Strategies of Victims and Psychological Implications*. Nova Science Publishers, New York, pp. 131–145

The studies are (re)produced with the kind permission of the respective publishers: Taylor & Francis Group, Routledge (Study I), Eesti Naisuurimus- ja Teabekeskus (ENUT) (Study II) and Nova Science Publishers (Study III).

### AUTHOR’S CONTRIBUTION

The author of the present dissertation is the sole author of the first and second publication. In the third publication the author was the leading contributor to all phases of the study – formulating the research questions, data collection and analysis. The co-author of the third study provided methodological guidance on poststructuralist theory and linguistic analysis.

## ACKNOWLEDGEMENTS

There are many people I am grateful to for supporting me during these years I have written my thesis. The greatest and deepest appreciation goes to my supervisor Raili Marling for the safe academic environment she created for our fruitful intellectual discussions. I would not have done it without you! I am grateful to my other supervisor, Dagmar Kutsar for the time she spent on corrections and giving tips on how to keep the work on line and focused. Thank you!

During these drawn-out years of writing I have met many people who have devoted their time to me and inspired me. I would like to thank Anssi Peräkylä and Tuula Gordon from the University of Helsinki for their devoted guidance and also Peter Holley, Alexandra Kellner and Fabian Shuppert for their interest in and insight into my work. Special thanks for emotional as well academic support go to Katri Vallaste.

It has been comforting to share my thoughts and doubts with Kairi Talves, Kairi Kasearu, Märt Masso, Kadri Soo, Agnes Alvela, Helen Biin, Marre Karu, Kadri Rootalu, Tarmo Strenze, Rainer Reile, Andu Rämmer, Katrin Kello, Redi Koobak, Kadi Ilves, Reeli Sirotkina and Marion Pajumets. I owe special thanks to my special friends Maarja Kaaristo, Annika Jaaniks, Merli Laur, Liisa Konsap, Heiki Järveveer and Mihkel Solvak. I am also sincerely grateful to Virge Näkk who started working at the University of Tartu at the time I started my studies and who has always encouraged me with her kind and supportive words.

I appreciate my colleagues and former colleagues from the Center of Educational Innovation – Maria Jürimäe, Pille Kõiv, Juta Jaani, Inga Kukk, Angela Ader, Silver Sillak, Anzori Barkalaja and Margus Tõnissaar – for the extra duties they have taken in order to cover the time I devoted on writing this thesis.

I admire Anu Laas, my academic guide into feminist thought, for her passionate devotion to standing up for the rights of those in need. Personally, I am deeply grateful for her kind and supportive acts throughout the years we worked together. I am indebted to Judit Strömpl for her encouragement and for infecting me with social constructionist perception of the world. More recently, I have been able to rely on Veronika Kalmus and Andra Siibak for valuable advice and support.

Special gratitude for supporting my inner growth go to Kiira Järv and Marika Paaver.

Last, but not least, I would like to thank my beloved family – mom, dad, sister and aunt for their eternal support. I am indebted to my daughter Ronja for the time she spent without me and grateful to her dad for taking over in these crucial moments.

I am very grateful to the Doctoral School of Behavioral, Social and Health Sciences for its generous scholarship during my studies and for the opportunity to attend world-class doctoral seminars and lectures.

The greatest gratitude goes to the nurses I interviewed – thank you!

## **INTRODUCTION: THE AIM AND CONTEXT OF THE STUDY**

The aim of the current doctoral study is to present an in-depth exploration of how sexual harassment is constructed within the Post-Soviet sociocultural context of gender equality, specifically in the context of nursing. Socio-historical factors are central to the present thesis: when sexual harassment is defined as a social problem and how it is interpreted plays a crucial role its perception as well as scholarly research. At the time when feminism was gaining social prominence in the USA, Estonia was incorporated into the Soviet Union, a factor that seriously hindered the recognition of gender inequality as a social problem. Thus, gender studies appeared in Estonia only in the mid-1990s and we cannot talk about a broad feminist movement in the sense that could be seen in the USA or Western Europe in the middle of the 20th century. Sexual harassment specifically was beginning to be recognized as social problem in the 1970s in USA when organized social groups mobilized to develop and implement plans to deal with these problems (Mooney, Knox & Schacht 2014: 12). No such groups have emerged in Estonia.

Still, in the past 20 years a set of social topics has been studied from a gender perspective in Estonia and the scholarship has also found its way into public discussions (e.g., on prostitution, intimate partner violence, life-work balance, gender pay gap, women's participation in the decision-making process). One aspect of gender discrimination – sexual harassment – has, however, been sidelined both in scholarship and public debates. The present study seeks to address the challenges in sexual harassment research, specifically the importance of studying the phenomenon in a specific socio-cultural context and focusing on the discursive tensions and the negotiation of power in talk about sexual harassment.

When I started my work on the topic in 2005, sexual harassment had not yet been studied in post-Soviet Estonia. Today we can speak about some studies that map the state of gender equality (Derman et al. 2006; Vainu, Järviste & Biin 2010) and the spread of different forms of violence (Salla & Surva 2010) that, among other questions, also ask about experiences with different forms of sexual harassment. The state commissioned a special questionnaire module on sexual and gender harassment a few years ago that can be added to the regularly conducted gender equality monitorings, although it has not been used this far (Karu et al. 2014). The reason why the spread of sexual harassment had not been mapped earlier neither by the state nor by scholars was probably the fact that the legal definition of sexual harassment was first established in Estonian legislation only in 2004, with the adoption of the Gender Equality Act. In 2009 the Act was amended to add the concept of gender harassment, present in the EU directive already in 2002. In my thesis, I define sexual harassment in accordance with the definition offered by the law (RT I 2009, 48, 323 – entry

into force 23.10.2009) that defines both sexual and gender harassment as forms of sex discrimination (the exact definitions are given on page 17).

Work on sexual harassment does not just have to rely on legal definitions, but also on the historical and cultural frameworks that determine to what extent sexual harassment is perceived to be a social problem. Whether people consider some sexual behavior harassment depends on their awareness of the problem (European Commission 1998), which is in turn affected by social awareness and attitudes about gender inequality. For example, women's groups in the USA took issue with unwanted sexual behavior in the workplace during the 1970s (Timmerman & Bajema 1999) and during the 1980s it was brought to public attention. At that time in the academia, the study of sexual harassment focused on ascertaining whether it was a social problem worthy of study (Welsh 1999). In Western Europe sexual harassment was acknowledged as social problem in the 1990s, when the increased recognition of workplace sexual harassment invited comparative analysis between countries (Bernstein 1994).

A comparative study of European countries (European Commission 1998) demonstrated that women perceive sexual harassment differently in Southern and Northern Europe. In Southern Europe sexual harassment is something that is believed to be an inevitable part of being a woman and men do not see their behavior as sexual harassment. In contrast, in Northern Europe and especially in Nordic countries where questions of gender equality have a prominent place on the social agenda, people are more aware of the phenomenon. The topic has found more attention in the public discussion and there is a longer research tradition. As a result, sexual harassment is not considered an inevitability (European Commission 1998). Thus, the interpretation of results requires knowledge about the socio-cultural context – does the higher rate of sexual harassment in some Nordic country testify to a higher degree of harassment or just greater awareness that allows people to recognize harassment, identify it as such in the questionnaire or to turn to law enforcement agencies more confidently? The addition of the concept of sexual harassment to legislation and the completion of first research projects led to the increased awareness of the nature and different forms of sexual harassment in the USA between 1980 and 1994, which in turn increased the number of men who acknowledged experiences of sexual harassment (from 42% to 64%) and who also mentioned sexually tinged jokes and comments as forms of sexual harassment (Pina, Gannon & Saunders 2009). Thus, differences in the frequency of sexual harassment can be seen as a reflection of ethnic or cultural differences (Timmerman & Bajema (1999), requiring critical attention in looking sexual harassment in a cross-cultural context.

Although the study of sexual harassment in post-Soviet Estonia begun only after the implementation of the Gender Equality Act, the topic was tackled by Finnish scholars in the Soviet period already. Haavio-Mannila (1994) compared attitudes towards sexuality in the workplace in two types of societies: Nordic countries (Denmark, Finland, Sweden) and in the Soviet Union (Russia and Estonia) and predicted how sexual harassment might be treated in post-Soviet

Estonia. The data was collected in 1985–1988. The data showed that workplace relationships between the sexes tended to be eroticized in the Soviet Union: attitudes to flirting were positive and there was more sexual harassment in Russia than in the Nordic countries (there was no data about sexual harassment from Estonia). Haavio-Mannila suggested two possible developments for former socialist countries: “feminism” and “sexual liberalization”. The first involves feminist ideas that condemn sex role spill-over, i.e., carrying traditional sex role expectations over into the workplace, and thus could reduce eroticization, flirtation, and sexual harassment in the workplace. Sexual liberalization could increase the incidence of romantic relationships in the workplace, which were formally banned during the Soviet era.

The normalization of sexual harassment in the Soviet Union has been confirmed by other scholars as well. In a comparative quantitative study conducted between 1989 and 1991 in USA, Canada and Soviet Russia the authors (Gruber, Smith & Kauppinen-Toropainen 1996; Kauppinen-Toropainen & Gruber 1993) reported that Soviet women did not label some forms of conduct that they found offensive as “unwanted” because they believed that these were aspects of normal male behavior (Gruber, Smith & Kauppinen-Toropainen 1996: 164). Although geographically Estonia lies in Northern Europe, its socio-historical experience places it among Eastern European countries which, in turn, creates the context that affects people’s understanding of sexual harassment and their readiness to consider it a social problem. In the opinion of Suchland (2008), who has researched the politics of sexual harassment in Russia, larger societal processes need to be taken into account when analyzing the phenomenon.

The complexity of sexual harassment as a phenomenon creates multiple challenges for scholars. There are many studies in which women who have had experiences objectively identifiable as sexual harassment do not perceive them to be sexual harassment (Stockdale, Vaux & Cashin 1995; Fitzgerald et al. 1988). Thus, as has already been highlighted above, the understanding of the phenomenon requires the understanding of the context and how the phenomenon is discursively constructed in different socio-historical contexts. According to Bingham (1994) this will allow us to study how the phenomenon is normalized, tolerated or challenged and to understand the socially accepted discourses on which the understanding rests during the period studied (Wood 1994: 17). In other words, the subjective experience of the individual – what one person considers flirting is sexual harassment for another – is greatly influenced by the socio-historically determined understandings dominant in the given society that are expressed in discourses. Studying harassment as a discursive category is in itself nothing new (e.g. Wood 1992, 1994; Bingham 1994; Kitzinger & Thomas 1995; Dougherty 2000, 2006). However, the studies listed above have not aimed to capture the ambivalences in women’s negotiation of discursive tensions when talking about sexual harassment. Keyton and Menzie (2007: 88) have even criticized such studies because the discursive examination of sexual harassment relies on reporting and generalizing the narratives, instead of merging personal narratives with societal history.

Thomas and Kitzinger (1995) and Dougherty (2006) have carried out notable research on sexual harassment within a discursive frame. The interviews with women conducted by Kitzinger and Thomas (1995: 46) contained contradictions and dilemmas as a result of which women represented sexual harassment as an empty, invisible or non-existent category. Dougherty (2006) has taken the scope even deeper, by concentrating on the construction of power in understanding harassment in same-sex and mixed-sex focus groups. She (ibid) found that men tended to construct power as hierarchically held by individuals with formal authority, whereas women tended to view power as a negotiated process in which power was gained and lost through interactions. It is even more noteworthy that when these issues were discussed in mixed-sex focus groups, women failed to recognize the gendered constructions of power. In other words, it is men's and women's different understanding of power as a central category of harassment that determines what sexual harassment means for both genders. This is but one example of the different challenges in the study of sexual harassment.

Despite discursive approaches having become customary in the study of sexual harassment, there are still few studies that investigate sexual harassment discourses as produced within their specific local and global contexts. The present qualitative study that consists of 21 in-depth interviews with hospital nurses seeks to fill that gap. Qualitative research is becoming increasingly widespread in Estonian sociology (e.g. Pajumets 2012 on post-socialist masculinities; Aavik 2013, 2015 on intersectionality in narratives of Russian-speaking women and Estonian men in the Estonian labor market) and my study contributes to the scholarship that blends the detailed study of interview data with the nuanced analysis of the social context in the field of sexual harassment.

The present study seeks to address the challenges in sexual harassment research described above, specifically the importance of studying the phenomenon in a specific socio-cultural context and focusing on the discursive tensions and the negotiation of power in talk about sexual harassment.

*The objective of my study* is to present an in-depth exploration of how sexual harassment is constructed within the post-Soviet sociocultural context of gender equality, specifically in the context of nursing. In my thesis I attempt to enrich sexual harassment research methodology by demonstrating the multidimensionality and dynamism of the talk on sexual harassment, especially the dynamics and ambiguities of power as the central aspect in sexual harassment. In most part, (except for Dougherty 2006 and Thomas and Kitzinger 1995) the studies on harassment have only theoretically acknowledged that power should not be treated monolithically (e.g. Brewis 2001; Uggen and Blackstone 2004, Lopez et al. 2009), as a fixed hierarchy, but there have to my knowledge been no empirically grounded studies in the field to demonstrate this principle in practice. I also take into account the larger societal processes when analyzing the phenomenon, as suggested by Suchland (2008) who has researched politics of sexual harassment in Russia. In addition, I seek to demonstrate how approaching data

from different methodological angles yields deeper understandings of participants' constructions on sexual harassment.

The present doctoral dissertation contributes to the research on sexual harassment at work in two aspects:

- Estonia is an interesting case with its combination of the Soviet legacy and its belonging to the Nordic cultural space that is a contextual factor impacting the perception and understanding of sexual harassment by hospital nurses in their relations with both male doctors and patients. It is these ambiguities that call for qualitative and discursive research like the present study.
- I have empirically demonstrated the dynamics of power – how it is being exercised multidimensionally, not monolithically. The participants of the study locate themselves discursively as simultaneously powerful and powerless. It is such an ambivalence and multidimensional interpretation of power that has not yet been empirically documented in sexual harassment research.

The present doctoral dissertation is based on three closely related original studies that attempt to give a multidimensional picture of sexual harassment in the Estonian hospital. Two of the three studies are empirical (**Study I**, **Study III**) and their data consists of 21 in-depth interviews guided by principles of developing grounded theory with Estonian female hospital nurses. One of the studies (**Study II**) is theoretical and focuses on methodological considerations in studying sexual harassment in the Estonian societal context and therefore creates a logical segue between the two empirical studies. The following research questions were set to facilitate the inquiry process throughout the work on the dissertation:

1. How is sexual harassment understood by the nurses in the post-Soviet context?
2. How does power relate to the conceptualization of sexual harassment?

The first question, dedicated to the interpretation of sexual harassment, sets three tasks:

- a) To distinguish between nurses' interpretations/constructions of pleasant and unpleasant sexualized behavior. (**Study I**)
- b) To analyze how nurses' views on sexual harassment relate to their understanding of gender and/or equality. (**Study I**)
- c) To analyze the discursively available subject positions that nurses take within talk on sexual harassment. (**Study III**)

The answer to the second question that focuses on the research issues related to the study of sexual harassment and places the knowledge into the Estonian socio-cultural context, the thesis sets the following tasks:

- a) To bring out the pitfalls when defining sexual harassment and gender harassment in Estonia. (**Study II**)
- b) To identify the role played by the dominant conceptualization of gender equality in the understanding of sexual harassment. (**Study II**)
- c) To analyze how the interpretation of sexual harassment is shaped by the subject positions available within the dominant culture-specific discourses of gender. (**Study III**)

The present **Introductory cover article** provides a systematic framework for the three independent studies representing different ways of understanding sexual harassment as perceived by hospital nurses in their identity work on gender and power. I have written the overview in an abductive mode, moving back and forth between my pre-research understanding, empirical data and various theoretical perspectives that is also central to the grounded theory approach where the researcher goes back and forth between data collection and analysis, constantly modifying and sharpening the growing theory (Glaser & Strauss 1967; Glaser 1999). In order to validate the scholarly reasoning and to offer the reader logical guidance through the process, I have reflected on every choice I made regarding research design throughout the three studies. This kind of “constant movement back and forth between theory and empirical data is necessary” to avoid “fitting the data to illustrate a theory” (Wodak 2004: 187) is a validating mode in qualitative methodology.

In the first section of the cover article I will present the theoretical framework that includes the legal framework and its feminist critique; a historical overview of the field; theoretical explanations of sexual harassment and what is special about nursing in the context of sexual harassment. In the second section, I introduce the methodology I used for carrying out the research and analyzing nurses’ talk. The findings are presented in the third section in the format of reflexive discussion.

In my thesis I define sexual harassment as any form of verbal, non-verbal or physical conduct or activity of a sexual nature that is perceived as unwanted, unwelcome or unpleasant by the receiver.

During the process of my study I come up with a suggestion on using the concept of “gender harassing sexual behavior” (**Study II**), however I decided not to use the term throughout this thesis as the term has yet to be taken up extensively in the research community and I wanted to ensure that the present discussion fits into in the existing literature on sexual harassment.

# 1. THEORETICAL FRAMEWORK

In the theoretical overview, before I come to theoretical contexts, I will first talk about the development of sexual harassment as a legal term and the difficulties of defining it in laws. The legal aspect is included in this section as the roots of the definition and wider understanding of the concept grew out from the works of legal scholars. The survey of the development of the term is also important as the definition of sexual harassment reached legislation as a result of feminist activism and thus it has been defined in the context of power relations between men and women. However, difficulties with defining harassment do not end with the passing of laws, but continue among scholars who study the distribution and consequences of harassment or meanings attributed to it.

The following section will cover the peculiarities and challenges in the study of harassment. This will be followed by a survey of research on nursing and on studies conducted in Estonia. As I have made my own reflexivity the core of the analysis throughout the introductory cover article, the final section theoretically frames my approach to reflexivity as the anchor of the post-structuralist qualitative research.

## 1.1. Legal framework of defining the concept 'sexual harassment'

*"Lacking a term to express it, sexual harassment was literally unspeakable, which made a generalized, shared, and social definition of it inaccessible" (MacKinnon 1979: 27)*

The US was the first country to legally define sexual harassment when it was first addressed in law in the mid-1970s and defined as a form of sex discrimination under the Title VII of the Civil Rights Act of 1964. Sexual harassment law in the US and, in fact all over the world, has been heavily influenced by the feminist grassroots movement, especially by Catharine A. MacKinnon's work (1979) "Sexual Harassment of Working Women" that established a paradigm of sexual harassment as sexual conduct that men impose on women because they are women (Anderson 2012). In view of the fact that legal definitions of sexual harassment have been based on sociological explanations, to be precise, power relations between men and women, the introduction of the term into legislation can be viewed as one of the greatest achievements of Western feminist movement.

The U.S. Equal Employment Opportunity Commission's (EEOC) formal definition (EEOC 2016 a), first promulgated in 1980 (Sigal 2006), reads as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The EEOC definition is inspired by MacKinnon's work (ibid) and has adopted many of her positions (Keyton 2012: 98), such as categorizing two forms of sexual harassment: "quid pro quo" and "hostile environment". "Quid pro quo" sexual harassment at work is defined by a more or less explicit exchange, when a woman must comply sexually or forfeit an employment benefit, or as Sigal (2006) puts it "sex for favors". "Hostile environment" – also known as "condition of work" – marks the creation of an intimidating work or education environment. For the latter form of harassment, MacKinnon (1979: 40) described a workplace situation, where a woman may be constantly pinched, visually undressed and stared at, commented upon and generally taken advantage of at work but never promised or denied anything explicitly connected with her job.

As the focus on sexual conduct emerged from an early radical feminist critique of heterosexual relations as a primary producer of women's oppression (Schultz 1998), the early descriptions of sexual harassment were based on traditional gender roles in which the assumption was that harassment takes place within heterosexual relationships in which the harasser is the man and the harassed the woman. The fact that the law focused on sexual desire rather than gendered power relations between men and women has been critiqued by feminist legal scholars (Schultz 1998; Franke 1997; Abrams 1998). Heterosexual desire was considered the key element, turning sexual harassment into sex discrimination, despite the original idea of MacKinnon who located the wrong in the subordination of women as women. In Anderson's (2006) opinion this generalized understanding developed because two types of harassment, i.e. quid pro quo and hostile environment harassment, originally defined by MacKinnon (1979), had a common and rather narrow focus on sexual conduct by men that targets women. Schultz (1998) also believes that the prevailing paradigm that places male-female sexual advances at the center of the problem has its roots in early radical feminism, when sexual harassment was compared to rape. As a result, this understanding also influenced even scholars who addressed same-sex harassment (e.g. Calleros 1995; Wehren 1995), as they "characterized it in sexualized terms, analogizing same-sex harassment to heterosexual sexual advances as an argument for legal regulation" (Schultz 1998: 1687).

Placing sexuality at the center of sexual harassment can, in the opinion of Schultz (1998: 1974–1975), be viewed as limiting women's rights. In her opinion (ibid) sexuality is a potential arena of women's empowerment, for example, by refusing to cede sexuality as a source of male domination. For Marshall (2003: 670) the prevailing paradigm is thus a paternalist way to regulate women's sexuality, so that the law protects only women who conform to

conservative sexual norms – that is, those who do not engage in sexual banter, wear tight-fitting clothes, or otherwise refuse to suppress their sexuality.

As the present analysis focuses on sexual harassment in heterosexual relationships, same-sex harassment will not be covered in the present thesis, although it has been addressed in the scholarly literature in the field (e.g. Waldo, Berdahl & Fitzgerald 1998). In sexual harassment literature same-sex harassment does not necessarily mean the harassment between LGBT people only, but focuses on hegemonic masculinity, that is, the norm for both heterosexual and homosexual persons. In male-on-male relationships, harassment takes place in the form of coercing normative male dominance on other men. Research results indicate that men experience potentially sexually harassing behaviors from other men at least as often as they do from women (Waldo, Berdahl & Fitzgerald 1998). However, the dilemmas scholars using quantitative methods face are similar to studies on women's experiences of harassment where women often do not label their experience as harassment. As the scales resulting from such studies are based on what people harassed find harassing these questionnaires may not capture what men actually experience as offensive (Berdahl, Magley & Waldo 1996).

For now, in the most recent classification, the EEOC (2016b) definition suggests that the gender of the victim can be female or male and the harasser can be a supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee. That means that harassment can take place in a same-sex relationship and that the harasser may be a fellow student or a professor, as well as a customer or a client. It is also stated that harassment may occur without an economic injury or firing of the victim. It continues to be stated that the act must be defined as unwelcome by the victim and has to be frequent or severe in order to be prohibited by the law (EEOC 2016b).

Although most of the critique of the legal systems comes from the late 1990s and the recent definition states that harassment can take place in a same-sex relationship, it does not in itself abolish the critique of the (hetero)sexual paradigm. Although legislation has expanded the definition on paper, this fact alone does not automatically change the decades-old understanding of harassment that is inevitably part of the dominant heterosexual paradigm. The laws have achieved much, but they remain limited because the problem has not been conceptualized in sufficiently broad terms. First, it does not cover a number of “nonsexual gender harassment“ acts that “are designed to maintain work – particularly the more highly rewarded lines of work as bastions of masculine competence and authority“ (Schultz 1998: 1687), such as

...characterizing the work as appropriate for men only; denigrating women's performance or ability to master the job; providing patronizing forms of help in performing the job; withholding the training, information, or opportunity to learn to do the job well; engaging in deliberate work sabotage; providing sexist evaluations of women's performance or denying them deserved promotions; isolating women from the social networks that confer a sense of belonging; denying

women the perks or privileges that are required for success; assigning women sex-stereotyped service tasks that lie outside their job descriptions (such as cleaning or serving coffee); engaging in taunting, pranks, and other forms of hazing designed to remind women that they are different and out of place; and physically assaulting or threatening to assault the women who dare to fight back (Schultz 1998: 1687).

Second, the law does not cover the forms of harassment that are initiated by a person not meeting the standards of what in a particular culture is traditionally considered gender-appropriate heterosexual sexuality. This is the form of harassment in which persons are punished for not following prescribed gender roles and heterosexual norms of masculinity via homophobic, antigay biases and gender hostility (Brogan et al. 1999; Pryor and Whalen 1997).

### **1.1.1. Recognition of sexual harassment in the European Union**

Since the initial recognition of the problem in US, a growing number of countries in all regions of the world have started to enact legislative provisions on sexual harassment. During the mid-1990s, the number of countries all over the world that prohibited sexual harassment in legislation doubled (McKann 2005). Most commonly, it has been recognized as a form of sex discrimination and prohibited under equality or anti-discrimination laws. However, in some countries “the courts have categorized specific acts of harassment as a form of some other kind of prohibited conduct, such as sexual assault or defamation, without explicitly referring to “sexual harassment” and in other countries the “courts and tribunals have taken the lead by explicitly referring to sexual harassment and recognizing it as a distinct form of some broader type of prohibited behaviour“ (see for more in McKann 2005: 17).

At an international level, sexual harassment has been recognized and addressed by the International Labor Organization, the International Confederation of Free Trade Unions and the United Nations Committee on the Elimination of Discrimination Against Women. Policies and collective agreement clauses have been produced by the respective organizations, as well as guidance on complying with laws, training and sexual harassment complaint procedures have been provided (McCann 2005).

European countries started to pay attention to harassment after Rubinstein (1987) conducted the first cross-national review study on sexual harassment in the workplace and it became evident that sexual harassment was a problem for many women in Europe. Since then the European Commission has undertaken a variety of initiatives (for more see in Timmerman & Bajema 1999) to prevent and combat sexual harassment in the workplace. However, the agreements and recommendations did not lead to any significant progress in legislation or in action in majority of the member states of the European Union (European Commission 1997).

Therefore, the second review study was conducted in 1997 that covered the period of relevant studies between 1987 and 1997 (Timmerman & Bajema, 1997). The study formed the basis for the European Commission's (1998) expert report for the adoption of a directive on sexual harassment policies. According to the report (*ibid*) the studies estimate that approximately 30% to 50% of female employees and 10% of men have experienced some form of sexual harassment or unwanted sexual behavior. It has to be noted that the studies used for the meta-analysis shared no universal definition of harassment and used various methods for measuring the extent of harassment. However, the report of the European Commission was significant as harassment emerged as an important topic next to other issues of gender equality. The report also mapped studies conducted in different countries that sent a clear signal that a key issue in establishing the comparability of the research results was the development of shared definitions, including those dependent on the knowledge of the cultural context.

In 2002, the European Union adopted a binding directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions. The directive prohibited sexual and gender harassment and called on member states to better protect the rights of victims of sexual harassment and to ensure the integrity, dignity, and equality of women and men at work (Zippel 2006: 2). Member states' national laws, including Estonia's, had to be adapted or modified by October 2005.

In the comparative report on sexual harassment in Europe, European Commission (1998) divides sexual harassment into five categories:

- non-verbal (e.g. pin ups, leering, whistling and suggestive gestures),
- physical (unnecessary touching),
- verbal (unwelcome sexual advances, propositions or innuendo),
- intimidation (offensive comments about dress, appearance or performance) and
- sexual blackmail.

Bernstein (1994) compared the US's and the EU's political processes in the legal consideration of sexual harassment in 1994, 10 years before the EU passed the binding directive. While in the US sexual harassment was above all presented as a women's issue in the context of human rights, then in the EU feminists and other reformers faced the fact that the European Community exists to promote economic union, not a cultural agenda. At that point, that is, over two decades ago, Bernstein (*ibid*) used the EU as an example for the US as in Europe feminists had less of a presence in political discussions, but they managed to show that harassment was a problem that extends beyond the feminist agenda. In contrast to the American approach, Europeans describe sexual har-

assessment as a danger to health and safety in the workplace (Bernstein 1994: 1252). What Bernstein did not know at the time was that presenting the issue as a question of health and safety, not a question of women's rights, made it possible to place the issue on the agenda of different organizations, but the organizations that placed harassment on their agenda do not have the power to make punishments for sexual harassment legally binding and this led to the adoption of the binding directive in 2002.

### ***Legal protection in the case of sexual and gender harassment in Estonia***

The concept of sexual harassment was first established in Estonian legislation in 2004, with the adoption of the Gender Equality Act (SoVS § 3 lg 1 p 5). The Act was modified in 2009 and the concept of gender harassment was also added that had been included in the EU directive in 2002 already. The directive as well the Estonian Gender Equality Act defines sexual and gender harassment as forms of sexual discrimination, defining sexual and gender harassment as follows [RT I 2009, 48, 323 – entry into force 23.10.2009]:

- “sexual harassment” occurs where any form of unwanted verbal, non-verbal or physical conduct or activity of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating a disturbing, intimidating, hostile, degrading, humiliating or offensive environment (SoVS § 3 lg 1 p 5),
- “gender harassment” occurs where unwanted conduct or activity related to the sex of a person occurs with the purpose or effect of violating the dignity of a person and of creating a disturbing, intimidating, hostile, degrading, humiliating or offensive environment (SoVS § 3 lg 1 p 6).

In Estonia a person who experiences harassment can turn to the courts, but in the case of personal labor disputes the pre-court level of handling the case is the Labor Disputes Committee of the Labor Inspectorate. People can also turn to the Office of the Equal Treatment Commissioner (previously called Gender Equality and Equal Treatment Commissioner) for advice, opinions and recommendations, but the commissioner's opinions are not legally binding, that is, she or he cannot impose sanctions. The Commissioner's office is noteworthy as the number of people turning to them is an indication of the growing awareness of the issue of gender harassment. If in 2007 the Commissioner received 78 appeals and 24 of them were complaints related to discrimination (Sarv, Muidre & Sepper 2008), then in 2014<sup>1</sup> there were 471 appeals, 52 of which were complaints about discrimination, 132 requests for explanation about the principle of equal treatment and 8 memoranda. The remaining correspondence concerned

---

<sup>1</sup> The Equal Treatment Commissioner does not present such detailed statistics on the cases since 2015, because of the limitations of the resources of the Commissioner's bureau in the context of the increased number of appeals (Pakosta Liisa, personal communication via e-mail 07.06.17).

administrative issues, reporting and advising of the institutions of state and local government institutions (Soolise võrdõiguslikkuse ja võrdse kohtlemise voliniku 2014. aasta tegevuse aruanne).

Although the annual reports of the commissioner show an increase in the number of appeals related to gender discrimination, the office does not release statistics about cases that fall under the article on sexual and gender harassment. According to the law, sexual harassment is gender discrimination and thus complaints about harassment are covered by complaints or requests for explanation about the suspicion of gender discrimination. The annual report of the commissioner (*ibid*) states that in 2014 the commissioner's office took 7 cases of discrimination to court. Four of the seven cases were related to discrimination in connection with the employee's pregnancy, one with discrimination because of having children, one with discrimination on the basis of trade union membership and one with the protection of a transgender person in the process of name change. The proceedings have not ended in five cases.

However, we know that in the period from 2009 to 2012 the commissioner's office handled seven cases that were related to sexual or gender harassment, of which two were advising one party and not handling a request (Muidre 2012 in Karu et al. 2014). The commissioner rejected one appeal because of a lack of sufficient evidence and 2 complainants withdrew their requests. In one case the commissioner established the presence of both sexual and gender harassment. In this case the head of an educational institution had made inappropriate advances to both women employees and students, touched them, made inappropriate comments, called employees with pet names, etc. (Karu et al. 2014: 13).

In the time that Gender Equality Act has been in force there has been only one case that concerned the termination of a contract of employment as a result of an incident of sexual harassment (decision no. 2-09-27445 of Tallinn Circuit Court). The case concerned a male pilot who, passing through the security gate in Tallinn Airport and setting off the alarm, stepped to the woman security worker, took her hands and placed them on his sides. The court found that sexual harassment did not take place, but during the proceedings the employer, Estonian Air, decided to terminate the contract of the pilot.

The practice of the Labor Disputes Committees is also limited when it comes to cases of harassment. In 2006 a complaint was lodged about verbal attacks the aim of which was the denigration of the dignity of the employee. In addition, the employer had subjected the employee to sexual harassment and created a hostile, offensive and denigrating atmosphere at work (Tööinspektsiooni teabenõue 2016a). The complaint was partly satisfied and the parties agreed on moral compensation, although in a sum that was smaller than what was initially requested. The Labor Disputes Committee proceeded from the articles of the Labor Contracts Act of the Republic of Estonia in force at the time that did concern direct and indirect unequal treatment, but there were no references to the Gender Equality Act that would have enabled the identification of sexual harassment. The Gender Equality Act was in force at the time and the Labor Disputes Committee could have referred to it, the more so that the complaint

used the concept of sexual harassment formulated in the act. In 2011 the Labor Disputes Committee considered two cases that were lodged by women employees about the same employer (Tööinspektsiooni teabenõue 2016b). The employer pinched and kissed women employees, teased and humiliated them and used them as targets of his anger. Both cases established the presence of gender harassment and decided to award compensation to the complainants.

### **1.1.2. Feminist critique on legal approaches to sexual harassment**

The implementation of the directive 2002/73/EC has been both critiqued and endorsed by scholars of comparative law (e.g. Marshall 2003; Zippel 2004; 2006, 2009; Schultz 1998.). On the positive side, as Zippel (2006) puts it, the directive has a great potential to effect significant changes in the member states, in particular, to improve victims' rights in the member states' laws, especially as the very definition of what constitutes sexual harassment is defined from a victim-centered perspective, linking the problem to sex discrimination. Condemning harassment in such a brief period of time is a remarkable achievement (Schultz 1998: 1686). In this sense, the political compromise among the member states can be regarded as a success of feminist discourse (ibid). On the negative side, however, "the EU has left it up to member states to deal with the most difficult aspects, prevention, implementation, and enforcement of the sexual harassment laws" (Zippel 2006: 2). So far, the enforcement of the directive has been poor, needing more incentives as the legal recourse only kicks in after the fact, when the harming behavior has already occurred and victims frequently only use legal means if they have already lost their jobs (Zippel 2009: 7).

Another insight comes from Markert (2005), who carried out a cross-national comparison of sexual harassment law and found that the statutes frequently refer to vicarious liability, so that organizations may be held liable unless they can establish they have taken reasonable steps to prevent the acts or that they promptly corrected the conduct after it became evident. In the Estonian Gender Equality Act the liability is covered with § 6 (2) 5) which established that "an employer is responsible for failure to perform the duty of care if the employer was aware or should have been aware that gender-based harassment or sexual harassment occurred and failed to apply the necessary measures to terminate such harassment", as there is also a duty of an employer to promote equal treatment of men and women (§ 11 p. 1), so that "an employer shall: ensure that employees are protected from gender-based harassment and sexual harassment in the working environment" (§ 11 (1) 4). This raises questions in terms of where an organization's legal responsibilities and liabilities begin and end and may lead to a situation in which nobody is responsible for the situation or finding solutions. What employers have done to promote gender equality or to prevent discrimination and harassment is not overseen by any institutions.

In conclusion, although the naming of workplace sexual harassment and its legal condemnation around the world have made this form of sex discrimination visible to the larger public (McDonald 2012: 2), there is no generally shared social definition to help the targets of sexual harassment to readily identify such behavior (Uggen, Blackstone & McLaughlin 2012). The pitfalls and shortcomings of defining sexual harassment will be discussed in the context of sexual harassment research. As it appears, finding comprehensive and suitable definitions and categories for various forms and situations of harassment is a research topic in itself.

## **1.2. Sexual harassment as a research field**

### **1.2.1. A historical overview and position among disciplines**

Research on sexual harassment can be classified by the period, central problem or paradigm. There are also disciplinary differences. Legal scholars (e.g. Bernstein 1994; Franke 1997; Abrams 1998; Marshall 2003) seem to be mainly interested in defining sexual harassment and in comparative law. Social scientists working in the field of organization studies (e.g. Gutek 1985; Studd & Gattiker 1991; Lim & Cortina 2005) focus on the individual and job-related characteristics, as well of psychological consequences on the victim or on the organization. Sociologists (e.g. Giuffre & Williams 1994; Welsh 1999; Lopez, Hodson & Rosigno 2009) seem to dominate among researchers interested in methodological issues, such as what conditions should be met in researching sexual harassment. Feminist scholars' (e.g. Wood 1994, 1997; Kitzinger & Thomas 1995; Dougherty 1999, 2001a, 2001b, 2006) concern depends on their discipline and they are represented across the disciplines. Like academic feminism in general, research on sexual harassment has also been influenced by paradigm shifts in social sciences that has, for example, led to the consideration of gender as a discursive category.

Chronologically, in the 1980s, the study of sexual harassment focused on whether or not sexual harassment was a social problem worthy of study and on descriptive analyses of its prevalence (Welsh 1999: 169). When the prevalence studies showed (e.g. Stanko 1985; Gutek & Morach 1982; Rubinstein 1987, 1992) that sexual harassment is a widespread problem for many working women, new research questions emerged. How to explain sexual harassment, i.e. what are the causes (e.g. Tangri, Burt & Johnson 1982; Gutek & Morach 1982; Rospenda, Richman & Nawyn 1998; Gruber 1992) and what are the consequences of the phenomenon (e.g. Wilson 1995; Fitzgerald, Swan & Magley 1997; Stockdale 1998; Sbraga & O'Donohue, 2000)? Mainly these questions were answered within the organizational context – what kinds of psychological as well organizational variables determine the prevalence of sexual harassment (for meta-analytical study see for Willness et al. 2007 or Chan et al. 2008) as well what are the consequences in terms of health (e.g.

Gutek & Koss 1993; Magley et al. 1999; Williams, Fitzgerald & Drasgow 1999). Some scholars have focused on how individual or situational characteristics of a harasser or perceiver play a role in harassing behavior (e.g. Baker, Terpstra & Larntz 1990; Barling et al. 1996; Shanker, Astakhova & DuBois 2015).

How to measure the extent of the phenomenon across countries was a challenge for scholars (e.g. Kauppinen-Toropainen & Gruber 1993; Timmerman & Bajema 1999; McKann 2005) that led to questions of methodology used across surveys and countries. Therefore, critique of the existing work followed and is still on the agenda. The critique was mainly based on three grounds. First, are the definitions used in the studies comprehensive enough on a theoretical basis? Second, is the categorization of sexual harassment in empirical questionnaires valid? Third, what are the legal presumptions and pitfalls for sexual harassment in the legal framework?

The 1990s saw the emergence of doubt about some of the original pre-conceptions about sexual harassment (Stockdale, Vaux & Cashin 1995: 471): Does the respondent need to be a woman in order to call the experience sexual harassment? Does the behavior need to be repeated over time? Does the perpetrator need to be more powerful than the victim? In other words, the research moved from prevalence studies to more sophisticated empirical and theoretical analyses of the causes and consequences of sexual harassment (Welsh 1999).

As the first studies on sexual harassment were carried out on rather positivist grounds, another form of critique appeared on the epistemological basis. Social constructionists questioned whether it is possible to measure the prevalence of sexual harassment without taking into account the discursive as well cultural context that shapes the meaning of sexual harassment (e.g. Bingham 1994; Wood 1994; Kitzinger and Thomas 1995).

The span of research directions has increased by today and studies can be classified on the basis of research paradigm and research interests. Such a paradigm-based division of scholarship on sexual harassment was noted already in the 1990s by Bingham (1994: 3–4) who divided them into feminist and functionalist approaches. Functionalist approaches focused on behavioral, psychological or structural elements of the phenomenon, while feminist scholars attempted to replace this one-level approach by a more varied one and to pay greater attention to women's experiences from an intersectional aspect (ethnicity, social class, gender, age, etc.).

Functionalist research was interested in the identification of the different forms and consequences of sexual harassment. Such studies employed (and still employ) a quantitative approach, that is, broad surveys were (and are being) conducted in order to determine forms of sexual harassment, their frequency and consequences for the victim or the organization. Organizational studies scholars are interested in workplace factors that affect the prevalence and forms of harassment. Feminist approaches for a long time focused on the explanation of the causes of sexual harassment with gendered power relations and male

domination, viewing heterosexual power hierarchy as the causal precondition of sexual harassment (e.g. MacKinnon 1979; Stanko 1985; Rospenda, Richman & Nawyn 1998; Gutek & Morach 1982).

By today approaches that are considered feminist have taken a largely qualitative direction, proceeding from a constructionist paradigm, being inspired by the works of Foucault. First, earlier feminist research has been criticized for often representing their work as revealing the “truth” about gender relations in the workplace (see for Brewis 2001). Second, “unlike radical feminists, Foucauldians do not see power as something which is possessed by an individual or group, in this case men“ – instead power is exercised, not possessed (Wilson and Thompson 2001). Such approaches can be called discursive, as the scholars, such as I, prefer to talk about discourses of gender and power. However, as already mentioned above, these critiques have been represented for the most part on the theoretical basis and the dynamics of power has not been demonstrated on an empirical level.

Before I provide a short overview of the best-known theories explaining causes of sexual harassment, I will explain how sexual harassment is treated by scholars whose main interest is in bullying. Such an overview is important as the majority of studies conducted in Estonia (for an overview see section 2.1. on sexual harassment research in Estonia) that have, among other things, also covered sexual harassment, can be classified as bullying research.

### ***Sexual harassment in bullying research***

What makes it difficult to get an overview of the sexual harassment literature is that in addition to texts that focus on sexual harassment as such, there are surveys that consider harassment as just another form of bullying (or mobbing when the bullying takes place between an individual and a group) at work. In these studies bullying is the dominant concept into which other forms of harassment are subsumed (Jones 2006) and gender is not the central feature.

The majority of the research on bullying has been undertaken by psychologists and has focused on defining and measuring bullying behaviors and identifying the characteristics of victims and bullies (for an overview see Einarsen et al. 2003). The main difference between sexual harassment and bullying is believed to be primarily the treatment of the individual as an employee (Lee 2002), in the sense that the phenomenon is not explained in societal frames/terms and even less so through power relations between genders. Attempts are made to theorize the link to societal factors, but this tends to be restricted to the organizational level (Jones 2006) or, in some cases, to economic forces and globalization (Hole, Cooper & Faragher 2001). Just as there is conceptual as well terminological ambiguity in defining sexual harassment, it also challenges scholars in bullying research. Not only are the terms ‘bullying’ and ‘harassment’ used interchangeably, but terms such as ‘abuse’ and ‘violence’ have also been used as general terms for workplace harassment (Jones 2006: 147).

While sexual harassment scholars define sexual harassment as a form of sex discrimination, bullying is most commonly understood as a manifestation of interpersonal conflict, the outcome of processes of social interaction between individuals, or between an individual and a group, that escalates into aggression (Jones 2006: 149; Einarsen et al. 2003: 16–21; Salin 2003: 1215). For example, in a study on workplace incivility, Roscigno, Hodson & Lopez (2009) define the broader term of bullying as negative relational dimensions of employment with consequences for worker integrity and dignity. Sexual harassment, as a subform of bullying, is defined as a behavior that demeans or humiliates an individual based on that individual's sex. Within the study sexual harassment is coded across four levels: 1 (none), 2 (patronizing), 3 (taunting), and 4 (predatory). The authors (*ibid*) define sexual harassment based on Hearn and Parkin's (2001) well-known book "Gender, Sexuality and Violence in Organizations" where the authors view sexual harassment as the only one of the three realms of experience (with bullying and physical violence) that is explicitly gendered and sexualized.

Further questions, such as about the underlying causes of sexual harassment or its blurry distinction from gender harassment are for the most part not considered. However, bullying and sexual harassment have three elements in common (Quine 1999: 229): First, both are defined in terms of their effect on the recipient, not the intention of the bully. Second, there must be a negative effect on the victim. Third, the bullying behavior must be persistent. Hearn and Parkin (2001: 58) add to the list the way both of the acts have often been taken for granted, ignored or defined in other ways such as initiation or horseplay. The acts have tended to be shrouded in denial and complicity of management and have been characterized by the difficulty of complaining when the management is directly involved. If there is a strong racial or sexual slant, it nevertheless is all bullying, according to this perspective (*ibid*: 60).

Research on bullying has been critiqued by feminist scholars for being portrayed as gender neutral. It is an abuse of gender power that affects women collectively, rather than in the case of bullying, an abuse of organizational power that affects workers individually (Jones 2006: 148). It is the combination of sex and power that makes sexual harassment particularly damaging to women, reproduces traditional job segregation and impacts their economic autonomy (Abrams, 1998; Schultz, 1998). However, just as civility and bullying studies can be criticized for their superficial inclusion of gender, the same kind of critique can be applied to sexual harassment scholars for not including the ungendered forms or workplace bullying. Just as effort to study incivility have largely failed to consider the unique issues of gender, gender bias reports have neglected questions of civility and professionalism (Cortina, Lonsway & Magley 2002: 238).

Another question, however, would be whether it is ever possible to leave out gender as a comprehensive category? Gender is not excluded completely. For the most part incivility and bullying studies have managed to make the intersection with gender visible, however gender is not made a unique issue with its

complex nature. The study of Roscigno, Hodson & Lopez (2009) on workplace incivility that explored the interconnected influence of organizational processes and status-based social closure found that both gender and minority status are significant determinants of not only sexual harassment but of managerial bullying as well. Zurbrügg and Miner (2016) examined the experiences of workplace incivility based on gender, sexual orientation, and their intersection among academic faculty and found that although sexual minorities faced higher levels of incivility, they had higher job satisfaction and lower job stress than heterosexuals. In the opinion of the authors (*ibid*: 1) these findings point to the resilience of sexual minorities in the face of interpersonal stressors at work.

This result confronts scholars of incivility with the challenges familiar from sexual harassment research, specifically rendering sexual harassment invisible or, as Kitzinger and Thomas (1995: 35–36) put it, “the erasure of sexual harassment” in which unpleasant sexual experiences at work are actively excluded from “the category of sexual harassment”. However, sexual harassment as a term was not used in the study. Another study (Lim and Cortina 2005) examined the relationships and outcomes of behaviors falling on the boundary of general and sexual forms of interpersonal mistreatment in the workplace. Their findings revealed that general incivility and sexual harassment were related constructs, with gender harassment bridging the two. However, the findings were not interpreted in the light of societal gendered power relations, but from the perspectives of sexual aggression, social power, and multiple victimization.

### **1.2.2. Theoretical explanations on sexual harassment**

There are a multitude of different explanations for sexual harassment and scholars classify these theories in different ways (Samuels 2003). The models that have been proposed regard the causes and aetiology of sexual harassment. In most of these explanations the core of the problem lies in the power differences between victims and perpetrators (Wilson & Thompson 2001).

In the late 1970s and early 1980s, when the theories were established, nobody doubted the gender identity of the harasser and the harassed – it was men who predominantly had power and women were their subordinates. Gender was viewed as a hierarchical but fixed category. This static model has been challenged in feminist approaches (e.g. Bingham 1994; Kitzinger & Thomas 1995; Dougherty 1999, 2001a, 2001b, 2006) after the adoption of poststructuralist theories.

The following theoretical perspectives have been influential in guiding research, regardless of whether for development purposes, critical insight or providing the reader with an introductory overview. Often the theories, also named as models, are not self-contained and may overlap and borrow from each other (Samuels 2003: 469). Over time scholars have broadened their explanations on why sexual harassment takes place so that different explanations

such as organizational-, societal- and even individual level characteristics coincide.

The classical theoretical models are the sociocultural model (MacKinnon 1979), the sex-role spillover model (Gutek & Morasch 1982), the natural/biological model (Tangri, Burt & Johnson 1982), the organizational model (Rospenda, Richman & Nawyn 1998; Gruber 1992) and the four-factor model (O'Hare & O'Donohue, 1998) as the combination of the latter explanations.

**The sociocultural model** provides a societal and political explanation that has its roots in MacKinnon's (1979) idea that the origins of sexual harassment are in patriarchal society (Stanko 1985; Rospenda, Richman & Nawyn 1998; Padavic & Orcutt 1997). It is a product of culturally legitimated power and status differences between men and women (MacKinnon 1979) that stands as a manifestation of a wider system of asymmetrical power relations between men and women (Thomas 1997). Sexual harassment is the outcome of gender socialization process where men assert power and dominance over women at work as well in society (Tangri, Burt & Johnson 1982). Therefore, women experience more harassment than men (Tangri, Burt & Johnson 1982, Gutek 1985). The theory suggests that the patriarchal way men occupy power positions on all levels of society – at home, in decision making processes and in the world generally – determines the reproduction of power differentials in the workplace (Sigal 2006). To put it succinctly, the sociocultural model emphasizes the role of patriarchy in establishing and maintaining male dominance in our society that creates a basis for sexual harassment of women by men. The model is critiqued for being too simplistic and for not taking into account the sociocultural context that is always shifting. According to Sbraga and O'Donohue (2000), it does not consider that gender role socialization is changing over time and that gender roles are no longer as distinct as they used to be even 30 years ago. Also, sexual harassment is not a normative behavior for the majority of men and the sociocultural model does not explain why some men are not harassing.

**Natural-biological model** (Tangri, Burt & Johnson 1982) proposes that sexual harassment is the natural outcome of men's stronger sex drive that makes them act like sexual aggressors even at work. According to this model, sexual harassment results from the natural and inevitable feelings of sexual desire expressed primarily by men towards women (Berdahl 2007). As sex drive is approached within an evolutionary frame, it cannot be named harassment and, for that reason, does not have deleterious consequences, is not sexist or discriminatory (Tangri, Burt & Johnson 1982). The evolutionary perspective has extended the theory by explaining that men are born to seek to maximize their reproductive success while women, who have to invest more energy in pregnancy, reject their sexual attempts and the mismatch between their sexual desires results in sexually aggressive behavior at work (Studd & Gattiker 1991).

This explanation has been dismissed in the recent scholarly literature as it lacks flexibility to explain phenomena such as same-sex harassment and

harassment of lower-status men by women in positions of power (Foote & Goodman-Delahunty 2005, in McDonald 2012). The evolution scenario has been critiqued by Tangri and Hayes (1997) who point out that what does not seem to make sense in the theory is that normally the perpetrators are older men and their targets are younger women, not the other way around, which would suit the higher sex-drive explanation. In conclusion, it can be stated that the clear weakness of the model is its simplified approach that disregards all societal and personal factors, as if evolution takes place in a vacuum. Even more, there is very little empirical literature supporting this, clearly simplified, natural/biological theory of sexual harassment (Pina, Gannon & Saunders 2009: 133).

**The organizational model** (Rospenda, Richman & Nawyn 1998; Gruber 1992; Tangri Burt & Johnson 1982) explains the incidence of sexual harassment with the hierarchical structure of organizations where power hierarchies and situations deriving from them create the conditions in which employees in a higher position of power can exploit employees in lower positions. Such workplaces facilitate sexual harassment by creating power hierarchies and situations that set the stage that allows sexual harassment to occur (Tangri, Burt & Johnson 1982).

As a result, people in positions of authority have the opportunity to exploit the people in lower positions and abuse their power in order to maintain dominance and sexual harassment is one of its manifestations. Organizations may have norms that dictate the ways in which people are expected to act and what is considered normal or even preferred behavior. For example, the norms may dictate that women appear attractive in order to be hired into that group, e.g. the personal appearance demands for flight attendants for years (Sbraga & O'Donohue 2000). The organizational model asserts that institutional policies and power differentials provide an environment that is ideal for the development of sexual harassment (ibid: 275).

Fitzgerald et al. (1997) developed the organizational model further and integrated two crucial factors that largely determine the prevalence of sexual harassment: organizational climate and job gender context. Organizational climate refers to the characteristics that tolerate sexual harassment, or "at least where individuals are not punished for sexually harassing behaviors and victims are discouraged from reporting this type of behavior" (Sigal 2006: 359). Job gender context denotes the gendered nature of the workgroup, basically the sex ratio of the workplace. In short, the integrative organizational model, as Sigal (2006) named it, takes into account the sex ratio as well the workplace climate. In Sigal's (ibid) opinion, the model appears to be the most relevant and empirically supported model as it makes it possible to predict the types of workplaces where sexual harassment is prevalent. For example Fitzgerald et al. (1999) used Sexual Experiences Questionnaire (SEQ), based on the integrative model, and found that 78% of women respondents in the military, a traditionally male-dominated profession, had experienced sexual harassment in the previous year. However, SEQ has been criticized by other scholars (Gutek et al. 2004)

for defining sexual harassment very broadly that has the effect of distorting findings about sexual harassment and even more because it has not defined what or whose definition of sexual harassment the SEQ assesses.

**Sex-role spillover model**, developed by Gutek and Morach (1982), suggests that sexual harassment occurs because gender role expectations are carried over into the workplace (Gutek and Morach 1982; Gutek and Cohen 1987; Gutek, Cohen & Konrad 1990). The sex role stereotype most relevant to sexual harassment would be seeing women as sex objects, which increases the probability that women will be sexually harassed (Sigal 2006). Thus, the subordinate feminine role, defined originally and principally in the home, carries over into the workplace and creates scripts for both men and women about how they should interact, scripts that allow or even facilitate sexual harassment (Lopez et al. 2009: 5). In other words, according to this explanation, harassment occurs because gender identity is more salient than the worker identity as gender roles become incorporated into the work roles (Gutek and Cohen 1987: 97). Originally Gutek and Morach suggested that sexual harassment is more likely in jobs in which women had traditionally not participated, but soon it was discovered that sex-role spillover is exacerbated by skewed sex ratios (see for references in Gutek & Cohen 1987), which is sometimes named the independent sex ratio model.

Gutek and Cohen (1987) considered three levels in the study of sex ratio: a) the sex ratio of the work-role set, i.e. the extent to which the sexes interact in their day-to-day work environment; b) the sex ratio of the job, i.e. the degree of integration of the workers' specific job category within the organization and c) the sex-ratio of the occupation category, i.e. the relative national percentage of men and women in the same occupation. The authors (*ibid*) concluded that if the ratio is highly skewed in one direction or the other, sex-role spillover is being facilitated: in traditional work people's sex role and work role are merged together and in nontraditional work they are a visible minority and their sex does not correspond to the sex roles normally associated with their jobs (Gruber 1998; Gutek and Cohen 1987; DiTomaso 1989). As very few men work in nontraditional or integrated jobs, it is the women who either deal with being seen by men as sex objects in traditional male jobs or being visible role deviants in jobs not traditional for women. It has been empirically proved that there is less sexual harassment in sex-integrated jobs (Gutek & Morach 1982; Gutek and Cohen 1987).

Sex-role spillover model has its strengths in taking both the organizational as well sociocultural variables into account. However, according to O'Hare and O'Donohue (1998), the sex-role spillover model needs modifications as it fails to include victim and perpetrator characteristics, and the many possible organizational variables that have surfaced in the analysis of literature. Therefore the authors (*ibid*) created the four-dimensional model for explaining sexual harassment that involves all three levels simultaneously (i.e., individual, organizational and social).

**The four-factor model** (O'Hare & O'Donohue 1998) can encompass all forms of sexual harassment, and it demonstrates clearly what conditions and behaviors must be present in order for sexual harassment to occur (Sbraga and O'Donohue 2000: 276). The original study (O'Hare & O'Donohue 1998) indicated that the four-factor model predicted sexual harassment better than the alternatives. The four basic factors are (ibid: 565): a) Motivation (e.g. sexual attraction and/or power needs); b) Overcoming internal inhibitions against harassment (e.g., viewing sexual harassment as illegal or immoral, victim empathy, outcome expectancies); c) Overcoming external inhibitions against harassment (e.g. explicit grievance procedures and consequences to harassers) and e) overcoming victim resistance (e.g. victims' ability to recognize and stop behaviors that might lead to harassment). O'Hare & O'Donohue (1998) found an unprofessional atmosphere, sexist attitudes and lack of knowledge about grievance procedures to be the strongest risk factors for sexual harassment. The results can be considered as a practical input for the organizations to prioritize the spheres that should be dealt with in terms of sexual harassment prevention and intervention. Diehl (2014) praises the theory for accounting for the factors in one model that were isolated in previous harassment research, but criticizes it for not considering all of their proposed factors equally. First, in the motivation to act factor only sexual attraction as possible motive for sexual harassment is empirically examined whereas power and control that the authors listed are left out. The second critique is in fact plausible for most research (see also for Pina, Gannon & Saunders 2009), as the focus is on the victim's and organizations' side, while harasser's dispositions are consistently neglected.

Tangri, Burt & Johnson (1982) took data from a large stratified random sample (N= 20 083) of the federal workforce and analyzed it in relation to three models – natural/biological model, the sociocultural model and the organizational model. They found no clear-cut support for any one model, and the picture of sexual harassment painted by the data appeared to be more complex and varied than the earlier, self-selected samples from same data initially suggested. The authors admitted difficulties in using large-scale survey techniques due to the phenomenon's complex and cultural nature. They also made suggestions for future research approaches that could complement survey techniques. As the recommendations are rather statistically oriented and thus fall out of the focus of my thesis, the suggestions will not be considered thoroughly below (for more, see Tangri, Burt & Johnson 1982).

### **1.3. My position**

In my thesis I position myself as a social constructionist researcher who takes a feminist perspective on her work, operates within a discursive frame and represents her work in a reflexive manner.

I see discourses as “practices that systematically form the objects of which they speak” (Foucault 1972: 49). Discourses offer competing interpretations of

reality and claims to the power to define and shape social practices. Thus, the analysis of discourse always necessitates an analysis of power. For Foucault, power circulates all through society, with all people implicated in constantly shifting power. In this view, power is decentralized because it is “produced from one moment to the next, at every point, or rather in every relation from one point to another. Power is everywhere; not because it embraces everything, but because it comes from everywhere” (Foucault 1990: 93).

By asserting the existence of dominant discourses, I assume that subjects have a semi-agentive status. I see individuals both as products and producers of discourses. The choice one makes is embedded in the hegemonic structures of dominant and counter-discourses that are embedded in cultural and ideological categories (Fairclough 2003). The semi-agentive character of a person lies in the choice the person has in picking a position among those available discourses that are construed as inherently contradictory and in competition with one another (Bamberg 2004a).

Leaning on the work from discursive psychology I view the nurses I studied both as products of discourse and as producers of discourse in specific contexts of interactions (Jørgensen & Phillips 2002: 7). Although individuals are given agentive status in the sense that they are not only subjected to discourse, but are also producing it, these discourses, as well as the positions taken in discourses, are bounded up with cultural and ideological categories.

Theoretically I proceed from Foucault’s approach to power, but operate in the more practical frame offered by constructionist social psychologists such as Wetherell, Potter and Edley who place emphasis on discourse as the resource or instrument through which the self and the world is articulated. I approach to subject positions as culturally attached and generalized in institutionalized forms of self that are taken up actively, however, attached to prior, culturally familiar discourses that are available in concrete societal and historical context.

By positioning myself as a feminist I am also taking a critical stance towards positivism that promotes hierarchy between the researcher and the researched and therefore represents patriarchy (Sprague and Zimmerman 1993). Feminist knowledge, as Haraway (1988) has defined it, is situated knowledge, i.e. knowledge and truth are understood as being partial, subjective, power-imbued, and relational. Instead of taking the knower position on what can be known, I have tried to negotiate simultaneously the different standpoints and identities throughout the study process (Hesse-Biber 2012). In fact, the grounded theory approach that I use in my analysis in itself is implicitly feminist, as “the groundedness of good grounded theorizing lies deeply in the seriousness of the analyst’s commitment to representing all understandings, all knowledges and actions of those studied – as well as the analyst’s own – as perspectival” (Clarke 2012: 392).

### **1.3.1. Reflexivity and its epistemological value in studying sexual harassment**

The ability to put aside personal feelings and preconceptions is more a function of how reflexive one is rather than how objective one is because it is not possible for researchers to set aside things about which they are not aware (Ahern 1999: 408). Denzin (2001: 27) suggests that “interviews are performance texts” and therefore understanding how people do identity work in the interview situation requires an analysis of the process as well as content. An interview is an active process – both parties of the interview are necessarily and inevitably active. Meaning is not merely elicited by apt questioning, nor simply transported through respondent replies; it is actively and communicatively assembled in the interview encounter (Holstein and Gubrium 1997: 114). Within the constructivist framework, an interview is also an interpretive process where the aim is to jointly and actively construct meaning. How to gain access to, interpret, analyze, and theorize research participants’ experiences and accounts is a concern of qualitative researchers across disciplines and topics (Edwards and Ribbens 1998: 2).

I operate in a constructivist framework and therefore the the methods I use share the same epistemologic footage. Unlike in objectivist grounded theory where the researcher takes a distant role of an expert towards the researched, within constructivist grounded theory researchers with their experiences and personal meanings are seen as a part of the research situation just like the participants. Therefore, the whole research process is being impacted – or even co-created – by the interaction of these two parties. Interactions between the researcher and the researched are affected by their positions, privileges and perspectives (Charmaz 2000; Charmaz 2006; Clarke 2012). In other words, interviews are not only shaped by the where and how, but also who they are conducted by. The identities that we bring into the interview affect the interview context. Broadly, the identities we bring to the scene can be related to gender, social class, socioeconomic status, race, age and sexual orientation, affiliation, personal experience, political and professional beliefs, etc. Understanding these and multiple other factors that shape the relationship of the interviewer and the interviewee, in turn influencing the quality and content of information, is a significant task in interpreting research data (Manderson et al. 2006: 1318). The closer the contact between the researcher and research subjects, the more challenging the research process.

Therefore Burman (1990) requires researchers to consider how the whole process of research is structured around issues of dominance, gender, sexuality, class, age, and race. These positions often create conflicts within as well as between the subjects. The reflexivity of the researcher is the only means for making such processes visible as it enables a process of self-awareness that can reveal power dynamics (Finlay 2002). This process of reflection should start from the planning phase of the study, follow throughout data gathering in interaction and should be there until the very end of the study, that is, the phase

of presenting the outcome. Therefore, I have made my own reflexivity the core of my analysis.

While doing that, I am also aware of Finlay's (2002) critique that reflexive discussions tend to focus on excessive self-analysis at the expense of attending to the research participants. Therefore, when speaking in an academic voice and producing academic, public, knowledge I have tried to put emphasis on simultaneously retaining participants' own personal, private voices and knowledge (Edwards and Ribbens 1998: 6). Making women as knowers visible is the fundamental prerequisite for feminist research that I am trying to follow throughout this thesis. I have also tried to follow Gill's (1995) suggestion not to approach reflexivity as something confessional or reinforcing, in order to validate my academic qualitative research, but to rather to question my voice as an author

How to meet academic conventions of gaining authority and credibility when these conventions tend to silence, mutilate or denigrate the voices of the subjects of our research (Standing 1998) is a critical issue for feminist researchers. The dominant academic discourses, often rooted in positivist grounds, present the requirement of objective distancing, a gaze from outside the subjects studied. This, however, is in conflict with the core principles of feminist research, such as understanding women's experiences and improving women's lives. The premise of feminist research as a process is the treatment of research subjects as equal subjects, so as to not reproduce power imbalances between the researcher and the researched that has been the case within positivist frame that carries masculine norms and values.

How we write our research without alienating the people who take part in our research is a major challenge for feminist scholars, including myself. While exploring these power dynamics between myself and the nurses I studied and providing a way of recognizing myself within that process, I became aware how the egalitarian relationship between the researcher and researched cannot be fully achieved. Feminist scholars suggest that feminist researchers can achieve a relationship free of set forms of patriarchal power by abandoning the knower-known structures, where the woman becomes the subject of knowledge (Harding 1991). Otherwise we may instead even reinforce inequalities of power (Standing 1998). I tend to agree with Finlay's (2002) idea that if the researcher is the sole author of the text, then she should recognize that she continues to occupy a position of authority, no matter how intense the reflection on the research process is.

The least a feminist researcher can do in such a situation is to make the constructedness of this whole process more transparent and explicit (Baxter 2003). As a feminist constructionist researcher I emphasize the role of reflexivity throughout the process of carrying out the interviews, analysis and writing. This also explains the structure of the present thesis. Specifically, I considered it important to write the introductory chapter of my thesis in a reflexive key in order to examine how my position as a female feminist researcher influenced data collection and analysis. Promoting insight to interpersonal dynamics

between myself and the nurses also enables me to make the voices of the nurses more audible. This also allows the reader to observe the struggle in my thinking that I experienced during the research process and how it influenced the course of interviewing, analysis and interpretation. I understand reflexivity as a process where the researcher “engages in explicit, self-aware analysis of her own role“, “evaluates the research process, method, and outcomes“ and “enables public scrutiny of the integrity of the research through offering a methodological log of research decisions“ (Finlay 2002: 531–532).

What I have noticed during the years of carrying out qualitative constructionist research is that often being reflexive has been confused with being reflective instead. The latter carries a meaning of being thoughtful or deliberate, whereas being reflexive prescribes introspection and a deeper inward gaze. However, when making these reflexive interpretations on what was going on in the interview scene, I draw on poststructuralist rejection of reflexivity as a truthful representation of the research process where the reflection made is stable and unitary. Additionally, I agree with Phoenix (1999: 11) that my descriptions are not neutral accounts of a real world, but are constructions that can be "opened, deconstructed and analysed in ways that bring into focus the accommodation of contradiction". On the one hand, reflexivity is the “major strategy for quality control in qualitative research, understanding how it may be impacted by the characteristics and experiences of the researcher is of paramount importance“ (Berger 2013: 219). On the other hand, we should not forget that the position of the researcher should not be interpreted as a static role but as a fluid subject position that is constantly changing. The best a reflexive researcher can and should do it to be aware of her or his position and demonstrate this awareness in descriptions.

#### **1.4. Finding the research topic of sexual harassment**

My first encounter with sexual harassment comes from the time when my supervisor, a feminist researcher, was asked to speak about sexual harassment at the in-service training course for nurses, organized by the Estonian Union of Nurses. At the time I worked at the Unit of Gender Studies at the Institute of Sociology at the University of Tartu. The topic was new to both her and me, although our unit’s library had Catharine A. MacKinnon’s groundbreaking book “Sexual Harassment of Working Women” that both of us had read superficially. We educated ourselves by reading research articles on the sexual harassment of nurses and went to the course. I did not give a paper, but sat among nurses and felt their reactions. At first they sat in silence and I sensed their nervousness. The discussion after the paper initiated a flow of stories from nurses, most of which remained unshared because of the limitations of time. It stood out that the examples given concerned patients. Time left for discussion was short and we did not have time to ask about doctors. This experience created the desire to listen to the nurses’ stories in depth, listen to how they create their stories, what

meanings they assign to the behavior of patients and doctors, how they represent themselves in the stories and under what conditions do they consider some behavior harassment.

When drafting the first interview plan, I was not sure on how to enter the field of the study – what to ask from the nurses, how to draft the original interview plan and first of all – what to expect. The original approach in grounded theory suggests entering the research process as a *tabula rasa* (Glaser and Strauss 1967). I liked this suggestion as on entering the interview stage I wanted to be as free as possible from hypotheses about what the nurses might say and I feared that I might influence them to say things that resemble the existing scholarship and thus suppress something valuable that might differ from international practice. This idea was somewhat naive as the idea of a researcher who is free from values and presuppositions who does not influence the reality he or she studies belongs to a positivist worldview. Such criticism to the initial idea of grounded theory is also shared by Charmaz (2008) who leans on social constructionist approach and disavows the idea of a researcher without prior knowledge: “Rather than being a ‘*tabula rasa*’, constructionists advocate recognizing prior knowledge and theoretical preconceptions and subjecting them to rigorous scrutiny” (2008: 402). Thus, the best a researcher can do is to be aware of what he or she does, how that influences the research process and to reflect over it.

The knowledge I had prior to interviews was based on the literature from the 1980s written from feminist perspectives. I found the books on the shelves of the Unit of Gender Studies at the University of Tartu (e.g. MacKinnon 1979; Hearn and Parkin 1987; Lips 1991; Nicolson 1996). From there I recognized that usually the harasser, normally a man, holds a higher-level position that makes it possible to reward or punish the subordinate for either accepting or rejecting his sexual advances. From the literature I also discovered that sexual harassment is more frequent in occupations replicating women’s traditional roles such as serving and caring for others (servants, waitresses and nurses). I was also familiar with the legal definitions and had read some international reports on occupational sexual harassment. This gave me information about different forms and extent of sexual harassment. In addition, I sought articles from databases, using key words “sexual harassment” and “nursing”. The articles that I found and read at the time had been written on the basis of quantitative studies and their aim was to identify what forms of harassment nurses experience by patients and doctors and how this is influenced by the nurses’ age and work experience. The results were in harmony with overall understanding of sexual harassment – the younger the women, the more they experience harassment (European Commission 1998; Sbraga & O’Donohue 2000) and the more serious the form of harassment the rarer it is (European Commission 1998; Lach & Gwartney-Gibbs 1993; O’Connell & Korabik 2000). The results on whether there is more harassment by doctors or patients were contradictory. This contradiction intrigued me and I made it the focus of my study. I wanted to know how nurses understand harassment in these two

completely different relationships, in which the doctor has the role of a colleague and a supervisor and the patient that of a client.

Based on the latter knowledge, in the very first version of my interview design I assumed that some reward can accompany sexual harassment, e.g. in the form of promotion, as was indicated in the literature produced during the second wave of feminism (e.g. Hite 2001). However, after the very first interviews it became clear that “reward“ vs. “punishment“ is not considered to be an issue by the nurses in the present study. Instead, the question was of what the formal and informal rights of different parties (i.e. physician, nurse, patient) are when it comes to sexual harassment.

When I conducted the interviews I was only 24, thus most of the interviewees were older than me. I was accustomed to this position as I had experience of interviewing active and socially prominent women like politicians, former politicians, leaders of organizations, women scientists. However, my first interviewee among the nurses was a couple of years younger than me and established a good rapport from the very first moment. Initially I thought that the reason may have been the fact that I had reached her through a common acquaintance but later I realized that the reason was actually our age – it is easier to establish rapport with people who belonged to my own age group. They were direct, discussed and reflected on their thoughts as if we were friends sharing a common experience. There were nurses who started to talk about sexual harassment right away, also using that term, and there were also those who were more indirect. In such cases they tended to open up when I mentioned examples from my own experience with harassment in the workplace as a young woman. Rubin and Rubin (2005: 26) have stressed that in the context of feminist research it is not only important that women should study women but “they also emphasize the importance for the interviewer to be in the same position as the interviewee”. In my case none of the younger nurses under 30 years had children and I represented myself as a graduate student.

I did not feel comfortable talking to nurses who were about 10 years older than myself that is, who were as old then as I am now. It took longer to build rapport and it seemed to arrive only when the interview was about to end. In order to find interviewees I had promised that the interview would last for an hour. As I conducted the interviews in the rest room where there were no other people but I knew that the nurses were on duty and thus I did not want to stay for longer than the agreed-on interview time. Looking back, it seems that for this age group the interview should have been longer. It seems that it took nurses a while to grasp what the interview was “really about”. As explained above, the nurses were told that the interviews would concern the relationships between men and women in the workplace, with no explicit reference to harassment. When I sensed a moment that the interviewee was ready to talk about the more substantive issues or the focus of the interview had to be tightened, I brought in examples from other nurses’ interviews or my own experience, in other words, stories that had characteristics of sexual harassment to specify the topic. I mentioned the word ‘harassment’ only when I felt that the

nurse I was talking to was ready for it, because I was aware of and frightened by the fact that issues in some way related to gender equality elicit negative or even hostile reactions in Estonia. In my experience, harassment is referred to only jokingly in everyday parlance in contexts where one person does something (e.g. says, touches, comments) that might be considered inappropriate in the case of more distant relationships. Gender is not the determining factor in such cases. For example a woman friend might be adjusting the hairdo of another woman and apologizes for the “harassment”. Other contexts where harassment is referred to jokingly involve situations where a man is polite with a woman, e.g. opens a door for her. What unites these two types of situations is the ridiculing tone of voice that accompanies the joke that automatically degrades the seriousness of the matter. Such ridicule is derived from myths about American women who do not allow men to open doors for them or who take their superiors to court to seek compensation on the basis of accusations of harassment.

A very similar approach to the study of sexual harassment was used by Quinn (2002) whose project was to explore how workplace events are framed as sexual harassment (and as legally bounded or not), and therefore the term “sexual harassment” was not introduced by the interviewer until late in the interview. Similarly to me Quinn (2002: 391) also began the interview with more abstract topics: “the interviews began with general questions about friendships and work relationships and progressed to specific questions about gender relations“. In dealing with sensitive topics a similar technique in which the interviewees are asked about experiences indirectly has also been used by other scholars, e.g. Strömpl (2007) who informed her interviewees – prostitutes with an immigrant background – that the topic of the interview was women’s health.

At times I felt that the indirect approach does not allow me to establish egalitarian relations with nurses, which is an important precondition for a scholar working in a reflexive constructive framework. It is especially important in the case of feminist research where the researcher should build a non-hierarchical relationship with her interviewee because of women’s general experience of gender subordination (Oakley 1981) and find the way that would describe their experience in a manner most suitable and empowering for them (Maynard and Purvis, 1994). I felt hypocritical as on the one hand I tried to allow the nurses to “talk back“ and give them their voice, as Hooks (1989) suggests, while on the other hand I felt as if I had manipulated them into giving interviews. According to Edwards and Ribbens (1998) the ambiguity of needing simultaneously to remain faithful to knowledge gained in personal and intimate setting and trying to serve an academic audience is to some extent inevitable for a qualitative researcher (Ribbens & Edwards 1998). Moreover, “however equal the methods of access and interviewing, we, as researchers, still hold the real power when we take the women’s private words into the public world of academia“ (Standing 1998: 189). When we talk about power in a poststructuralist framework, power dynamics in the interview are fluid and the presumed dominant position of the interviewer has been questioned by other researchers

(Bola 1996; Cotterill 1992; Tang 2002). I sensed the dynamics of power myself and it was different both within an interview and between interviews with different nurses. With older nurses I as a young researcher felt that I had to prove that I could ask questions professionally. When I sensed that I had been accepted as a serious researcher, I dared to joke and to build an atmosphere of trust. A sense of solidarity dominated in the case of younger nurses where power tended to come in at a later stage when we reached the term “sexual harassment” where I could refer to laws and institutions one can turn to in the case of need.

Towards the end of the interview I asked all nurses about whether Estonian hospitals should have booklets with information about sexual harassment, such as what kinds of conduct is acceptable and what not. All nurses except one agreed but they were considered necessary from the perspective of male patients. This agreement can be viewed as a confirmation to the fact that they had sooner or later understood the direction of the interview; otherwise this question might have been confusing.

We can divide the nurses into three age groups: those in their 20s, 30s and 40–55 year olds. While I was unable to establish as easy rapport with the nurses in their thirties as those in the twenties, it was, to my surprise, very comfortable to talk with nurses above the age of 40. Building rapport took time, but once established, the nurses started to structure their thoughts out loud, reflecting on where some opinions had come from. They recalled their first years in the hospital and reflected on their attitudes towards their experiences then and at the time of the interview. Their descriptions of their emotions – insecurity, embarrassment, shame and guardedness – were similar to the talk of younger nurses. About the information materials they said that these would help young, beginning nurses who are not yet used to hospital work. They were by no means old women – none was pre-retirement, our age difference was from 14 to 31 years. The question arose about why I was able to establish easy rapport with women who were a generation older than me? This result is not in accordance with the conventional wisdom that rapport is the easiest with interviewees with a historical and cultural background similar to that of the interviewer. According to Lundgren (2013: 699), age has remained a rather under-theorized and unexplored location of experience, regarding the way in which age may produce intergenerational connection or conflict.

One possible explanation to the cooperativeness of the older nurses was their ability to create their narratives from a temporal distance, going back to their youth, that is, the topic was not sensitive to them at the time of the interview, which made it easier to talk about it. From the perspective of feminist research this can also be viewed as giving voice or empowering their younger female colleagues. I gave them the opportunity to talk about topics that they had not had the chance to speak and perhaps not even think about as their daily social and work context does not provide them with a relevant conceptual framework and they do not meet people who would ask them about the position of women. The youth of the older women was in the Soviet period when women’s issues

were approached through socialist propaganda that created the illusion of gender equality but one that served the needs of the state, not women. The first books about women's experiences expressed through their own voices appeared as autobiographical texts only after Estonia regained its independence. While the talk of nurses in their twenties concerned their relatively recent experiences, from either a few years or even a few days back, then older nurses had to go back in time 15–30 years. The nurses in their early thirties had reached the age when their first years at the hospital were too close to view them at a distance and there may have been too many experiences to keep them in mind on a daily basis.

Now that 10 years have passed from the time of the interviews, I am seeing a different question – was the suspicion of the nurses in their thirties caused by me as a young woman researcher or by the topic. This reminded me of the focus group study among medical students by Wear & Aultman (2005) in which the researchers found that female medical students, compared to male students, felt that when compared to male students they were not taken seriously or even bullied by the nurses. References to poor relationship with older colleagues were also made in my study's interviews with younger nurses who feared accusations from their older colleagues about inciting harassment. This led me to the thought that perhaps I, identifying myself as a younger woman, positioned myself also as one of the younger nurses. Such a positioning and the shared identity with nurses experiencing harassment may have been the trigger that made me feel what the younger nurses claimed to feel. If the younger nurses felt that older nurses might treat them as potential provokers who consciously seek the attention of male doctors and complain afterwards, then I felt that I was viewed as somebody who wanted to make them speak about something that they did not wish to talk about.

## 2. CONTEXT OF THE DOCTORAL THESIS

This chapter will provide an overview of the social context in which the present study is situated. I will first give a short frame regarding gender issues in post-Soviet context, then I will cover previous Estonian research on harassment this far and the results; nursing in the context of harassment; why I consider it important to present my research results reflexively and how I understand reflexivity and, finally, I will sum up the three articles that form the basis of the doctoral thesis.

Before giving the overview of the sexual harassment research, it has to be noted that the year 2017 has been remarkable for two reasons. First, the first harassment case was made public in the media that concerned the sexual relationship between a PhD student and her supervisor. Although the media presented this as the first publicized case of sexual harassment, the charges were not pressed as sexual harassment.<sup>2</sup> Second, in May 2017, Estonian Parliament's Law Commission voted to establish sexual harassment as a separate misdeed in the Estonian Penal Code.<sup>3</sup>

### 2.1. Estonia's post-Soviet context

In most post-socialist and post-Soviet countries the early post-socialist history of feminist thought has one significant similarity: it was strongly resisted, or at least marginalized, by the majority of public and professional audiences (Kivimaa2012: 256). Sexual harassment definitely is a feminist topic, but, to my knowledge, there is a lack of qualitative studies that would focus on the study of sexual harassment as a social phenomenon in the specific post-socialist context. I believe the context to be of utmost importance in the understanding of sexual harassment. In the opinion of Suchland (2008: 335), who has researched politics of sexual harassment in Russia, there is a need to take into account the larger societal processes when analyzing the phenomenon, as "the 'facts' that amount to the harm of sexual harassment are tied to normative frames about sexual difference and discrimination".

Although Estonia and Russia have followed very different paths of development in the past 25 years, they share a socialist history that continues to play a role in both countries' gendered politics. In her research on sexual harassment

---

<sup>2</sup> A PhD student had an affair with her supervisor and in her words it was not possible for her to finish her PhD thesis because of the affair that ended at some point. The student pressed charges to the police, based on the Penal Code's § 152 that covers violation of equality as a result of unlawful restriction of the rights of a person or granting of unlawful preferences to a person on the basis of his or her nationality, race, color, sex, language, origin, religion, sexual orientation, political opinion, financial or social status which is punishable by a fine of up to three hundred fine units or by detention (RT I 2001, 61, 364).

<sup>3</sup> This far the only legal act that regulates sexual harassment is the Estonian Gender Equality Act (Draft Act no. 385).

in post-Soviet Russia Suchland (ibid) identifies circumstances that create the context for approaching sexual harassment as legally as well socially recognized problem. First, “the presence of women in the paid labor force has not played a critical role in why or how sexual harassment is an issue“ (Suchland 2008: 337), as women have been a major part of the labor force for generations. The same can be said for Estonia. Discrimination against women in the workplace is nothing that has been created by women’s entry into labor force, but has existed long enough to have been masked and acquiring the status of something natural.

Second, Suchland (2008: 352) refers to Zhurzhenko’s (1999) idea of the masculine nature of capitalism, in the context of which women’s labor does not symbolize the market and is, instead, viewed as antithetical to capitalism. Estonia firmly oriented itself with liberal market economy after regaining its independence and this meant the withdrawal of the state from some forms of social responsibility. Market liberalism as the dominant ideology created a social dichotomy between ‘winners’ and ‘losers’ (Lauristin & Vihalemm 2009), with the winners being predominantly men. The concept of success-oriented transition culture (see Lauristin & Vihalemm 2009) has been used to describe many post-socialist societies where competitiveness and orientation to success are understood as inseparable components of liberal economy. As a result, any forms of state regulation were viewed as a return to socialism. This also pertains to issues of gender. Under socialism, the equality of women and men was a slogan but one that lacked substance in real life. Women were not involved in the decision-making processes, they were responsible for unpaid domestic labor, domestic violence was not addressed on a societal level, etc. The ideological legitimation of free market economy made it possible to make the gendered division of labor invisible, including discrimination at work, such as sexual harassment. The recognition that the post-Soviet patterns of democratization did not facilitate the dissemination of feminist ideas has been also stated by Kivimaa (2012: 256) who has argued that during the 1990s “the political realities of the newly independent nation-state were shaped by two central ideals: the return of Estonia to the Western world and the return to the patriotic and traditional values of the interwar independent nation-state“ (Kivimaa 2012: 256).

In Suchland’s (2008: 337) words, the third aspect that creates the context for approaching sexual harassment concerns treating gender equality as a part of human rights, which is nearly impossible to talk about in Russia “without recognizing the role that international discourses, agencies, and movements play in any given context“. Although Estonia today is a democratic nation, our attitude to human rights has never been as radical as our belief in free market economy. On the contrary, human rights, including those related to gender, continue to be associated with either Soviet propaganda back in Soviet times or with an attempt to import Western “pseudo problems“ to Estonia (Lagerspetz & Rikmann 2010).

## 2.2. Sexual harassment research in Estonia

As stated in the introduction, although research on sexual harassment began after Estonia adopted the Gender Equality Act, the topic had been approached by Finnish scholars in the Soviet era. Haavio-Mannila (1994) compared attitudes to sexuality in two types of societies: Scandinavia (Denmark, Finland, Sweden) and in the former Soviet Union (Russia and Estonia) and predicted the nature of approaches to sexual harassment in independent Estonia. The data was collected in 1985–1988. This study demonstrated that in Tallinn, the capital of Estonia, similarly to Moscow, relationships between men and women in the workplace were frequently eroticized, attitudes towards flirting were positive, and sexual harassment cases in Russia (sexual harassment was not explicitly covered in the questions asked in Estonia) were more frequent than in the Scandinavian countries (Haavio-Mannila 1994). Haavio-Mannila (*ibid*) explained this difference as being due to a traditionalist patriarchal work culture and suggested two possible developments for former socialist countries: “feminism” and “sexual liberalization”. The first involves feminist ideas that condemn sex role spill-over, i.e. carrying traditional sex role expectations over into the workplace and thus could reduce eroticization, flirtation, and sexual harassment in the workplace. Sexual liberalization could increase the incidence of romantic relationships in the workplace, which were formally banned during the Soviet era.

In newly independent Estonia sexual harassment has been studied to an extent within studies dedicated to violence, gender equality and work life. There is a total of seven studies or surveys in which at least one question is dedicated to forms of sexual harassment or features that can also be viewed as sexual harassment. The studies are two Gender Equality Monitorings (2006 and 2010); Victim and violence survey (2010); Psychosocial Risks Survey (2010); Work life survey (2010); Work Life Barometer (2005) and European Working Conditions Survey no. 4 (2005), no. 5 (2010) and no. 6 (2015). Since each study views the phenomenon from a different aspect, using discipline-specific approaches in both emphases and terminology, the results are also different. It should be noted that the limitation is that the majority of the surveys do not define sexual harassment, as a result of which some of the questions can be categorized as belonging into the field of bullying research. Neither do the studies always define the position of the harasser and the harassed.

All studies, with the exception of the Work Life Barometer the questions, covered the experiences from the past 12 months. For example, the Psychosocial Risks Survey (Seppo et al. 2010) asked whether the respondent had encountered unwanted sexual attention, whether she or he had been harassed with words or deeds, threatened by violence or had experienced physical violence. In the Crime Victims’ Survey (Ahven, Kommel & Tuisk 2010) forms of harassment were divided into two categories: physical and non-physical harassment. However, the Work Life Barometer (Saar Poll 2005) asked about the incidence of mental or physical violence or threats with them in the present place of employment, which need not be sexual or gender harassment, but may

contain it. Such differences in the structure of different questionnaires that result from the main foci of the studies – whether the focus is in work environment or violence – also yield different results and thus cannot be compared.

The topic has been covered the most directly in the Gender Equality Monitorings (Derman et al. 2006; Vainu, Järviste & Biin 2010) in which forms of harassment have been divided into five categories beginning with suggestive anecdotes to physical contact that the respondent considers unpleasant. Although Gender Equality Monitorings are conducted regularly every four years, they do not contain questions that would be formulated in exactly the same ways, which makes the results hard to compare. Since the concept of gender harassment was added into Estonian legislation in 2009, it was first covered in the 2009 monitoring which showed that 10% of women and 7% of men have experienced hints, comment or propositions that refer uncomfortably or in an unwanted manner to the gender of the respondent. In the case of gender discrimination, there was a negative correlation between age and the experience of harassment that is among women in the 15–24 age group every fourth woman had experienced harassment; among men the percentage was 16%.

The European Working Conditions Surveys (2005; 2010; 2015) and Work Life Survey (2010) included questions about experiences of discrimination that is not the same as gender harassment as the later is only one subtypes of gender discrimination. However, the Work Life Survey (Krusell 2011) asked employers about the extent to which employees had experienced physical assault and sexual harassment. About one percent of the respondents gave a positive response. The compiler of the report (Krusell (ibid)) notes that information about the incidence of cases of violence need not be reliable as it is likely that many leaders who not want to admit publicly that personnel had been assaulted or sexually harassed.

According to the results of the 2009 Gender Equality Monitoring about 25% of the respondents had experienced sexual harassment in the past year, women somewhat more than men (Vainu, Järviste & Biin 2010). Gender Equality Monitoring (2009) listed different forms of sexual harassment (i.e. making disturbing remarks about a person's figure or sexuality; telling unpleasant and lewd jokes or obscenities; making unwanted propositions about sexual intercourse; physically unpleasant attempts at intimacy; sending disturbing lewd (sexist) messages, e-mails or internet comments), as a result of which all forms mentioned by the respondents were counted as sexual harassment. At the same time, the Crime Victims Survey (Ahven, Kommel & Markina 2010) data suggest that about 6% of the women and 2% of the men had experienced sexually suggestive hints unpleasant for the respondent. About 1% of men and 3% of women had experienced unwanted sexually suggestive physical contact (touching, caressing and other intended physical contacts) (ibid). Such differences in study results once again prove the tendency that the more specific the questions about the forms of sexual harassment, the greater the likelihood that the respondent will mark at least some forms of harassment and such cases yield a higher proportion of the harassed (Milczarek 2010).

In the European Working Conditions Surveys (2005; 2010; 2015) that are carried out after every five years in the European Union countries, the respondents are asked about their exposure to 12 social risks, among them bullying or harassment, unwanted sexual attention and overall discrimination linked to gender. The first analysis results on the latest survey carried out in 2015 (European Working Conditions Survey no. 6) showed that on average 17% of women and 15% of men in the European Union have experienced adverse social behavior (ASB<sup>4</sup>).

In comparison to other European countries the ASB index in Estonia is similar to that of other Baltic states, central and western European countries, and the Scandinavian countries that are all above the EU average of 14%. Austria, the Czech Republic and Finland show the highest percentages of workers reporting violence or harassment in the workplace (more than 20%), whereas in half of the Eastern European countries (except for Slovakia, Slovenia and the Baltic states) and in all of the Southern European countries, a smaller proportion of workers report ASB (from 6% in Cyprus to 12% in Croatia) (see Eurofond 2015). It can be hypothesized that the numbers are related to awareness about the topic. For example, the number of workers in Estonia who have marked they have experienced at least some form of discrimination has risen throughout the years – in 2005 it was 5%, in 2010 6% and in 2015 7% (see European Working Conditions Survey no. 6 2015).

Until 2012 Estonia lacked a survey specially dedicated to gender and sexual harassment that would make it possible to measure the incidence of different forms of harassment in depth and to observe changes in time. In 2012 the Ministry of Social Affairs ordered a nation-wide survey on gender and sexual harassment in work life (Karu et al. 2014). It was the first study to focus on the measurement of the incidence of sexual and gender harassment. Four in-depth interviews (male specialist, male bartender, female waiter and female police officer) and two focus group interviews with the representatives of employers (mostly human resource specialists) were carried out as pilots to give input for the questionnaire<sup>5</sup>. The Gender Equality Monitorings of the previous years had included only some questions about harassment next to other forms of discrimination. The purpose of the survey was to develop a pilot questionnaire block for measuring the extent of sexual and gender harassment in Estonia that could be added to future gender equality monitorings (as the first outcomes of the pilot were published in the report, the block with questions concerning sexual- and gender harassment was not reported in Gender Equality Monitoring of 2013). A qualitative pilot study using focus group interviews was also carried out among the representatives of various public and private institutions and

---

<sup>4</sup> ASB is an index based on six questions from the questionnaire of the Fifth EWCS conducted in 2010, which ask the person if, during the course of their work, he or she has been subjected to verbal abuse, unwanted sexual attention, threats or humiliating behavior during the last month, or during the previous 12 months.

<sup>5</sup> The focus-group interviews were carried out by myself, as a visiting researcher and expert in the field.

organizations. The purpose of the interviews was to get insights into the attitudes as well knowledge in the field and recommendations on possible ways of raising awareness of sexual and gender harassment in work life.

The authors (Karu et al. 2014) concluded that as people's awareness of gender and sexual harassment is low, they cannot recognize situations of harassment and label them as such. On the other hand, respondents expressed their readiness and need to intervene when they see harassment and they are also aware of the requirement that the management has to ensure a harassment-free work environment. For example, about every third respondent completely agreed and every second respondent rather agreed with the statement "If anybody notices that his or her colleague is being harassed at work, they should intervene in the situation (e.g. defend the person harassed, inform the employer)". Interference was not supported by 10% of the respondents (indicated by choosing "tend to disagree" or "completely disagree"). The proportion of men and women among the respondents who gave a positive response was quite similar (80% and 83%, respectively), but there are more women among those who completely agree with the statement (ibid: 169).

In Estonia 16% of people with work experience stated that they had been harassed at work. There were more people who had encountered unpleasant situations in their work life that might suggest harassment (e.g. telling sexually suggestive jokes that is quite widespread in the workplace, but which most respondents consider unpleasant). Awareness of laws concerning harassment is low – people do not know who they should turn to in such cases. Every fourth respondent thinks that the person harassed has encouraged harassment. Scholars have suggested that raising awareness about the issue should start with simple explanations on what gender and sexual harassment is and how to recognize acts of harassment (Karu et al. 2014).

## **2.3. Sexual harassment in nursing**

It has been suggested that nursing is the occupation with the highest rate of sexual harassment (Finnis & Robbins 1994; Hamlin & Hoffman 2002; Madison & Minichiello 2001; Robbins, Bender & Finnis 1997). What is so special about nursing as a profession that makes it an interesting subject for scholars and why nurses seem to be the most vulnerable group for harassment will be discussed below. Research outcomes in the field – both quantitative and qualitative – will also be discussed.

### **2.3.1. Nursing – an occupation between several hierarchies**

If we focus on the peculiarities of nursing as a profession, we can see that it logically fits into several models that explain the causes and conditions for the existence of sexual harassment. Nursing represents a traditional feminine occu-

pation and therefore meets the requirements of sex-role spillover model, that is, sexual harassment occurs because gender identity is more salient than the worker identity as the gender roles associated with the majority sex become incorporated into the work roles (Gutek and Morach 1982; Gutek and Cohen 1987; Gutek, Cohen & Konrad 1990). In the case of such professions, women have been employed as women, as a result of which they are harassed simply because they are women (Wilson & Thompson 2001). Also, the sex-ratio of the occupation is heavily skewed in one direction that also increases the probability of sexual harassment (Gutek and Cohen 1987: 97). MacKinnon's (1979) sociocultural model dissects harassment as the outcome of gender-based inequalities, including men's economic power over women, which enables them to exploit and coerce women. Hospitals where nurses work model a society where the top places with more authority and higher income are occupied mostly by men, whereas women are left with rather subordinate positions and lower income. Paid care work is a low-status occupation as it is frequently considered almost an extension of housework (Giddens 1993:516). In fact, "one of the central dilemmas for the nursing profession is the moral (ethical) question of being ordered or expected to care in a society that refuses to value caring" (Warelow 1996: 659).

The profession of nursing is situated at the intersection of several hierarchies: hierarchy of gender, professional status hierarchy, and often the hierarchies of class and ethnicity (Dan, Pinosof & Riggs 1995: 563). However, these hierarchies are so intertwined with each other so that it is difficult to tell where one ends and the other begins. Gamarnikow (1987, in Davies: 724) has illustrated how the hierarchies of gender and professional authority overlap by drawing a parallel between the main characters in hospital work and family life. He compares the nurse-doctor-patient triad with the family structure of mother-father-children, where nurses as mothers nurture, doctors as fathers make decisions in a patriarchal manner and patients as children have little autonomy to participate in the decision-making process. The two professions are "historically imbued with particular gender relations and build upon certain notions of femininity and masculinity which, while under fire at the present time, still equally leave their mark in an important fashion" (Davies 2003: 722).

Although there have been repeated attempts by scholars to say precisely what caring in nursing is (Paley 2001: 188), there is a shared conviction that nursing is by nature a caring profession and is therefore constructed as feminine (Davies 2003: 724), contributing to the expectation that nurses are nurturing (Gutek 1985). While nurses' responsibility is to take care of the patients, it is also their duty to obey physicians' orders – there is a clear professional hierarchy in the hospital as an organization. Traditionally "the ethics of the nursing profession were essentially the ethics of obedience to physician's demand" (Kasachoff 1987 in Clement: 63).

Feminist authors (Clement 1996 and Davies 2003) have approached nursing as a profession in binary terms of femininity vs. masculinity and autonomy vs. care. The ideal of a profession rests importantly upon the notion of autonomy

(Davies 2003: 727). The authors show how caring as the feminine attribute has historically prevented nursing from becoming an autonomous profession, as professionalism assumes autonomy and is a priori constructed in masculinist terms. Nursing struggles to attain professional recognition, yet caring, with its emphasis on closeness and emotional aspects, is not part of the masculinist definition of a profession. Clement (1996: 63) takes the argument back to the profession's historical roots:

According to the traditional conception of nursing, a nurse fulfills her role of acting in the best interest of the patient by following physicians' orders, even when she disagrees with those orders. In this traditional conception of nursing, caring and autonomy are incompatible. This is not just because nursing requires taking orders. Nurses are not literally coerced to carry out doctor's orders against their wills, but the fact that doing otherwise threatens their job security certainly disempowers them to some degree. More importantly, the institutionalization of the traditional conception of nursing has the effect of disabling nurses' critical judgment. When nurses are not rewarded but punished for thinking critically, they tend to leave the field of to adapt to the expectation that they simply follow orders (Clement 1996: 63).

This delegation of authority is justified on the grounds that physicians have medical expertise that nurses lack, so that any disagreements the nurse might have with a physician's medical assessment need not be taken seriously. Warelow (1997: 1023) argues that even the prevailing supply of literature on nursing deals with the dominant discourses in nursing praxis that are shaped by hegemonic masculinity, that is medical and scientific discourse. In terms of nursing praxis these discourses "seek to promote one set of views over another which often silences or marginalizes the less powerful group. In this case medicine is promoted over nursing, with medicine being viewed as having power and/or patriarchal authority over nursing (seen as essentially a profession for women and thus submissive)" (Warelow 1997: 1023).

Warelow (1997: 1023), however, sees change in the system, claiming that "the domination by medical staff directing nurse educational practices is coming to an end, as nursing staff has started to direct their own educational needs, which promote nursing in its push towards professionalization and authenticates the discipline by allowing its practice to dictate its theoretical knowledge base in its own right". It is hard to say to what extent these tendencies can be observed in Estonia. Estonian nursing and midwifery development strategy (*Eesti õenduse ja ämmaemanduse arengustrateegia 2011–2020*) for years 2011–2020 states that the image of the nurse (and the midwife) is vague in Estonian society and health care and it has not been supported on the level of the state but the responsibility has been placed on professional organizations and educational institutions. There is also no system for supporting them in the solution of complex ethical problems.

The profession of the nurse and the midwife is acquired in Estonia on vocational education levels 35–36. After completing basic studies, students can

complete specialized curricula (clinical, mental health, intensive care and health nursing) and a Master's curriculum (nursing management or pedagogy) (levels 37–38). There are no PhD curricula in nursing in Estonia. In 2011 35% of nurses and midwives had vocational higher education and of them 48 had completed Master's and 201 specialized curricula. At that time, four nurses were studying in doctoral curricula abroad and one nurse acquired her doctorate in a related field in Estonia (Eesti õenduse ja ämmaemanduse arengustrateegia 2011–2020). According to the latest data, given by Estonian Nurses Association (Anneli Kannus, personal communication via e-mail 11.05.17), in Estonia five nurses were acquiring a PhD degree and three nurses who had already defended their PhD dissertations. Two of them have acquired doctoral degrees in public health: one in 2015 at the University of Tampere and the other in 2017 at the University of Tartu and the third received her PhD in nursing in 2012, at the University of Eastern Finland.

However, being caring and nurturing are not the only gendered expectations for nurses. There is also overt sexual attention encountered by nurses from both patients and the public (Stanko 1988: 95). These two factors – caring and sexualization – are in turn inseparable, intertwined discursive phenomena. As Lawler (2001: 287) suggests, “the nursing practice incorporates kindness, a caring approach, warmth, gentleness and friendliness to the patient – all of which can be perceived as sexual availability if not sexual invitation”.

### **2.3.2. Sexual harassment research in nursing**

Nursing involves work that brings nurses physically and emotionally close to both patients and to other staff members (Bronner, Peretz & Ehrenfeld 2003). Physical contact, often with intimate body parts, may lead to sexual arousal in patients (Cambridge & Carnaby 2000). The latter does not necessarily lead to sexual harassment in itself, but it creates an environment that exposes nurses to sexual harassment (Robbins, Bender & Finnis 1997). From the professional perspective of nursing, dealing with sexual harassment compromises nurses' ability fully to focus on their job assignment and hence to give safe care (Fiedler & Hamby 2000; Hamlin and Hoffman 2002; Valente & Bullough 2004). Sexual harassment causes nurses serious mental problems (Finnis, Robbins & Bender 1993; Robbins, Bender & Finnis 1997; Bronner, Peretz & Ehrenfeld 2003) such as nervousness, fear and anxiety, depression and physical problems such as headache, tiredness, sleep disruption (Cholewski and Burge 1990; Celik and Celik 2007; Marsh et al. 2009).

By the 1990s there were relatively few studies on sexual harassment within nursing. According to Robbins, Bender & Finnis (1997) the papers were rather descriptive in approaching the problem. Robbins (1997) also suggests that the authors even found it to be taboo topic among nurses. Heinrich (1987) noticed a tendency among the researched nurses to under-react, as they tended to doubt their perceptions of patients' motives or to even blame themselves for inviting

the event. When blaming themselves for the situation, the nurses reported feelings of shame, fear, anger, threat and being flattered (*ibid*), however, analyzing these feelings as a consequence of sexual harassment was not as widespread then as it is now.

Since sexual harassment in nursing has become a research area in itself, research on sexual harassment in health care settings has provided contradictory results – some studies show more harassment by physicians (e.g. Duldt 1982; Beganny 1995; Hamlin & Hoffman 2002;), others by patients (Grieco 1987; Libbus & Bowman 1994; Bronner, Peretz & Ehrenfeld 2003). Divergence in outcomes can even be found within one study. For example, Finnis and Robbins (1994) found more accounts of harassment by male physicians and male nursing staff among registered nurses, while student nurses were more likely to report that patients harassed them. Similarly, Cugin and Fish's (2009) questionnaire data suggested patients to be the most likely perpetrators, while the interviews named physicians as typical perpetrators. As can be seen from the contradictory study results, research on sexual harassment in nursing and in the healthcare sector faces the same methodological challenges as researchers of other disciplines who deal with the topic: How to define sexual harassment? Who decides whether it is harassment – is it the respondent or scholar? Is it possible to differentiate gender harassment and sexual harassment? How long is the period the questions concern? Whom does the study concern as possible perpetrators?

Scholars interested in studying sexual harassment in nursing have mainly focused on identifying different forms of harassment and its severity or its psychosomatic impact (e.g. Heinrich 1987; Cholewski and Burge 1990; Robbins, Bender & Finnis 1997; Bronner, Peretz & Ehrenfeld 2003; Budden et al. 2015). Often the studies focus on both severity as well as impact. However, research on how nurses themselves construct their experience of harassment started to emerge only in the 1990s and 2000s (e.g. Dougherty, Baiocchi-Wagner & McGuire 2011; McGuire, Dougherty & Atkinson 2006). Below I will first present some studies that exemplify the ways in which harassment has been studied quantitatively in the context of nursing and the contradictions and pitfalls the studies contain. Then I will introduce articles in which the harassment of nurses is treated discursively and that resemble the present PhD thesis in their methodology.

### 2.3.2.1. Measuring the extent and impact of sexual harassment in nursing

One of the first studies on sexual harassment among nurses was carried out by Grieco (1987) in the US in the late 1980s. This was the time that saw an increased interest in research on sexual harassment. The explanatory models of sexual harassment (e.g. sex-role spillover model, natural-biological model etc.) had appeared only a few years earlier. The survey defined sexual harassment

consistently with EEOC guidelines, so that nurses had to answer questions about their nursing career as a graphic rating scale with the following descriptors: 0 – no harassment; 1 – suggestive stares, comments, whistles, or other behaviors; 2 – lewd comments; 3 – grossly inappropriate sexual comment or brief, minor touching; 4 – grossly inappropriate touching (e.g. fondle breast, mauling); 5- attempted or actual rape. Nurses had to rate sexual harassment from patients, doctors, coworkers, supervisors and others separately. Sexual harassment was reported by 76% of the respondents. The most severe level of harassment was grossly inappropriate sexual comment or brief, minor touching that was reported by 35% of the nurses. Significantly more severe harassment was caused by patients (levels equal to or greater than 3), followed by the same level harassment of 31% by doctors and 22% by coworkers. When all forms of the harassment were included, the percentages were 87% by patients, 67% by doctors and 59% by coworkers. The shortcomings of the study, identified by the author himself, was a low response rate that he explained with nurses' wish not to pick up old memories. Also, older nurses reported a lower rate of harassment, which would be in accordance with other study results if the questions had concerned the past few years, but in this study the questions concerned their whole career. Thus Grieco (*ibid*) hypothesized that the older nurses had already forgotten the incidents from years ago.

Another type of study brings out the difference in the experiences of sexual harassment based on gender and work experience, i.e. working or registered nurses versus nursing students during their internship. For example, Bronner, Peretz & Ehrenfeld (2003) found that Israeli female nurses and nursing students were more exposed to sexual harassment, whereas males were more exposed to more severe types of sexual harassment. The study also found that when confronted with harassment, women were more assertive than men in their reactions. Furthermore, severe types of behavior were experienced by 33% of nurses, in comparison with 23% of nursing students.

There are also other studies that do not support the claim that working nurses are more exposed to sexual harassment than students. For example, Budden et al. (2015) carried out a cross-sectional survey that investigated Australian undergraduate nursing students' experiences of bullying and/or harassment during their clinical placement and found that younger students were more likely to be bullied/harassed than older students about to graduate. However, this outcome concerns the overall harassment or bullying which in turn widens the circle of perpetrators, that is, those perpetrating bullying also include members of the same sex and colleagues working in the same profession, that is, nursing. However, in the answers concerning sexual harassment specifically, a total of 12 % of the participants reported that unwanted sexual harassment of various types had occurred 'often'/'sometimes'. An additional 35% stated that it occurred 'occasionally' and 'occasionally'/'sometimes'/'often' and 15 % had experienced having 'a sexist remark directed at me'. Unfortunately, the results concerning sexual harassment specifically do not give any information about the perpetrators, as the study is an example of bullying research.

A study among nursing students (Lee, Song & Kim 2011) in South Korea demonstrated another quite universal pitfall for sexual harassment studies that concerns the definition of sexual harassment. In this study 18% of nursing students reported that they experienced sexual harassment during their clinical practice. However, when sexual harassment was asked about on the basis of the specific 18 items in the sexual harassment checklist, 52 % of participants reported that they experienced at least 1 item among the 18 items of sexual harassment. This study (ibid) demonstrates the universal tendency in sexual harassment research that the structure and the context of questions, as well the time length under consideration and professional experience affect the study results. As Cortina, Lonsway & Magley (2002) have warned, the studies that inquire only about general incivility, although informative, do not enable us to estimate the prevalence of specific behaviors.

What is the estimated average rate for sexual harassment in nursing? Spector, Zhou & Che (2014) have partly tried to answer the question by carrying out a quantitative review of the nursing violence literature that estimates exposure rates by type of violence, setting, source, and world region. They found that the violence exposure rate for sexual harassment was 25%. However, the study only included patients and patients' family and friends as the possible perpetrators, no questions were asked about harassment by colleagues. The problem here is that when scholars focus on "horizontal violence", they leave out the physicians, patients and other colleagues as the possible perpetrators (e.g. McKenna et al. 2001). According to Spector, Zhou & Che (2014: 73) sexual harassment by co-workers as well as patients is an issue that has received considerably less attention than physical and nonphysical violence by the co-workers and patients.

In conclusion, it can be said that the difficulties that arise in research on sexual harassment in nursing are shared by all studies on sexual harassment, regardless of the target group studied. The comparison of results across countries is made difficult by a) the time frame about which questions are asked as well as the age of the respondents – whether the questions concern a short period of time and whether older nurses have been included in the sample; b) studying sexual harassment as a part of bullying research or as an independent topic; c) definition of harassment as a broad category vs. presentation of different sub-categories of sexual harassment; d) questionnaires need not offer the respondents all the possible options for harassers, for example, by not mentioning co-workers as possible perpetrators.

#### 2.3.2.2. Discursive approach in sexual harassment studies in nursing

Often qualitative sexual harassment studies in nursing are situated within the treatment of some other topic, like the meaning of care (Lawler 2011), sexuality related to patient care (Guthrie 1999), professional identity (Dougherty, Baiocchi-Wagner & McGuire 2011), etc. There are different reasons – either the

topic emerges independently alongside the main research interest and a secondary analysis is conducted with focus on sexual harassment or the scholars have proceeded from the principle recommended by other authors as well (e.g. Fitzgerald and Schullman 1993; Quinn 2002), that is, not to use the term of sexual harassment as the term itself has strong connotations and may create resistance in respondents. For example, Lawler (1991) examined how Australian nurses negotiate caring in situations when performing care turns into governing touch, bodily exposure and sexuality. It appeared that coping with overt sexuality from patients was tolerated when it was perceived to be a result of illness, but disapproved when seen as exploiting the situation of care giving. The coping mechanisms for the nurses in such situations were trying to laugh it off or to communicate to other nurses when the behavior persisted. Avoidance of the patients by nurses or nursing students has been reported by other authors (e.g. Dan, Pinsof & Riggs 1995; McGuire, Dougherty & Atkinson 2006; Dougherty, Baiocchi-Wagner & McGuire 2011) as a typical way of coping with sexual harassment by patients.

However, qualitative studies were not widespread in the context of nursing until the 1990s and this shortcoming was identified by Dan, Pinsof & Riggs (1995) who stated that although sexual harassment studies in nursing had assessed the frequency of sexual harassment, these studies did not provide a deeper examination of the experience or its impact. Although Dan, Pinsof & Riggs's (ibid) study was a step towards a deeper understanding of the phenomenon, it was constructed on rather positivist grounds and used what could be called a combined method that united a quantitative and a qualitative side. The authors designed their interview questions based on a survey of the frequency of sexual harassment by using an adaptation of Fitzgerald et al.'s (1988) Sexual Experiences Questionnaire, and recruited ten nurses on a voluntary basis after they had filled in the questionnaire. The interview questions were designed by covering major themes: descriptions of sexual harassment incidents, nurses' responses to the incidents, impact of sexual harassment, and interpretations and attributions of the incidents. The main outcome was that, despite the common response of avoiding the harasser, i.e. the patient, or ignoring the behavior, participants recommended increased awareness of sexual harassment, active and direct responses, and appropriate sanctions by supervisors to discourage harassing behavior. The value of the study was the addition of open questions that added descriptive value to the interpretation of quantitative research results.

The early 2000s saw the appearance of studies conducted within a social constructivist framework (e.g. Guthrie 1999; McGuire, Dougherty & Atkinson 2006; Dougherty, Baiocchi-Wagner & McGuire 2011) in the case of which it can be argued that they make it possible to understand the phenomenon better from the perspective of nurses. McGuire, Dougherty & Atkinson 2006 (2006) took the research among nurses a step forward by examining how nurses interpret and respond to sexual harassment by patients. If until then researchers had noted that one of the consequences of sexual harassment was that it prevented the nurses in filling their professional duties (Fiedler & Hamby 2000;

Valente & Bullough 2004), then McGuire, Dougherty & Atkinson's (2006) qualitative study made it visible how the disturbance takes place. The authors managed to demonstrate how nurses negotiate their roles as caregivers within the dialectical poles of closeness and distance in relation to their patients. Even more, the study demonstrated how sexual harassment serves to destroy their ability to move between these poles and instead calls for a single response – distance (McGuire, Dougherty & Atkinson 2006).

A study by Higgins et al. (2009) used the grounded theory approach in studying psychiatric nurses' responses to clients who were sexualizing the nurse-client encounter. The study demonstrated how psychiatric nurses made sexual harassment invisible by not using the language of sexual harassment, but the discourses of 'mad/bad' and 'inappropriate' to codify the behavior. The tendency to view behavior through the psychiatric discourse of badness and boundary violation gave rise to nurses either ignoring the behavior or responding by using suppressive strategies.

Another qualitative study by Dougherty, Baiocchi-Wagner & McGuire (2011) used an intergroup approach – social identity theory specifically – in its investigation of sexual harassment of nurses by patients. Among scholars who have illustrated how women minimize, erase or use other ways to make sexual harassment invisible (e.g. Collinson and Collinson 1996; Thomas and Kitzinger 1995), this study demonstrated how constructive use of group stereotypes and a combination of self-categorization enabled a nurse to blame a patient's behavior on her group membership. Nurses consistently explained their communication behaviors and those of their patients in the light of respective social identities. Social identification through stereotypes guided the process of making the sexual harassment experiences less harmful on both their emotions and psyche.

As it appears, the qualitative studies on sexual harassment in nursing tend to treat only the harassment by patients, leaving out the physicians. Why have qualitative studies not paid attention to sexual harassment by doctors although quantitative studies, even if not all, ask about it? The discussion above referred to scholars who have considered the position of nurses interesting precisely because the profession is an example of feminine care that, however, takes place within a masculine organization where hierarchical relationships dominate and in which most nurses are women and most doctors – although increasingly less so – are men. In view of the fact that the relationship between doctors and nurses is a permanent and professionally regulated relationship of subordination, it has been argued that this adds additional profundity to the already complex topic that, according to Donalek (2005), requires the scholar to have a considerable knowledge and practice for performing such sensitive, focused and method-specific interviews.

## **2.4. Introduction of the Studies**

Before the section dedicated to the methodology of the thesis, I will introduce the three studies that the PhD thesis is based on.

### **2.4.1. STUDY I: “Some things are just more permissible for men”: Estonian nurses’ interpretations of sexual harassment**

Studies of sexual harassment in nursing have provided conflicting evidence as to who perpetrates more harassment, physicians or patients. This study, the first Estonian qualitative analysis of sexual harassment in the workplace, contributes to the discussion by setting a comparison of the perception of the two parties (i.e. male physicians and male patients) at the center of the analysis. The study extends prior research that explains sexual harassment in the light of already existing theories by analyzing how women themselves understand it.

The aim of the article was to study nurses’ descriptions and interpretations of sexual harassment in their everyday hospital work. The interviews with nurses were based on two research questions: how do nurses distinguish between pleasant and unpleasant sexual behavior? How do the nurses’ views on sexual harassment relate to their understanding of gender and/or equality?

Following the principles of constructivist grounded theory, 21 interviews were carried out with Estonian female nurses. The analysis revealed the hospital hierarchy to be the context within which the nurses interpreted sexual harassment: physicians were placed at the top of the hierarchy, patients at the bottom, and nurses in the middle. Nurses sensed their power position over patients, which is based on the latter’s respect for nurses; similarly, they assumed male physicians to have respect for female physicians. Within this hierarchical context, nurses interpreted physicians’ sexual advances to be more abusive and disturbing than patients’, as they related it to the physicians’ position of authority. At the same time, it appeared that flirting by physicians was considered pleasant or even welcome, whereas flirting by patients was dismissed.

### **2.4.2. STUDY II: Sexual harassment as a field of research – challenge for Estonia (in Estonian: Seksuaalne ahistamine kui uurimisvaldkond – proovikivi Eestile)**

The aim of the theoretical study was to open the issues related to the study of sexual harassment, give an overview of the development of the field of research and place the knowledge into the Estonian context. Western experience has demonstrated the existence of a number of challenges in research on sexual harassment that each researcher is likely to encounter sooner or later. The problems begin with the lack of a unitary definition of sexual harassment. There

are also no unified criteria for classifying different behavioral forms of sexual harassment, e.g. sexually suggestive comments, physical touching, attempts at intimacy, etc. Another challenge is the distinction between sexual and gender harassment. The two are often linked and increasingly scholars agree that they should not be separated. The third challenge is subjectivity involved in interpreting sexual harassment – whether a harassed person considers a behavior sexual harassment depends on her or his evaluation of the event. The subjective evaluation depends on the time and the context. In other words, the evaluation of sexually suggestive behavior depends on macro-level social gender norms and, on the micro-level, on the values, beliefs and customs governing the relations between the genders in a specific organization.

As a result of my theoretical analysis I believe that Estonian scholars should abandon the belief that has dominated in the West for decades according to which the harasser is a heterosexual man in a higher position of power and the harassed a heterosexual woman in a lower position of power because in Estonia women have worked outside of the home all through the Soviet period and are increasingly moving to leadership positions. In order to deal with the subjective and objective criteria for sexual harassment I suggest that researchers use ethnographic methods and address the question of whether and how the existence of sexual harassment could be denied or considered a pseudo-problem in Estonia, as can be seen in the case of other issues related to gender discrimination (Lagerspetz & Rikmann 2010). I also believe it to be productive to study men's beliefs about harassment from the perspective of critical studies of men and masculinities.

In the context of defining sexual harassment I showed that in Estonia it is not productive to maintain a distinction between sexual and gender harassment. The translation of the concept of gender harassment obscures the meaning as Estonian lacks a specific term for the word “gender” that would refer to the socially constructed differences between genders, specifically power relations. In the context of Estonia where attempts to regulate relations between genders in any way are met with ignorance and skepticism, I suggest that instead of the two confusing terms, sexual and gender harassment, we should speak about gender harassing sexual behavior.

### **2.4.3. STUDY III: Competing discourses in Estonian nurses' self-positioning: gender and struggle for empowerment**

Study III is based on same data as study I, that is, 21 in-depth interviews with hospital nurses. However, this time the aim is to demonstrate the complexities involved in understanding sexual harassment by exploring how Estonian hospital nurses discursively position themselves simultaneously as relatively powerless and powerful in their talk on sexual harassment. We believe that previous studies have often failed to capture ambivalences in the negotiation of discursive tensions. Although many studies have theoretically acknowledged that

power should not be treated monolithically, as a fixed hierarchy, there have been fewer empirically grounded studies that would demonstrate the dynamics and ambiguities of power.

In this study, I and my colleague used Feminist Post-Structuralist Discourse Analysis as the method for the secondary analysis of interviews with the nurses, to map gender as a site of discursive struggle. The analysis demonstrated that a struggle between different discourses takes place not just on the level of an individual interview, but even inside one utterance as nurses continuously shift their self-positioning in response to the demands of intersecting explicit and implicit discourses. This level of negotiating power can be revealed only in the detailed microanalysis of small corpora. The analysis demonstrated women's need for a powerful self-identification in the workplace and the regrettable difficulty of finding such a self-identification as professionals. In the context where they lack a feminist language for identifying their disempowerment in the hospital setting as deeply gendered, they have resorted to the discursive realm that, in the Estonian context, allows them to gain discursive power as women. This powerful understanding of themselves as women allows them to deny victimization seemingly inherent in sexual harassment discussions. The study demonstrates how taking the subject position of a woman enables the nurses to discursively position themselves as powerful instead of taking a victim position. When the nurses seek to employ the subject position of a professional, they are soon forced to confront their powerlessness. Thus, they resort to the self-positioning as women as a mode of personal empowerment.

### 3. METHODOLOGICAL CONSIDERATIONS

In the present chapter I will give an overview of the methodological choices I made for carrying out the studies that form the basis of the present thesis. I begin with grounded theory as the method of data collection and analysis but also its epistemological starting point in **study I**. Then I will introduce feminist post-structuralist discourse analysis (i.e. FPDA) as a method of analysis and its epistemological positioning. I used the method for the secondary analysis (**study III**) of data collected with the help of grounded theory. In the second section I will introduce the data that the analysis is based on and reflect on the process of data collection. Finally, I will introduce the analysis of the data, specifically the procedure of coding derived from the method of grounded theory and describe how I conducted the secondary analysis of data with the help of FPDA. I continue representing my findings in a reflexive manne, that includes giving an overview on the methodological approaches I considered using while writing the thesis. Some of the methodologies did not turn out to be applicable during the process of finding a suitable method for secondary data analysis and due to reflexivity I find it important to write also on the part of excluding possible methodologies as well on the reasons for doing so.

#### 3.1. Pitfalls in sexual harassment research methodology

Sexual harassment is a challenging topic to study. In this chapter I will briefly discuss the main challenges for scholars. Although some of these points have been discussed above, I find it necessary to summarize the common pitfalls in one chapter.

On the basis of the previous research it can be said that the main pitfalls in sexual harassment research are:

- Difficulties in defining sexual harassment.
- Dilemma of whose interpretation of sexual harassment counts – the researcher's or respondents'?

Difficulties in comparing study outcomes due to variation in definitions and classifications.

- Rendering sexual harassment invisible.
- Blurred line between gender- and sexual harassment.
- Studying harassment of men in the context of heterosexual power relations.

There is no consensus among researchers with respect to the definition of sexual harassment. First of all, sexual harassment is a subjective experience and there-

fore, a behavior that corresponds to the legal definition of sexual harassment may not be subjectively perceived as harassment by the recipient.

People's knowledge about and understanding of the phenomenon differ and therefore formulating questions about the experiences of sexual harassment is a common challenge for researchers. In other words, the question lies in whether the expert has the right to consider behavior with a certain content sexual harassment and whether the respondent or non-expert has the right of to determine their own interpretation. Even if researchers can overcome the gap between subjectivity and objectivity by pointing to the contradictions in the results, they face a new problem, the interpretation of responses, taking into consideration the cultural-historical context.

It is apparent that the same behaviors may be viewed in very different ways in various countries and cultures (Sigal 2006). That is not news for scholars in the field. However, there is no universal way of solving the problem, either in terms of formulating a culture-specific questionnaire or giving the culture-specific interpretation to the results of the analysis. Partly because of the definitions and methodology used in sexual harassment studies, the differences in incidence rates can be considered a reflection of national or cultural differences (Timmerman and Bajema 1999).

Even when scholars consider the cultural and social context in designing the study, they also need to be aware of the fact that power relations between men and women may render the experience of harassment an invisible category. For example, in some masculine work cultures, women avoid defining their experiences as sexual harassment in order to be viewed as competent and as team players (Collinson and Collinson 1996) or because their organizations sanction or even mandate the sexualized treatment of workers (Williams 1997).

Many authors agree that sexual harassment is really about power, not sex or sexuality (Payne 1993, Cleveland & Kerst 1993, Kitzinger & Thomas 1994, Bingham 1994, Wilson and Thompson 2001). However, difference between gender and sexual harassment is drawn in the European Union's legislation as well among scholars. Gender and sexual harassment as forms of gender discrimination often go hand in hand, are often intertwined and thus hard to distinguish.

Finally, researchers have to deal with the question that if harassment is the result of men's power over women, can men be harassed at all? If yes, can it also be studied? The results indicate that men experience potentially sexually harassing behaviors from other men at least as often as they do from women (Waldo, Berdahl & Fitzgerald 1998). In male-on-male relationships harassment takes place in the form of coercing normative male dominance on other men. However, in quantitative studies the scales are based on what women find harassing and these questionnaires may not capture what men actually experience as offensive (Berdahl, Magley & Waldo 1996). Like in studies of women's experiences of harassment, men also might do not label their experience as harassment.

### 3.2. Grounded theory

Because sexual harassment is a multifaceted social phenomenon that has not yet been studied in Estonia using qualitative methods, it was important to find a method that would allow for a systematic approach but at the same time would not impose ready-made conclusions derived from Western research. Grounded theory seemed the most appropriate theoretical choice, as instead of pre-known knowledge, the focus is on generating new knowledge of social processes – that is, a new theory that is truly grounded in the data. In order not to get carried away in pre-existing definitions, theories or categories, grounded theory offers a systematic approach for developing a theory that would demonstrate relations between conceptual categories emerging from the data.

Grounded theorists often begin their studies with certain interests and a set of general concepts (Charmaz 2004: 501). However, they do not force pre-conceived ideas on the data, but rather they follow the leads that they identify in the data, or design another way of collecting data to try to follow their initial interest. That also means deleting the questions that have not been fruitful.

Like other analytic approaches, the grounded theory method itself offers a way of constructing sociological reality; using the method fosters developing analytic and conceptual constructions of the data. In their sociological constructions, grounded theorists aim to create theoretical categories from the data and then analyze relationships between key categories. In short, the researcher constructs theory from the data (Charmaz 1990: 1162).

Grounded theory can be used for different types of data – video, images, text, observations, spoken words. In the case of using the interview as a method for data gathering, there cannot be a predefined structure for the interview; at most there might be an interview guide. The data gathered will be immense and thick. Also, the researcher will be producing extra data by writing down notes and memos of what she or he has noticed throughout the data collection and parallel analysis. The research becomes “increasingly more focused because the researcher engages in data analysis while collecting data“ (Charmaz 2004: 502). This is one of the main differences between grounded theory and other methods – the analysis of data or the creation of the conceptual system begins in parallel with data collection. Every next step that the researcher takes is grounded in hypotheses important for the emerging theory derived from the previous interview and the validity is tested in every following interview. Hypotheses in grounded theory are tentative and suggestive rather than tested (Charmaz 2008). Simultaneous analysis gives the researcher the direction for what needs to be searched next. In interview studies it means more focused questioning in order to get more information that would either support or refute or add extra knowledge for the emerging theory. This kind of “simultaneous involvement in data-gathering and analysis is explicitly aimed toward developing theory“ (Charmaz 2004: 503). Another peculiarity in grounded theory research is that data gathering is discontinued at the point when the data is saturated – patterns

and core category remain robust in the light of new information emerging from the last corpus of data.

Coding in grounded theory is “the pivotal link between collecting data and developing an emergent theory to explain this data“ (2004: 506). Grounded theory coding requires researchers to stop and ask analytic questions of the data they have gathered and, as already mentioned – it directs the researcher to subsequent data-gathering (Charmaz 2002; 2004; 2006). Grounded theory allows for a systematic approach to qualitative data gathering and its inductive (open- and axial coding, creating core categories) as well as deductive (selective coding and theoretical sampling) processing (Strauss 1987). According to Charmaz (2000), this deductive approach deters researchers from imposing extant theories or their own beliefs on the data. Such an inductive-deductive data handling procedure presupposes that data collection, coding and analysis is ongoing and simultaneous (Charmaz 2002). However, the research always begins with inductive strategies for collecting and analyzing qualitative data for the purpose of developing middle-range theories (Charmaz 2008:397). By starting with data from the lived experience of the research participants, grounded theorists aim to create theoretical categories from the data and then analyze the relationships between key categories (Charmaz 1990, 2006).

The original version of grounded theory developed by Glaser and Strauss (1967) has a rather positivist grounding where the analysis reports emphasize generality and objectivity, not relativity and reflexivity. The role of the interviewer grounded within this frame is very passive. The concepts and categories emerging from the data are believed to emerge from a true and graspable reality.

Later Strauss (1987) and Strauss and Corbin (1998) took a turn from the positivist paradigm towards a more constructionist one in the sense that they demonstrated that thorough description and data collection are immanent to social constructionist tradition. However, they continued to share “basic premises about an external reality“ and “unproblematic representation of research participants“ (Charmaz 2008: 401). Neither were their interviewees treated as subjects and co-creators of the results. Instead, Strauss and Corbin (1998) offered a quite orthodox view with rigid procedures for the researchers to follow throughout the research process.

Later, in the late 20<sup>th</sup> c., Kathy Charmaz, a scholar in the interpretative tradition, has prioritized the phenomenon rather than the method of the study and has developed her own version of the method, known as constructivist grounded theory. In contrast to the original authors she sees both the data and the analysis as created through shared experiences and relationships with participants (Charmaz 2000; Charmaz 2006; Charmaz 2008). Charmaz (2000) does not reject the use of the tools offered by the original authors, but “reclaims these tools from their positivist underpinnings to form a revised, more open-ended practice of grounded theory that stresses its emergent, constructivist elements“ (Charmaz 2000: 510).

In conducting my study I proceeded from constructivist grounded theory that is based on a social-constructivist worldview. Its epistemological underpinnings that I share are the following (Charmaz 2008: 402):

1. Reality is multiple, processual, and constructed – but constructed under particular conditions;
2. The research process emerges from interaction;
3. It takes into account the researcher’s positionality, as well as that of the research participants;
4. The researcher and researched co-construct the data – data are a product of the research process, not simply observed objects of it.

In constructivist grounded theory reality is contextual and negotiated. Both the researcher and the participant bring their identities – gender, age, race, professional status etc. – to the research scene. These identity positions, privileges, perspectives and interactions affect the study process and are intertwined with the power dynamics between the researcher and participants. However, what participants bring to the research is not a reproduction of prior realities, but a construction – or reconstruction – of a reality (Charmaz 2006: 27). Although there is human agency, that agency always occurs within a preexisting social frame with its constraints of which we may be unaware and which may not be of our choosing (Charmaz 2008: 409). Neither data nor the new theory are discovered as something emerging from the data, but the categories of the data are constructed by the researchers as a result of interaction with interviewees.

### **3.2.1. Grounded theory in sexual harassment research**

To my knowledge the grounded theory approach has not been used in the study of sexual harassment this far. There are researchers who have used coding principles inspired by grounded theory. For example Quinn (2002) has studied the production of meanings for men’s refusal to see their behavior as harassing and used objectivist grounded theory guidelines for analyzing interviews. Buchanan and Ormerod (2002: 111) draw on Strauss and Corbin’s (1998) “line-by-line coding in order to discover salient categories and to uncover relationships between concepts” and “conceptual ordering analysis was used to generate well-developed themes”. The study managed to illustrate how the separation of issues of race and gender creates a form of racialized sexual harassment.

Rogers and Henson (1997) used the case of the sexual harassment of temporary workers to develop grounded theory to provide a more structural understanding of sexual harassment. The researchers found that the organization of temporary work fosters sexual harassment through the magnification of asymmetrical power relationships. However, studying the article more closely revealed that the authors called the result of their analysis grounded theory, but

they had not used the principles in setting up their study or even in the coding process.

The fact that grounded theory or some other methodological approach has not been used in the study of a research field is not in itself problematic. How we set up a study and what methods we use depends on the research problem and the aim of research. Yet I also believe that the fact that grounded theory has this far not been used in the study of sexual harassment is telling in a way: that research on sexual harassment has lacked a fresh approach that would not be limited by theoretical assumptions and previous research results both in what has been studied and how.

In the context of nursing grounded theory has been used within an objectivist framework and, indeed, the method has been used more often in professional disciplines like nursing and management than in social sciences (Charmaz 2008). On the other hand, grounded theory and also its constructivist version has become increasingly popular among feminist scholars. Feminist scholars who use grounded theory (e.g. Star 2007; Clarke 2012) believe that grounded theory has always been already implicitly feminist because its roots are in American symbolic interactionist sociology and pragmatist philosophy that emphasizes actual experiences and practices. The meanings researched are considered to be held by the actors themselves – another principle immanent to feminism. A common grounding for feminist scholars – the belief that the knowledge produced during the research process is situational in the sense that what is being studied – is represented in the terms of whom we study (see for more in Star 2007; Clarke 2012). However, as already said, sexual harassment has not been studied within grounded theory framework.

### **3.3. Discourse analysis (from grounded theory to feminist post-structuralist analysis)**

Grounded theory offers tools to generate typified concepts and relations between them, to develop tentative explanations of a phenomenon or social processes studied. Sharing a social constructionist view of reality as something co-constructed by the researcher and the researched, the aim is to elaborate theoretical understandings created within these interactions. What grounded theory does not pay attention to, however, is that these concepts are part and parcel of different discourses. Compared to grounded theory approach, that “develops explanatory theories of basic social processes studied“, discourse analysis “examines how language is used to accomplish personal, social, and political projects“ (Starks & Trinidad 2007). Grounded theory does not focus on language use on micro-level and the way people use language to create and enact identities. This is why the present thesis turns to discourse research that can use the concepts and categories developed by grounded theory and approach them in discursive manner and search for the contested matters and linguistic features within the texts.

### 3.3.1. Discursive approach in sexual harassment studies

The turn to discourse is anything but new in sexual harassment research. Conceptualizing sexual harassment as a discursive practice has enabled the scholars in the field to explore multiple constructions and interpretations of sexual harassment – how it is normalized, sustained or contested (Bingham 1994). According to Wood (1994), one of the representatives of the discursive approach, because discourse names, orders, and defines experience “discourse is politically charged and potent: serving particular interests within stratified social orders, discourses produce, reproduce, and/or contest ideologies and sustain relations of privilege and oppression. When alternative discourses exist, as with sexual harassment, meaning is problematized” (Wood 1994: 17).

For the scholars in the field (Bingham 1994; Dougherty 2001; Kitzinger & Thomas, 1995) the conceptualization of sexual harassment as a discursive process provides means for exploring the complexity of power as it allows us to recognize multiple interpretations and constructions of sexual harassment. The scholar who came the closest to the definition of power in the context of sexual harassment was Dougherty (2006), who placed the understanding of power in the center of empirical analysis, in order to identify and explore gendered constructions of power in discourses about sexual harassment.

The comparison of the male and female perceptions of power has been placed in the center of analysis also by Kitzinger and Thomas (1995) who found that for women sexual harassment is a way of “doing gender“, whereas for men sex and power are discursively separated, allowing them to deny the label of sexual harassment. Dougherty (1999; 2006) explains men’s understanding in the light of hegemonic masculinity, the concept first coined by Carrigan et al. (1985) and later on by Connell (2005), referring to the culturally idealized form of manhood that is socially and hierarchically exclusive and that exercises domination not only over women but also men excluded from hegemonic masculinity. In Dougherty’s (1999: 446) words, “because the masculine experience is dominant, masculine sexuality as control is normative”. As the masculine vision of power is rigidly hierarchical, it is logical for male participants to approach power as a product of formal authority. For women, power was self-perceived and relative, that is, persons could view themselves as powerful or as powerless in relation to other individuals. Therefore, women, viewed harassment as a tool for men to feel more powerful, to make up for a lack of power (Dougherty 2006: 500).

The studies cited above compared men’s and women’s interpretations of the relationship between power and harassment as well as how women resisted labeling their experiences as sexual harassment. In doing this, discourse was viewed as something through which powerful groups reproduce and sustain sexual harassment in organizations and these discursive practices were seen as representing the way power relations are produced and reproduced through sexual harassment (Dougherty 2006, referring to Bingham 1994).

In a way it could be claimed that Dougherty's concept of power was simplified as the analysis was reduced to the identification of discourses, ignoring the possibility that the discourses could be competing with each other. Here Dougherty's epistemological position differs from that of Foucault who stresses that power is not a possession but a strategy. Foucault (1980: 98) rejects the classical understanding of power as something that can be seized, a "phenomenon of one individual's consolidated and homogeneous domination over others, or that of one group or class over others". Instead Foucault suggests that power should be analyzed "as something which circulates, or as something which only functions in the form of a chain ... Power is employed and exercised through a netlike organization ... Individuals are the vehicles of power, not its points of application" (ibid: 98).

Dougherty's (ibid) approach to harassment, specifically the focus on the construction/interpretation of harassment by the participants, resembles my position in my first study (**Study I**), where the aim also was to understand how and on what grounds nurses understand sexual harassment. In Dougherty's (2006: 496) words, "one common feature of research on sexual harassment as a discursive process is the contention that there is a dominant social group that benefits from the power inequities that are characterized and reinforced by sexual harassment". Approaching harassment as a means through which patriarchy is maintained suggests the authors' epistemological position that there are dominant discourses, such as a dominant discourse of gender. Foucault (1990: 100) does not deny the existence of dominant discourses but questions their monolithic nature, by saying: "We must not imagine a world of discourse divided between accepted discourse and excluded discourse, or between the dominant discourse and the dominated one, but as a multiplicity of discursive elements that can come into play in various strategies." Although Foucault states that dominant discourses do not exist in an unambiguous and static manner, he does not deny that there are discourses that maintain patriarchal structures. Patriarchal discourses are dispersed through society and employed in a dynamic fashion. These discourses also affect micro-level social practices, however that does not mean that every man has power over every woman and in exactly the same manner.

Although I agreed with Foucault's position that one cannot possess power as it is manifested discursively, in the context of analyzing the data in **Study III**, it was initially hard to accept the point that the domination of discourses is not absolute. This made me abandon the idea that there was one large discourse of gender that was manifest in all other discourses and, instead, to see that there were many gender discourses that were in tension and contestation with each other. This approach created questions similar to those raised by Kitzinger and Wilkinson (1995: 6) about the feminists of the discursive school: "the stress laid by discourse analysis on simple 'diversity' masks power differences; its notion of multiple, fragmented subject positions can lead to the denial of any single identity around which to organize; its emphasis on the micro-politics of power

downplays macro-structural inequalities; and – most importantly – its commitment to relativism disavows the grounds for feminist politics.”

On the other hand, it cannot be said that the fact that there is no “concept of gender as a structure of social relations that is reproduced and sometimes challenged in everyday practice“ in Foucault’s theory about domination and resistance (Gal 1995: 175) would contradict my position that gender may still act as a dominant discourse. In his earlier works Foucault left the question of the hierarchy between discourses open, but referred to the existence of the hierarchy by suggesting that there are dominant forces or groups in society. In his *History of Sexuality*, he argued that discourses are multifaceted and intertwined, and that at any given time an individual may position or be positioned differently depending on which discourses she is at any given moment entangled in. In the Foucauldian sense, there are dominant discourses – sexuality, status or class for example – that establish orders of truth and what is accepted as “reality“ in a particular society in a particular historical moment, and these discourses favor particular institutions. Nevertheless, power is not seen as an institution or structure, but a label given to a complex strategic situation in a given society (Foucault 2005: 102).

Following from this, I see discourses as means of negotiating power in a complex and dynamic fashion. This struggle takes place within social interaction and a person’s identity creation, e.g., in connection with gender.

### **3.3.2. Finding a suitable discourse analysis methodology for the secondary analysis (Study III)**

In order not to make the mistake of getting into an “analytic rush to identify discourses in order to get on to the more serious business of accounting for their political significance“ (Widdicombe 1995: 108), I needed to have a methodological grounding for the secondary analysis of the interviews conducted with the nurses. Foucault does not offer any specific methods for an analysis that would make the mechanisms that are being employed visible in a specific data set, such as nurses’ talk in the present project. It is impossible to find coherent descriptions of how one might go about “Foucauldian” discourse analysis, as within the wider post-structuralist frame “the process of analysis is always interpretive, always contingent, always a version or a reading from some theoretical, epistemological or ethical standpoint” (Wetherell 2001: 384).

Thus, although I am inspired by Foucauldian ideas of power as an effect of discourse, I rather agree with Fairclough’s (2003) critique that working in this tradition does not generally pay close enough attention to the linguistic features of texts, but that was exactly what I needed to do in order to identify competing discourses in my interview data that represents a partial fragment of social life. However, focusing just on the text, for example by using a method like conversation analysis, would not have been a solution either because of the latter method’s shunning of the social context of talk. According to Wood

(1994: 17), the idea in conceiving sexual harassment as discursive activity is “to argue that what it is understood to be and how it is practiced arise in discourses in circulation at any particular moment in a culture’s life” as it “shapes what and how societies and individuals know”. For that reason, a research method that requires a rigorous emic perspective would not have allowed me to analyze that crucial feature of sexual harassment.

As a solution Fairclough offers his own approach to discourse analysis that transcends the gap between textually oriented discourse analysis and theoretically oriented ones. His version of critical discourse analysis is based on the assumption that “language is an irreducible part of social life, dialectically interconnected with other elements of social life, so that social analysis and research always has to take account of language” (Fairclough 2003: 3–4). Not only does this type of analysis focus on linguistic features of texts, but it is also concerned with “continuity and change at this more abstract, more structural, level as well as with what happens in particular texts” (ibid). This balance is what the present thesis also seeks to achieve.

Wetherell’s (1998) proposed solution is a “synthetic” approach to analysis, which combines conversation analysis inspired attention to conversational detail with wider macrostructures and cultural-historical contexts. The resulting analytical approach aims to trace normative practices, values and sensemaking through both historical and synchronic intertextual analysis: “The genealogical approach ... suggests that in analysing our always partial piece of the argumentative texture we also look to the broader forms of intelligibly running through the texture more generally“ (Wetherell 1998: 403). Although Wetherell’s approach seemed suitable for my secondary analysis, a closer analysis revealed that it does not make power the focal point of analysis. The primary analysis of nurses’ talk as well as the nature of sexual harassment sets power as the central category of defining harassment and hence I needed a methodology that would have been attentive to power and the dynamism of subject positioning in discourse without sacrificing attention to linguistic detail.

### 3.3.2.1. Subject positioning in discourse

As mentioned above, initially I decided to proceed from Wetherell’s and Fairclough’s general approaches to discourse that link the analysis of the text with its historical and cultural context. However, I still faced the question of how the identification of discourses would help me demonstrate that the nurses are not just objects but also subjects of power? The discourses expressed by the nurses became visible to me in the first stage of analysis that used grounded theory, although that was not the aim in that stage of work. In addition, as was mentioned above, nurses’ talk contained many contradictions, which is why it was especially important to identify not just discourses but also their mutual relations and contestation between discourses.

This presented me with the challenge of how to carry out such an analysis knowing that meanings nurses give in one discourse are in a conflict with the meanings they give or the positions they take in another discourse and that there are contradictions between positions taken or given within one discourse. One solution was to focus on the discursive practices and subject positions available. According to Davies and Harre (1990: 46):

An individual emerges through the processes of social interaction, not as a relatively fixed end product but as one who is constituted and reconstituted through the various discursive practices in which they participate. Accordingly, who one is, is always an open question with a shifting answer depending upon the positions made available within one's own and others' discursive practices and within those practices, the stories through which we make sense of our own and others' lives.

A subject position is made available within a discourse (Davies and Harré 1999: 43) or, as Hollway (1984) puts it, discourses make available positions for subjects to take. Subject positions are relational categories that obtain their situational meaning in relation to other possible subject positions and discourses (Törrönen 2001). Unlike the use of “role”, which refers to static, formal and ritualistic aspects, the concept of positioning helps us to focus attention on the dynamic and fluid aspects of encounters (Weedon 1987, Davies and Harré 1999; Törrönen 2001). Bringing “subject positioning” into the secondary analysis of nurses’ talk seemed to offer me the tools I needed. However, it did not seem to offer enough. Knowing that one cannot have any one fixed or stable subject position and discourses are in constant struggle for hegemony was not enough for making nurses’ adoption of power visible.

### **3.3.3. Epistemic footing and degree of agency**

When using the theory of subject positioning for working with empirical data a researcher, such as myself, has to start with positioning her- or himself in the sense of how the world is perceived. As it was already mentioned, subject positions cannot be studied independently of discourses, as positioning is made available within discourses. How to define the notion of discourse, the footing between different discourses, and the role of agency in subject positioning is a question of epistemology. The roots of different discourse analytical approaches originate from the different understandings about the way individuals and groups participate in constructing reality.

A distinction can be made between ontological and epistemic constructionism (Juhila 1999: 162; Edwards 1997: 47). According to Guba and Lincoln (1994: 108) the ontological question is concerned with what the form and nature of reality are and, therefore, what there is that can be known, while the epistemological question deals with the nature of the relationship between the knower and would-be knower and what can be known. Both of these views

concur that discourses are constructed and constructive. The difference lies in the degree of agency.

The types of analysis that have their grounds in ontological constructionism give subject position a semiagentive status. This approach is sometimes called the “world-to-person” interpretation, since positions are given and taken by pre-existing dominant discourses, master narratives or pre-existing social forms of communication, where the subject has a semiagentive status. Frosh, Phoenix & Pattman (2003) claim that subject positions are even coercive, but at the same time complex and structured in and by discursive relations which are institutionalized in culture and manifested in linguistic practice. The semiactive character of a person lies in the choice the person has in picking a position among those available discourses that are construed as inherently contradictory and in competition with one another (Bamberg 2003).

Analyses with grounds in epistemic constructionism are, in contrast, taking the “person-to-world” perspective. According to this view a person is treated as subjectively constructing discourses and in doing this, constructing him- or herself as agent and subject (Bamberg 2004a). In this perspective discursive positions are not believed to be something given beforehand and the individual is treated as subjectively constructing discourses and by doing that, also constructing him- or herself as agent and subject (see Bamberg 2004a, 2004b; Törrönen 2001).

This distinction, though, has been criticized in the work of Bamberg (2004a; 2004b), who claims that viewing these two rather distinct orientational metaphors, i.e. person-to-world and world-to-person as part of the same “dialectic process” is misleading:

... The ‘being positioned’ orientation, is attributing a rather deterministic force to master narratives, and a more agentive notion of the subject as ‘positioning itself,’ in which the discursive resources or repertoires are not a priori pre-established but rather are interactively accomplished. ‘Being positioned’ and ‘positioning oneself’ are two metaphoric constructs of two very different agent-world relationships: the former with a world-to-agent direction of fit, the latter with an agent-to-world direction of fit (Bamberg 2004b: 366).

Instead Bamberg (2004b) suggests that we need to analyze “microgenetic” processes in interactive practice, i.e. analysis of the different levels of positioning that both operate concurrently as subjects engage in narratives-in-interaction and make sense of self and others in their stories. This is the way of reconciling “two opposing subject theories, one in which the subject is determined by existing narratives, the other in which the subject is the ground from which narratives are constructed” (Bamberg 2004b: 367).

Other attempts have been made to reconcile these two views on the person in interaction with the world, for example in the theory of interpretative repertoires by Wetherell and Edley (Edley & Wetherell 1997; Wetherell & Edley 1999), first used in a study by sociologists Gilbert and Mulkey (1984), from there

developed by Wetherell and Potter (Potter and Wetherell 1987; Wetherell and Potter 1988). Originally Potter and Wetherell (1987: 203) defined interpretative repertoires as “recurrently used systems of terms used for characterizing and evaluating actions, events and other phenomena”. Such a definition suggests that these repertoires are pre-figured. Later Edley (2001) has pointed out the difference between discourse and repertoire that is both conceptual and methodological. Discourse, according to Edley (2001: 202), subjects people and is concerned with power, whereas repertoires are “smaller and more fragmented” and “place more emphasis upon human agency within the flexible deployment of language“. In other words, to return to subject positioning and agency, interpretative repertoires are used to construct positions – either for oneself or for others.

Although Wetherell (1998) adopts a grounded and indexical approach to the identification of these subject positions in the data, she goes further to generalize about the “institutionalised forms of intelligibility” to which these subject positions are culturally attached, such as “male sexuality as performance and achievement, a repertoire around alcohol and disinhibition, and ethics of sexuality as legitimated by relationships” (Wetherell 1998: 400). She argues that such subject positions are not merely taken up in a passive way, but do highly situated, interactional work. At the same time, they are attached to prior, culturally familiar discourses situated within already-circulating, shared repertoires and thus a resource for the micro-exigencies of identity work in talk.

### 3.3.3.1. Subject positioning in empirical analysis

Different views on theorizing positioning in terms of agency appear in different types of empirical analysis that understand, however, context, situation and rhetoric differently and give them different formulations (Törrönen 2001). In general, a distinction can be made between two approaches: data-focused micro level analysis, and macro level analysis, where focus for interpretation is outside the data (see Törrönen 2001). In my work I wanted to analyze the talk of nurses in a linguistic sense, but also to interpret it in the socio-cultural context.

The use of subject positions in the data focused approach – such as conversation analysis and realist discourse analysis (i.e. ontological standpoint is that there is reality outside of the discourse) – is analyzed from the viewpoint of “here and now” interaction by anchoring interpretations, ultimately, in the internal micro features, contexts and rhetorical relations of the communicative situation (Törrönen 2001). Sometimes an effort to understand the wider implications for social relations and social structures is involved as well, but often the practices under investigation are so generic and so omnipresent that it is neither useful nor possible to define their specific functions for social life (Peräkylä 2004: 173). Relativist discourse analysis goes beyond the “here and now” situation and takes into account the mutual history of participants, the larger horizons of expectations evolving in conversation and the ideological

dilemmas and interpretative repertoires articulated in discussion (Wetherell 1998). Although in relativist discourse analysis the positioning is also determined by the content of communication, the focus on interaction is common to both analyses. According to Törrönen (2001) subject positioning is either interpreted as an interactional tool or as a classificatory category to distinguish one identity image from another, at the cost of the identities' temporal continuity.

Within this hybrid of different discourse analysis traditions, subject positioning was going to be used as a classificatory category for my secondary analysis of the data, as I aimed to examine subject positions as part of the sociocultural, political and economic history of society. In this sense, although I position myself as a researcher in the school of Wetherell and Fairclough, I needed a methodology that would focus especially on making the dynamics between the powerful and powerless subject positions visible. These tools seemed to be offered by Judith Baxter's Feminist Post-structuralist Discourse Analysis that brings together several theories and methods to create divergent forms of knowledge (Baxter 2008a; 2008b) by setting the ways speakers take up, accommodate or resist relatively powerful or powerless subject positions at the center of the study (Baxter 2003: 49). The extra value of this method will be explained in the next section.

### **3.3.4. Feminist Post-Structuralist Discourse Analysis (FPDA) (Study III)**

As already mentioned, what led me to subject positioning theory was the need for secondary analysis of nurses' interviews. More precisely, there was a need to capture ambivalences in the negotiations of discursive tensions in nurses' talk on sexual harassment that simultaneously positioned them as relatively powerless and powerful. Therefore the term of power appeared as the central issue for the next phase of analysis. Although many studies have theoretically acknowledged that power should not be treated monolithically, as a fixed hierarchy, there have been fewer empirically grounded studies that would demonstrate the dynamics and ambiguities of power in sexual harassment context.

Feminist Post-Structuralist Discourse Analysis, created by Judith Baxter (2002a; 2002b; 2003; 2008a; 2008b), makes it possible to uncover gendered discursive practices in the way that subjects (i.e. mostly women and girls, but also men and boys) are not treated as powerless victims in limiting dominant discourses, but invites researchers to analyze the alternative discourses and positions that are potentially powerful. For Baxter (2003) gender is a site of struggle and the struggle runs along the lines of complex subject positions that are shifting and multiply located. "It suggests that the ceaseless interaction of competing discourses means that speakers will continuously fluctuate between subject positions on a matrix of powerfulness and powerlessness" (Baxter 2008b: 3).

Baxter does not consider her approach as something opposed to other constructionist approaches and locates FPDA alongside Critical Discourse Analysis (CDA) and to lesser extent Conversation Analysis (CA). Like CDA and the integrative trajectory of Discursive Psychology (e.g. Edley and Wetherell 2008), it “promotes a synthetic approach which accommodates and integrates both Foucauldian macro-social discourse analysis along with a more fine-grained linguistic analysis of data“ (Kamada 2009: 330). What makes FPDA special among the other traditions is that it describes, analyzes and interprets an aspect of spoken interaction that is perhaps “overlooked by CA and CDA – the continuously fluctuating ways in which speakers, within any discursive context, are positioned as powerful or powerless by competing social and institutional discourses” (Baxter 2003: 44).

Another central aspect of FPDA is the notion of self-reflexivity, as a researcher is expected to meta-analyze “their own role in selecting and orchestrating their subject matter“ (Baxter 2003: 51). Self-reflexivity “combines with a deconstructionist approach and a feminist focus to form its constituting principles“ (Hodges 2006: 551). In Baxter’s own words, “FPDA approach to self-reflexivity adds to and enriches other forms of analysis, such as CA and CDA, by the particular focus it places on the authorial role of the analyst’ (Baxter 2003: 61. In FPDA the researcher’s voice becomes one among other voices that together produce the analysis.

FPDA, as the term itself suggests, is a feminist method, which means that gender difference is a dominant discourse that the method focuses on among other competing discourses. The difference from other feminist methods is that it does not have an “emancipatory” agenda, but a “transformative” one instead (Baxter 2003), as there are different voices for women to have and not all of them are powerless, but there are alternative discourses with powerful ones. This means that FPDA aims to support transformative feminist processes provided that are specific, localized, action-driven, functional and temporary (Baxter 2008b: 8).

### **3.4. Data and analysis procedure**

The data for **Study I** and **Study III** consists of 21 in-depth and open-ended interviews with female nurses<sup>6</sup>, representing 15 departments of 10 hospitals in six cities in Estonia. The nurses ranged in age from 21 to 55 years. The requirement for compiling the sample was that the nurses had to have at least two years of work experience. Recruitment took place in winter 2005.

---

<sup>6</sup> Male nurses were not recruited because of their almost non-existent proportion in Estonian hospitals. Also, male nurses tend to work in ambulance or emergency departments, which often means working outside the hospital setting. As this contextual factor would add a whole new level of analysis to the present study, male nurses were not interviewed.

The first phase of getting in contact with participants was through e-mail messages. Information about the addresses was collected during the in-service training course, organized by the Estonian Union of Nurses. Only one out of 15 messages was answered. Later I heard that most nurses do not use their professional e-mail accounts. I had to change my method for contacting the nurses. I got the first contact for the first interview from an acquaintance. She gave me the e-mail address of her former colleague working at another hospital. After that, different methods were used to contact the nurses. In some cases I used the snow-ball method, getting every next contact from a previous nurse. It was not always possible to reach the nurses suggested – either they were on vacation, they had moved or it was difficult to find a suitable time for both of us. Sending e-mails usually did not work, so I phoned them directly. In three hospitals I phoned chief nurses and asked if I could come to interview the nurses. In only one hospital the chief nurse wanted to participate herself in the study. She was interested in the topic and cared for her subordinate nurses. In other cases they either gave my number to the nurses or called some nurses to the phone to talk to me. Following the rules of grounded theory, recruitment of the nurses was discontinued at the point of saturation of the data – patterns and core category remained robust in the light of new information emerging from the last interviews.

Not only the choice of the site influences the dynamics, direction, power-relations and content of the interview, but also who is the one to decide on the site. When I contacted nurses, I let them decide where they want to talk. I provided the options of talking in a café, in my own place of work or in their place of work. According to Manderson et al. (2006: 1318) the interviewee's choice of interview site shifts the relations of power between the research participants, contrary to meeting at the interviewer's workplace that privileges the interviewer and his or her project. All nurses considered the most convenient option to be my coming to the hospital and they offered the most convenient slots in their schedule for the interview. I assumed that this would be the time they had to be on call, but instead the time tended to be in the afternoon when patients are served lunch. In a situation where several nurses from the same hospital were interviewed, I met all of them at the hospital. Predominantly, the interviews took place in the nurses' resting room but sometimes also in other vacant rooms like the wound dressing room or an empty patients' room. I was concerned that hospital rooms did not provide enough privacy. Privacy existed in the form of the room, but on many occasions the interview was interrupted by a colleague who entered the room to get medication, bandages, coffee or to ask about patients. If that happened in the early stages of the interview, the interruption hindered the creation of rapport, but it was not as disruptive in the final stages of the interview. On two occasions nurses commented on the harassment stories of the nurses who had entered the room (in one case a reputed affair with a doctor, in another sexual advances from a patient).

In order to create as egalitarian framework as possible between the nurses as the participants and myself as the researcher, I found interviewing in hospitals as the best possible physical surrounding.

The nurses were on their own terrain, in rooms where they were experts of their field; I came to the rooms as a person distant from medicine and hospital life. The arrangement was also convenient for the nurses as they did not have to spend their own leisure time. This all reduced my position of power in relation to the nurses.

Interviews, which lasted from 40 to 100 minutes, were recorded, transcribed verbatim and anonymized. No qualitative software was used for data management and analyses.

### **3.4.1. Data analysis procedure within grounded theory approach**

Following the principles of grounded theory, data collection, note-taking, memoing and coding took place simultaneously throughout Study I. When I analyzed the data inductively in the phase of initial, i.e. open coding, all kinds of fragments of the data, words, lines and segments were analyzed. I transformed all of the notes taken during the interview process into codes during the initial phase of analysis. Throughout the interviewing process I was open to new concepts and themes raised by the nurses and adjusted the research questions accordingly. I wrote some of concepts the nurses used down as codes directly, without making memos. I also abandoned a few of my own concepts taken to the study, which will be covered greater in the section below dedicated to reflexivity.

Line-by-line coding followed as the second step and I applied it to two thirds of the interview transcripts. It was not necessary to apply line-by-line coding to all of the interviews, as the main categories, themes and hypotheses emerged during the phase of selective coding that was carried out throughout all of the interviews. By selective, i.e. focused coding, I mean following the deductive approach, when “decisions are made about which initial codes make the most analytic sense to categorize your data incisively and completely“ (Charmaz 2006: 57) where irrelevant codes in terms of research questions were left out.

The core category “hospital hierarchy“ started to emerge during the first few interviews, first as a code I named “rights“ and then renamed it several times during the selective coding, as I noticed there were different aspects in the code. I marked these different aspects as codes and these codes grew into a category. That category comprised all of these codes, including the initial code named “rights“. The two other categories, supplementing the core category, emerged in different phases of analysis. The first category named “physician centered boundary drawing“ emerged when fewer than half of the interviews had been carried out. I tested it through selective coding when I related the subcodes of that category – already coded in the phase of axial coding – to each other by testing their causal conditions. The last category of “respect“ emerged during

the last interview. I applied axial coding during the last four or five interviews, when I asked the nurses themselves to participate in explaining the causal conditions for this category.

As suggested by Charmaz (2004: 519), I applied theoretical sampling in the last two interviews, in order to identify the contexts in which the emerging core category, as the focus of evolving theory, was relevant and under which conditions it arose, was maintained, and varied its presence. I consider this as a creative process when I had the core category and two other categories with their subcategories and codes printed on the table and I started to move these codes and subcategories in relation to each other, so that every subcategory found its suitable place among the others.

### **3.4.2. Focal points in my theoretical analysis**

The aim of the theoretical study was to open the issues related to the study of sexual harassment, give an overview of the development of the field of research and place the knowledge into the Estonian context. I tried to answer the question how much sexuality is involved in sexual harassment, relying above all on the arguments of Franke (1997), Schultz (1998) and Zippel (2006; 2009) on the distinction between sexual and gender harassment in the context of violence in the workplace.

Second, I reviewed different approaches in the study of sexual harassment: functionalist (e.g. Fitzgerald et al. 1997; Fitzgerald et al. 1999; Gruber 1992), feminist (e.g. MacKinnon 1979; Stanko 1985; Rospenda et al. 1998) and discursive (e.g. Bingham 1994; Wood 1994), to identify the methodological problems that scholars face and that also apply in the case of Estonia. Third, I gave an overview of the aspects that influence the perception of sexual harassment as a subjective experience, such as gender segregation in the workplace (e.g. Gutek 1990; Gruber 1998; Collinson and Collinson 1994); gendered professions (e.g. Wilson and Thompson 2001) and fields (e.g. Nicolson 1996, 1997; Lampman et al. 2009) and the status of professions (e.g. Giuffre and Williams 1994). The next stage that impacts the perception of harassment is social context and, especially, social attitudes towards questions of gender equality (e.g. Sbraga ja O'Donohue 2000; Haavio-Mannila 1994).

### **3.4.3. Data analysis procedure within FPDA**

Following the principles of FPDA, the analysis started with a diachronic ethnographic analysis and was followed by a micro-level synchronic analysis of the data, where the focus was on the interpretation of positioning within the competing discourses. The input for the diachronic phase was already partly achieved during the grounded theory analysis that consisted of the memos and questions written down during and after the interviews, ambivalent claims that

grounded theory analysis left up in the air. Much of the information that sounded irrelevant at first sight, such as information on the institutional culture and gender relations in hospitals that came from different sources – from the interviews as well from the spatial surrounding of the interview assumed relevance in this stage of analysis. An important example is the generational gap of the interviewees that influenced nurses' understanding of gender relations and the way everyday work of the hospital was presented.

The diachronic analysis enabled me to identify the preliminary set of discourses that were specified in the second, synchronic tier. For the synchronic phase I picked two interviews with younger nurses and performed a micro-analysis of the discursive self-positioning of these two nurses. Both of the nurses worked in the same hospital and represented the same age group. The two participants worked in the same hospital department and yet they described their behavior in the context of sexual harassment quite differently: one had chosen a passive, the other an assertive strategy. Yet, competing self-positioning as powerful and powerless appeared in both interviews. The analysis only focused on the nurses' talk about their relations with physicians.

I carried out the diachronic analysis on all of the 21 interviews and constructed the following discourses:

- Initiation discourse
- Discourse of personal empowerment;
- Discourse of professionalism;
- Provocation myth discourse;
- Discourse of gender unawareness.

These intersecting macro-level discourses were then analyzed at a micro level, using what Baxter (2003: 76–77) calls connotative analysis to identify the participants' shifting self-positioning in relation to the discourses. The focus was on the lexical analysis of word choices as the most distinct signal of self-positioning. The dynamics of self-positioning within one discourse and its contradictory position in another was difficult to trace, but an even bigger challenge to make it visible for the reader, as there was constant shift of positions within one discourse as well when the same or another position was adopted in another discourse. Self-reflection was also included in the analysis.

#### **3.4.4. Ethical considerations**

The concept of “sexual harassment” was hardly ever used in the process of interviewing by myself, unless the interviewees started to use the term on their own initiative. Other authors (see Fitzgerald & Shullman 1993) have proposed avoiding the term “sexual harassment” and therefore, I decided to use the expression of “unpleasant sexual behavior” instead. While I use the concept of

“sexual harassment” throughout the paper, I refer to sexually loaded behavior that was considered to unwanted, unpleasant and unwelcome by the nurses.

I told the nurses that the content of the interview would be about the relationship between men and women in the workplace. These steps were taken in order to avoid possible resistance the use of the term could bring about. As already mentioned, In Estonia the issues around gender and equality are still relatively controversial and associated with feminism.

As my study did not deal with medical, but social issues, no formal ethical approval such as a license given by an ethics committee was needed. However, the nurses were informed that the content of the interviews will be used for academic purposes and that their identities will be kept confidential. I gave them my contacts and encouraged to let me know if any questions or doubts about using their interview for research purposes will arise. None of the nurses contacted me after the interview.

## 4. REFLEXIVE DISCUSSION ON FINDINGS

In this chapter I will discuss on my findings in a chronological manner, binding the findings with outcomes from previous studies and my reflexive remarks.

### 4.1. When hospital hierarchy eclipses with gender hierarchy (findings from study I)

I planned and conducted my research (**Study I**) within the frame that defines sexual harassment as an outcome of gendered power relations, and decided to analyze the constructions of sexual harassment by giving voice to the nurses. As the topic had not been studied in Estonia at that point, only a few nurses used the term of sexual harassment but they also did not know that there were legal regulations in the field. Therefore I positioned myself as a feminist researcher, i.e. not only helping to generate an understanding of women's perspective as subordinated group, but also to create important personal and social change by giving the nurses the opportunity to make their voices heard in the public and listened it on private, as it has been the intellectual foundation of women's studies as a discipline (e.g. Hooks 1989; Harding 1991).

The profession of nursing is in itself situated at the intersection of several hierarchies: hierarchy of gender, professional status hierarchy, and often the hierarchies of class and ethnicity<sup>7</sup> (Dan, Pinsof & Riggs 1995: 563), as explained above. Considering the specific nature of nursing as a profession that meets the requirements of conventional femininity from different perspectives – care, obedience, sexualization in the media – it is not surprising that researchers (Finnis & Robbins 1994; Hamlin & Hoffman 2002; Madison & Minichiello 2001; Robbins, Bender & Finnis 1997) argue that nursing is the profession with the highest rate of sexual harassment. In my study, I focused on the relations of nurses with physicians as well with patients. Within the hospital context, another condition is met that, according MacKinnon (1979: 203, 174), creates the conditions for the incidence of harassment – that is locating the harassing behavior in the context of the imposition of power derived from the material economic sphere upon the sexual sphere. State-supported institutions providing social and health care services in Estonia still maintain the hierarchical power relations and mentality derived from the Soviet era where the relations between service providers and the customers correspond to the power relations between centralized power and the citizens. Moreover, in everyday behavior in Estonia as well institutions still dominate over private relationships (Strömpl 2008). As a result the hospital as an institution providing state-supported health care

---

<sup>7</sup> There was only one ethnic Russian nurse in my study. However, Russian-speaking women earn the least in the Estonian labor force (Statistics Estonia 2015) and seem to be the most disadvantaged group because of the intersection of gender and ethnicity (Hansson and Aavik 2012).

services still has an image that evokes respect and humility from the citizens. In addition, we are dealing with an internally extremely hierarchical organization that is characterized by clear professional power relations between doctors and nurses that are based on commands rather than cooperation, as was also confirmed by interviews with nurses. The profession of the doctor (alongside with that of the scientist and architect) that has maintained its high status also after the fall of the Soviet Union while, for example, the professions of teacher, farmer or waiter have seen a notable loss of prestige. The prestige of the profession of nursing has not changed in time and is among professions with an average level of respect (Rämmer 2009). The hierarchy between the two professions is supported by the notable wage gap.

The perception of harassment through power relations was also revealed in the nurses' interpretation of why harassment takes place (**Study I**). Harassment by doctors was seen as more disturbing than that by the patients, although narratives of harassment by patients were objectively speaking more extreme than stories about doctors. In fact at some point it became evident that patients' behavior was not taken seriously, because of their old age. It appeared after a few interviews, that whenever I tried to talk about flirting, somehow the talk focused on describing the relationship with doctors only. It appeared that flirting by patients was considered to be funny and futile. Because of patients' weakness, caused by their illness and/or old age, they were not seen as sexual beings to flirt with. Quite the same was found in a qualitative interview study carried out by Dougherty, Baiocchi-Wagner and McGuire (2011: 272), where "the most frequently mentioned stereotypes was the idea of a 'dirty old man'". The stereotypes marked an elderly man who 'doesn't know any better' and therefore conducts himself in an appropriate manner.

However, in the case of physicians, the nurses' explanations of physicians' behavior overlapped with the explanations given by the "sex-role spillover model" (Gutek & Morasch, 1982), because nurses claimed men to bring their gender-based expectations into the workplace. Another explanation the nurses had overlapped with the "natural/biological model" which proposes that sexual harassment is the natural outcome of men's stronger sex drive (Tangri, Burt & Johnson 1982). At some point during the nurses' talk, occupational power positions lost their relevance and became insignificant; physicians were simply described as males with a stronger sex drive (**Study I**).

All three dominant explanations of why harassment takes place – socio-cultural (i.e. MacKinnon's explanation), organizational (i.e. sex-role spill-over model) and evolutionary (i.e. natural/biological model) – are originally built on a functionalist footing. At the beginning of research into sexual harassment they were used as realist explanations of why sexual harassment occurs. Nurses used two of them when explaining harassment, preferring the clearly more essentialist explanations to the sociocultural model that resembles the social constructivist explanation. What can we conclude from this? In a way we can argue that the nurses' interpretations of harassment reflected the essentialist beliefs about gender relations that is prevalent in Estonian society according to

which relations between genders are viewed as something pre-given and not as negotiable categories. This simple conclusion, however, left many unanswered questions. Does the fact that the nurses did not see harassment as part of power relations between men and women necessarily mean that they were victims without being aware of it?

The scholars of the social constructivist school have defined the natural/biological explanation as a discursive category (see Hollway 1984, 1989; Burr 1995), proposing that male sexual drive discourse itself endows women with a certain measure of power as it represents women as potential triggers which can set a sexual drive in motion (Burr 1995: 51). Burr (*ibid*) has raised this question about women's power in the context of rape where there is a prevalent discourse of rape victims considered to have dressed provocatively. Within this discourse "she is someone who has the power to trigger urgent desires and who also has the power to satisfy him or deny him from satisfaction". The point Burr makes is that even if a particular discourse affords men more power than women, power is never absolute. Thus, does the fact that nurses' explanations were based on essentialist grounds automatically mean that their stories lacked alternative discourses which would challenge existing social institutions – either these alternative discourses were being marginalized or resisted?

Thus, did the nurses deny the existence of sexual harassment by silencing it, as explained by the muted group theory that is premised upon the notion that organizations and societies privilege the voices, perspectives, and values of certain groups above others (Mearns et al. 2004)? In the present case silencing occurred on two levels on which gender coincided with professional position. The female nurses were the silent and the male doctors the privileged group. However, does silencing automatically mean that nurses lack any opportunity of resistance? In a research review, Houston and Kramarae (1991) reported multiple ways women resist, such as using silence, reclaiming "trivial" discourse, telling the truth, responding to verbal harassment and utilizing creative code-switching in language. I discuss the discourses used by nurses and whether there was resistance in my secondary data analysis (**Study III**). Leaving open the questions of the nurses' agency, it is important to note here that muted groups can attempt to assert themselves through naming. The first steps towards making silenced voices audible have been made in the West. 'Sexual harassment', is a term that was created specifically to provide voice to a silenced group within organizations (Houston & Kramarae 1991; Wood 1992). However, in the interviews the term 'sexual harassment' was only used by younger generation nurses, although the use of the term on their own initiative was shadowed by doubts about its meaning (**Study I**).

The rhetoric of the nurses clearly demonstrated the problematic aspect of the phenomenon, that is, that women need not see the sexualization of professional relationships as part of power relations. As Davies (2003: 722) puts it: "a nurse, then, never just interacts with a doctor or a male doctor and this makes a difference, 'doing gender' is accomplished in these practices". Nurses' talk did not reveal their awareness of doing gender within their everyday behavior.

Instead, nurses were either absolutely or mostly convinced that the reason why they are harassed lay in men's common societal behavior. In the study by Madison and Minichello (2001) carried out amongst nurses, similarities can be found in the explanations nurses give to men's sexual attempts – the nurses also referred to gender role expectations and mental illness, as did the nurses in my study. These explanations appeared paradoxical. On the one hand the sexualized behavior of the doctors was viewed as an inevitable part of daily life, as “men will be men”. On the other hand harassment was discussed within the context of hospital hierarchy – the nurses interpreted physicians' sexual advances to be more abusive and disturbing than patients', as they related it to physicians' position of authority (**Study I**).

As a researcher, I myself noticed how gender intersects with power positions, but the nurses initially did not express this opinion. Only after I mirrored back to them that, according to their own argumentation, male doctors should exhibit the same behaviors also with women doctors did the nurses perceive the aspect of power involved as they assumed that such behavior does not take place with women doctors. This understanding led nurses to acknowledge that we are not genderless beings but they did not draw a direct parallel to gendered power relations in society at large, seeing it only as a part of the hierarchical relationship of subordination characteristic of the hospital setting.

In the eyes of the nurses the communication between female physicians and male physicians took place at the level of mutual respect. When analyzing the interviews already transcribed, I discovered that the word “respect” was used not only to describe the relationship between female and male

physicians, but also to describe the relationship between nurses and patients. The nurses explained patients' respect towards nurses to lie on the knowledge and power the nurses have in curing these old men. In conclusion, the nurses claimed that patients had respect for nurses, just as they assumed male physicians to have respect for female physicians (**Study I**).

## **4.2. Gender harassing sexualized behavior (findings from Study II)**

While in **Study I** nurses' talk revealed the contradiction that although harassment was explained by doctors being men in a biological sense and not their higher power position, it was still believed that male doctors would not exhibit harassing behaviors with women doctors who work on the same level of power as themselves. This result led me to the question that if men's position of power over female subordinates is at the core of the perception of harassment then to what extent are we dealing with sexuality at all?

When thinking about male doctors' behavior towards their female colleagues, working in the same position, such as a physician, term of ‘contra harassment’ and ‘contrapower sexual harassment’ came to my mind. These terms are used when harassment takes place in the context where the higher formal

position is held by a woman, but the relationship of women and men is being defined by another power dimension, such as gender. In fact, contrapower sexual harassment refers to a situation where a person with lesser power within an institution harasses an individual with greater power (Benson 1984 in Lampman et al. 2009), regardless of the gender of the parties. For example contrapower harassment has been researched in academia, focusing on lecturer-student relationship (Lampman et al. 2009) or in a hospital setting in doctor-patient relationships (Phillips & Schneider 1993). The inseparable nature of gender- and sexual harassment appears clearly in the context where a woman, acquiring a higher formal position, still finds herself in a harassed position and a male, despite his lower position, remains the harasser.

The results of **Study I** can also be viewed as an example of gender harassment as what nurses considered disturbing was not so much the sexual manner of expression of the doctors as their patronizing behavior towards nurses as women. This is illustrated well by the sentence of a nurse who says that “It’s not so much about dropping-below-the-waist hints ... I am more disturbed by their patronizing behavior“ (**Study I**, p. 130). Gender harassment is distinguished from sexual harassment in that sexist and denigrating comments are not targeted to a specific woman but to women as a group. Essentially, what the nurse said was that gender harassment bothers her more than sexual harassment. The fact that the concepts of discrimination and bullying are confused and used as synonyms could also be seen in pilot focus-group interviews conducted in 2012 with human resource managers (Karu et al. 2012). However, it was easier for the interviewees to grasp the essence of sexual harassment than it was to define gender harassment (ibid).

Gender and sexual harassment often appear together, are deeply intertwined and hard to distinguish. “When other forms of sexually harassing behavior occur, such as unwanted sexual attention or sexual coercion, they tend to be accompanied by gender harassment“ (Hitlan et al. 2009: 794). The present result, however, shows the intertwining of the two categories from a new angle and contributes new knowledge to the research that focuses on dilemmas and constructions that render sexual harassment less visible. Kitlinger and Thomas (1995) studied how for women particular incidents or experiences were included or excluded as examples of sexual harassment and arrived on a paradoxical conclusion. If sexualized interactions happen all the time between women and men, then it cannot be harassment, but instead it is perceived as a normal part of life and if it only happens rarely, then it cannot be important enough to be mentioned. In my analysis I suggest that if these two forms of harassment – gender harassment and sexual harassment – appear together, the focus will be on one and the other – in this case the sexualized form of harassment – may be treated as less important.

Proceeding from this result, I elaborate on this topic in my theoretical article (**Study II**), asking whether in Estonia we could abandon the use of the term sexual harassment and replace it with gender harassment, as has been recommended by legal scholars (Schultz 1998; Franke 1997; Abrams 1998). Schultz

(1998) notes that much of the time, harassment assumes a form that has little or nothing to do with sexuality but everything to do with gender. Gender is always connected to power, *per se*. Modern classics with a social constructionist footing (e.g. Burr 1995, Butler 1990; Connell 1987, 2005) agree that there is a socially constructed gender hierarchy which leads to an unequal division of power and prestige between men and women. In other words, gender difference is nothing but gender inequality that is a result of gender power and hierarchy. Gender is nothing pre-given but “a powerful ideological device, which produces, reproduces, and legitimates the choices and limits that are predicated on sex category“ (West and Zimmerman 1987: 147).

In such cases sexual harassment is not a form of gender harassment because the victim is a representative of the other gender or because the incident had sexual connotations or because it is something that men do to women, but because it reproduces sexism as the sexist remark or behavior is based on stereotypes of the sexes (Sbraga and O’Donohue 2000). The sexual element within sexual harassment has its foundation in women’s oppression within a patriarchal environment and it is the abuse of gender power that affects women as a group (Jones 2006: 148).

Therefore, on the one hand, sexual harassment could as well be named gender harassment. However, on the other hand, when doing that, Brewis (2001) warns that shifting the focus from sex to gender may deflect attention from the specific nature of the behavior that carries sexual element in it.

Despite the arguments about power relations between the genders listed above I also found some arguments why the replacement of sexual with gender harassment might not work in the Estonian context. First, I agree with Abrams’ (1998) general observation that the replacement of the notion of sexual harassment with that of gender harassment may reduce the seriousness of the phenomenon, especially its more extreme forms. This is the more serious concern when a person experiences both sexual and gender harassment (**Study II**). Secondly, it is even more important to acknowledge that the reality of social problems depends on the ways they are perceived and managed by members of historically and culturally specific constituencies (Spector and Kitsuse 2001). Therefore the existence of a behavioral pattern dubbed sexual harassment should be recognized as a product of its time and place in those texts which focus on this phenomenon (Brewis 2001: 56). I argue that in Estonia, in view of the Soviet legacy of the country, sexual harassment as a form of gender discrimination is not perceived as a social problem. Many people in Estonia still associate gender or other social equality issues with either Soviet propaganda or an attempt to import Western “pseudo-problems” into Estonia (Lagerspetz & Rikmann 2010), associating it with Soviet rhetoric that declared the equality of genders, but indirectly deepened the inequality of men and women (Marling 2010a, 2010b). Also, we cannot speak of sexual harassment as a social problem because the public debate about the nature and causes of sexual harassment had not taken place ten years ago when I conducted the interviews and this has not happened to this day. Third, because of the reasons explicated above, and for

terminological reasons it would not make sense to separate sexual from gender harassment. When translating gender translation into Estonian it loses its meaning as the Estonian language lacks a word for the concept of gender that would mark not just biological but also socially constructed differences, specifically power relations between genders. Thus, in the Estonian context where the regulation of relations between genders are accompanied by widespread ignorance, skepticism or even ridicule, there is an especially great danger that sexual harassment is not taken sufficiently seriously, which is why I recommended the adoption of the term gender harassing sexualized behavior (Study II).

### **4.3. Making nurses' power position visible (findings from study III)**

Building on the empirical study (Study I) and theoretical discussion (Study II) my research developed in a methodological direction. I had entered the interviewing phase as a social constructionist researcher, knowing that everything is socially constructed and thus relative to local contexts and that it is impossible to come to an objective understanding of how the nurses construct sexual harassment. However, I had also entered the work as a feminist, with the intention, as the first researcher in the field in Estonia, to make the voices of the nurses heard in the political context. But how was I to interpret the talk of the nurses if I knew that their constructions were framed by gender relations, although the nurses tended to use essentialist frames? Only my suggestion that they compare the male doctors' attitudes to women doctors and nurses did they notice the connection between gender and organizational power relations. Focus on such organizationally determined power positions, in turn, did not allow the gendered power relations to become visible. I posed the most important question to myself as a person who interpreted the talk of nurses in the context of the wider social rhetoric that condemned gender equality. This created the context in which I as the researcher supposedly knew better why nurses used some explanations and not others. In other words, I did not interpret their talk in the context of the pervasive and pre-existing power relationship between genders, but I as a woman researcher positioned myself above my women subjects and did not involve them truly as the co-creators of the study. Here I agree with Karnieli-Miller, Stier & Pessach (2009) who have collated different paradigms and traditions from highly hierarchical to highly egalitarian and ranked the feminist constructionist among the low-hierarchical ones. What distinguishes feminist scholars from the traditionally positivist ones is the role given to participants, as they are usually not included in the study process as co-participants, even less as the facilitators or initiators of the study. Hereby, I am not saying that the active role of participants is put aside in feminist constructivists, but it recreates situations similar to my relationship with the nurses.

The nurses did not talk about themselves as victims. Although a study conducted in Estonia (Karu et al. 2012) showed that the representatives of the employers considered the perpetrator as the person responsible for incidents of sexual harassment, they also referred to aspects pointing to the responsibility of the victim (e.g. the victim should stand up for herself, the victim should not send contradictory signals or it is not useful to be too sensitive about other people's behavior). It is logical to assume that the same social rhetoric also applies in the hospital setting, which suggests that assuming the position of a victim would not offer any support.

Avoidance of the position of a victim has also been noted in international research literature. In the study of Kitzinger and Thomas (1995), many of the women resisted labeling their experiences as incidences of sexual harassment because they did not want to position themselves as victims. In fact, taking or assigning the position of the victim is not an important question for me as a researcher. What interested me was nurses' positioning in relation to power. My new aim was to find out how power functions from the perspective of nurses as agents. As Burr (1995: 42) puts it, "if some people can be said to be more powerful than others, then we need to examine the discourses and representations which uphold these inequalities". Power is being perpetuated by people in traditional positions of power but also by the disempowered who have internalized discourses that render them powerless. In my study I wanted to focus on the dynamics between the two positions that in their powerlessness contribute to the maintenance of power.

Turning to the Foucauldian conception of power as something that is not possessed by an individual or group – in this case by male physicians – seemed like a useful shift to make. For Foucault power is not possessed, but exercised in all social relations and therefore should be analyzed as dispersed. When power is not possessed by certain individuals only it cannot be merely repressive, although Foucault (1990: 12) does not deny that power may sometimes function repressively. If power is not merely repressive, Foucault believes that we should study how power operates and what sustains it:

If power were never anything but repressive, if it never did anything but to say no, do you really think one would be brought to obey it? What makes power hold good, what makes it accepted, is simply the fact that it doesn't only weigh on us as a force that says no, but traverses and produces things, it induces pleasure, forms knowledge, produces discourse. It needs to be considered as a productive network which runs through the whole social body, much more than as a negative instance whose function is repression (Foucault 1980: 119).

By that moment, it was clear to me that if I want to study the exercise of power, I cannot do it by any other means but discursively, in other words, I knew I had to turn to methods of discourse analysis. As a sociologist and a qualitative researcher, I was used to viewing discourse as the central aspect in any social practice.

As the next step, it seemed logical to determine the discourses that nurses use in their talk and how the discourses are related – what are the alternative views, could there be dominant or prevailing discourses, and how is power being discursively exercised?

### ***Making power dynamics visible***

As suggested above, the use of grounded theory allowed me to go deep into nurses' talk, as data collection and analysis were parallel processes. This method allowed me to clarify questions raised during the interviews in order to ground the emerging theory. Focusing my attention to the theory, I could not ask clarifying questions, however, about all topics that emerged in the talk of nurses. As a result, I had to discard many intriguing features that did not make it to the first article.

As suggested above, the talk of the nurses contained many contradictions through which I became aware of different competing discourses in the stories nurses were telling. Because the nurses did not have an explicitly formulated sexual harassment discourse, they relied on other discourses relevant to their self-construction as women and as nurses in talking about sexual harassment and this led to the voicing of contradictory positions in tension with each other. My additional questions created an additional context for the emergence of contradictory discourses where the nurses were not sure what position to take and often it appeared as if they proposed arguments in one sentence that contradicted their previous sentence. The shifts between discourses were also indicated on the verbal level, specifically in the use of pronouns. At times nurses were using the pronoun “we” to talk about nurses, at other times for the personnel of the hospital, sometimes they emphatically stressed the pronoun “I”, sometimes they preferred to talk about “I as a nurse”.

When I submitted my grounded theory based article to a journal, one of the reviewers wanted to know more about what is going on between younger and older nurses. I had at that point referred to the topic only indirectly. The second reviewer chided me for calling nurses offensively the subordinates of the doctors, not colleagues. These two remarks showed me that the data analysis had to be more specific about the Estonian context because both topics – the gap between the nurses of the older and younger nurses and the nurses' interpretation of themselves as the subordinates of doctors – can be related to the Soviet past. Although traditionally “the ethics of the nursing profession were essentially the ethics of obedience to physician's demand“ (Kasachoff 1987 in Clement 1996: 63), the meaning of subordination has changed over time, but in a manner that differs by culture. Precisely because identities are constructed within, not outside, discourse, we need to understand them as produced in specific historical and institutional sites within specific discursive formations and practices, by specific enunciative strategies (Hall 2009: 18). At the time when Western countries were becoming more egalitarian and organizations started to stress collegial working relationships, Estonia was still under Soviet authoritarian social system that has left its traces on our people and institutions to this day.

In conclusion, it can be said that in the completion of the new analysis I had to consider four aspects: first, competing discourses; second, subject positions within and between the discourses; third, socio-cultural aspects and, fourth, treatment of power in a manner that would make visible the ways in which nurses themselves enact power. In addition to the four points I would add the fifth, the indirect aim of my doctoral dissertation, to attend to the feminist project of intellectual, social and political change. From among feminist post-structuralist approaches I chose discursive psychology that draws heavily on a Foucauldian conception of discourse (e.g. Wilkinson and Kitzinger 1995, Wetherell 1998, Wetherell and Edley 1999) and mostly uses conversation analysis for studying gender and spoken interaction for demonstrating masculinity and femininity to operate locally in situated performances of talk and also the ways that gender is being repressed or excluded (see Wilkinson and Kitzinger 1995). McIlvenny (2002: 17) has defined the main grounding of the latter authors:

From a feminist perspective, much of the social sense-making we are subjected to is the working through of ideological struggle between the discourses of legitimated, naturalized patriarchy and emergent, marginalized feminism. Hence, language is a key site for, and often the stake in, feminist resistance.

As Wilkinson's and Kitzinger's work is carried out mainly using conversation analysis that is rooted in ethnomethodology and has been criticized by other feminist scholars (see Gill 1995, Hepburn 2000) for being relativist and value-free, and therefore not suited for a feminist inquiry that requires broad generalizations and political commitment. Although the data set of the present thesis does not meet the authentic text requirement of CA, I have benefited from the insights of feminist CA scholars who have argued that the "way in which knowledge of the details of talk in interaction can help in formulating political arguments and practical programmes" (Kitzinger & Frith 1999: 311). Attention to language on the micro-level reveals the local identity categories that linguistic ethnographers have repeatedly demonstrated to provide a better empirical account than analysts' sociological categories (Bucholtz and Hall 2005: 591). I, too, decided to focus on the micro-level talk, as opposed to pre-given social category markers, in my analysis. Since my study was based on interviews and not authentically occurring talk, I had to choose a method other than CA for my analysis that would allow me to analyze subject positioning in discourse and reveal the dynamics of power and the agency of the nurses.

Of the existing options, the most nuanced and least exploited method was feminist poststructuralist discourse analysis (i.e. FPDA). Poststructuralist feminist analysis shows the nuanced ways in which discourses and individual identities can and do shift in varied and often conflicting ways with implications for human agency (Buzzanell and Liu 2005: 5). For me FPDA allows us to end the debate over whether feminist politics can be conducted within a poststructuralist Foucauldian framework as it requires the abandonment of

dichotomous gender category and through that the loss of a unifying cause for women's oppression. According to Baxter (2002: 9), FPDA "equips feminist researchers with the thinking to 'see through' the ambiguities and confusions of particular discursive contexts where women/girls are located as simultaneously powerful and powerless". Baxter is not saying that women/girls hold the same kind of a power as men/boys, but that we need to make visible the positions and discourses that give girls the position to exercise power. Baxter (2002: 9) adds that her research on girls' and boys' talk in the classroom revealed how "at the same time, a dominant discourse of gender differentiation is constantly working to undermine the possibilities of such power". Thus, the value of FPDA does not lie so much in showing women/girls as practitioners of power but rather in revealing how their discourses and positions may be overrun or even silenced by dominant discourses. In other words, having agency in some discourse does not necessarily mean that it would allow this discourse to become dominant. On the practical level, Baxter's analysis has a deeper impact. As she suggests, by highlighting and critiquing the contradictions and tensions in girls' experience, it makes it possible to encourage them to take up the "subject positions which allow them to contest or resist more powerless ways of being" (Baxter 2002: 9).

This led us to take a closer look at what is going on within discourses to shed light at the tension in the talk of nurses that we as researcher initially perceived to be a contradiction. We looked at what positionings nurses used and what discourses the former are manifested in. We identified five discourses: initiation discourse; discourse of personal empowerment; discourse of professionalism; provocation myth discourse and discourse of gender unawareness. These discourses often intersected with each other and subject positions were also changing within one discourse. Soon we discovered that the discourse of professionalism was nearly absent and evoked only indirectly. When analyzing the smaller corpora of the utterances, the position of "I as a woman" and "I as a nurse" appeared in a quite unexpected manner. The self-positioning as a woman, using the first person pronoun, was used as a means to struggle for a powerful identity, whereas self-positioning as a nurse, although used frequently, hardly ever occurred with the first person pronoun.

Positioning oneself as a woman in the context of sexual harassment did not mean taking the position of the victim. In fact, the analysis demonstrated how it was the identity of a woman that enabled the nurses to position themselves as powerful. Here parallels can be drawn with Hall (1995) who in her linguistic analysis of adult-messaging workers demonstrated that seemingly powerless language uses can paradoxically empower women. In all discourses in our study where there was a struggle between powerlessness and power, except for the discourse of provocation myth, the identity as a woman emerged as the most powerful.

As mentioned above, the position of a nurse hardly ever occurred with the first-person pronoun. In fact, it was used when speaking about oneself as somebody who fills the orders of the doctor. In a hospital setting that continues to be a hierarchical institution in terms of gender, it is not surprising that nurses

lack the opportunity to position themselves as powerful through their professional identity. After all, nursing, because of its caring nature, is considered a feminine profession and therefore automatically “eliminates“ the possibility of professionalism.

When nurses talked about being a nurse in the sense of providing care, the notion was only used in relation to patients, whereas the relationship between the nurse and the doctor is constructed a one of obedience. There was a lack of positioning oneself as a professional is what explains why nurses position themselves as powerful through being women, not nurses. Positioning themselves as nurses in a sexual or any other context, they find they are automatically positioned lower than the doctors. This in turn explains why there are only a few hints at the discourse of professionalism in the nurses’ talk.

## 5. CONCLUSIONS

The aim of the current doctoral study was to present an in-depth exploration of how sexual harassment is constructed within the post-Soviet sociocultural context of gender equality, specifically in the context of nursing. The broader objective of the dissertation was to enrich sexual harassment research methodology by demonstrating the multidimensionality and dynamism of the talk on sexual harassment, especially the dynamics and ambiguities of power as the central aspect in sexual harassment.

The study is novel for two reasons: first, it is the first doctoral study on sexual harassment in Estonia that focuses on people's constructions of sexual harassment and, second, the study demonstrates empirically the dynamics of power – how it is being exercised multidimensionally, not monolithically.

This section will sum up the answers to the research questions posed at the beginning of the article.

### **How is sexual harassment understood in the post-Soviet context?**

When talking about the interpretation of sexual harassment within a post-socialist framework we need to understand what is the dominant attitude to sexualized behavior in the workplace. Interviews with the nurses who participated in my study showed that they did not object to physicians' compliments and flirting in the workplace and even saw them as signs of politeness (that did not apply to patients) (**Study I**). This resembles the results of a comparative survey carried out in 1988, which showed a greater eroticization of workplace relationships in Estonia than in Scandinavia (Haavio-Mannila 1994). My study results indicate that there has been no noticeable shift in attitudes towards welcome sexualized behavior – we can still speak about eroticization and flirtation which, in turn, are “conducive to sexual harassment” (Haavio-Mannila 1994). Additionally, this workplace eroticization makes it difficult for Estonian women to recognize harassment, i.e. to identify it as such (**Study I**).

However, when talking about sexual harassment, certain changes seem to be taking place in attitudes towards gender issues among the younger generation. Younger nurses mentioned sexual harassment on their own initiative and described it accurately, whereas older nurses showed signs of resistance and suspicion in relation to the topic (**Study I**). In 1994 Haavio-Mannila suggested two possible developments for former socialist countries: “feminism” and “sexual liberalization”. The first involves feminist ideas that condemn sex role spill-over and thus could reduce eroticization, flirtation, and sexual harassment in the workplace. Sexual liberalization could increase the incidence of romantic relationships in the workplace, which were formally banned during the Soviet era. Such liberalization cannot be proved on the basis of the present study, but some feminist ideas could be identified in nurses' talk (**Study I**). Since there has been no public debate on sexual harassment in Estonia, the nurses studied lack a vocabulary to link it to women's rights. Thus we can only partially speak

of the feminist direction predicted by Haavio-Mannila (1994) – the workplace is analyzed from a near-feminist perspective, while still also justifying sexual harassment using biologically determinist arguments. Probably the most serious obstacle to the adoption of a feminist perspective is the persistent, negative stance towards all topics related to gender equality in the country as a whole.

### **How does power relate to the conceptualization of sexual harassment?**

Previous studies have found that in some masculine work cultures, women avoid defining their experiences as sexual harassment in order to be viewed as competent and as team players (Collinson & Collinson 1996) or because their organizations sanction or even mandate the sexualized treatment of workers (Williams 1997). My results of analysis demonstrated what happens when the self-positioning as competent team players fails. I reached the results by demonstrating the complexities involved in understanding sexual harassment, as it appeared that the nurses positioned themselves simultaneously as relatively powerless and powerful in their talk on sexual harassment. Thus, my analysis did not treat power, as a crucial component in sexual harassment, monolithically, as a fixed hierarchy. Instead, I managed to demonstrate the dynamics and ambiguities of power, by using Feminist Post-Structuralist Discourse Analysis as the method for the secondary analysis of interviews with the nurses, to map gender as a site of discursive struggle. In my analysis I demonstrated that a struggle between different discourses takes place not just on the level of an individual interview, but even inside one utterance as nurses continuously shift their self-positioning in response to the demands of intersecting explicit and implicit discourses. The analysis demonstrated women's need for a powerful self-identification in the workplace and the regrettable difficulty of finding such a self-identification as professionals.

However, in context where they lack a feminist language for identifying their disempowerment in the hospital setting as deeply gendered, they resorted to the discursive realm that, in the Estonian context, allows them to gain discursive power as women. This powerful understanding of themselves as women allowed them to deny victimization seemingly inherent in sexual harassment discussions. The study demonstrated how taking the subject position of a woman enabled nurses to discursively position themselves as powerful instead of taking a victim position. When nurses sought to employ the subject position of a professional, they were soon forced to confront their powerlessness. Thus, they resorted to the self-positioning as women as a mode of personal empowerment. This result once more supports the idea that, when it comes to sexual harassment, the question is not the hierarchical power positions per se, but rather the way in which these positions are being interpreted. In the present study, the nurses interpreted physicians' sexual advances as an abuse of their power position, assuming that these kinds of incidents do not occur in formally equal occupational positions, i.e. with female physicians, as latter relationship is based on mutual respect.

### **Aspects for consideration in future studies of sexual harassment?**

The present study claimed that any sexual approaches, either wanted or unwanted, by a person in a higher position carry a stronger meaning than the ones made by a person in an identical or subordinate position. Future quantitative studies could test the grounded theory on a representative number of hospitals and other types of organizations, to find out whether this outcome can be recognized elsewhere.

The role of respect could be taken into consideration when planning future research. Regardless of whether future studies use quantitative or qualitative approaches, questions concerning the role of “respect” in perceiving, naming, explaining, understanding or labeling sexual harassment might be added as a dimension, in addition to “power”. The dynamics of these two concepts (i.e. “power” and “respect”) needs a closer examination and their semantic connotations need to be opened in the context of sexual harassment. Although the grounded theory, generated in an exploratory qualitative inquiry, has its implications for future research on sexual harassment, it should not be automatically extended to other organizations, including other hospitals, or to societies with a different societal, historical and cultural heritage. Respect as a category in collegial relationships is likely to be socio-historically situated and should be studied with awareness of the importance of context.

Western-European legal scholars debate whether the concept of sexual harassment could be covered by the term gender harassment. Although the adoption of the concept of gender equality makes it possible to open the nature and causes of sexual harassment better, it also makes the definition and, through that, also the study of the phenomenon even more difficult. If we abandon the concept of sexual harassment and name the phenomenon gender harassment, it could lead to the belittling of the incidents.

In Estonia, we should consider two arguments that speak against the adoption of only the concept of gender harassment. First, the translation of the concept of gender harassment obscures the meaning as Estonian lacks a specific term for the word “gender” that would refer to the socially constructed differences between genders, specifically power relations. Second, we still cannot ignore the post-Soviet context of Estonia where attempts to regulate relations between genders in any way are met with ignorance and skepticism. In this sense it is necessary to have both of the terms defined by law and used in public. Otherwise, there is a threat that sexual harassment would not be perceived as a serious violation of the law. On the other hand, as there is already a lack of knowledge in the field, the common tendency for people would be to associate sexual harassment with sexualization and not knowing that its’ roots are hidden in gendered power relations. Therefore, I suggest that instead of the two confusing terms, sexual and gender harassment, we should speak about gender harassing sexual behavior. In other words, if the case of harassment does include both of the aspects – gender-, as well sexual harassment, the term would include both of the concepts.

One of the perspectives derived from my study concerns men's experiences of harassment. It would be unreasonable to start studying Estonian men's interpretation originating from the decades-long assumption in the West that the harasser is a heterosexual man in a higher position of power and the harassed a heterosexual woman in a lower position of power. We would first have to determine Estonian men's understanding of harassment and the topic should also be approached from a masculinity studies perspective, using a discursive approach. The secondary analysis of the interviews demonstrated how the nurses claimed the subject position of a woman, as the professional positioning was discursively not available. They lacked a feminist language for identifying their disempowerment in the hospital setting as deeply gendered and therefore resorted to the discursive realm that, in the Estonian context, allows them to gain discursive power as women. Taking this knowledge into account when it comes to studying men's understanding of sexual harassment is important for two reasons. First, as the scholars in the field have demonstrated (Waldo, Berdahl & Fitzgerald 1998), for men harassment takes place in the sense of coercing normative male dominance both by other men and women. However, the studies have not taken a closer look at the kinds of discourses present in men's talk and the struggles among the discourses, as well as how the discourse affects the subject position men take and the circumstances that demand switches of positions within the discourse as well as among the discourses. Second, we cannot automatically exclude the possibility that there might be specific ways men render their experiences of sexualized behavior invisible and this could just as well take place outside the dominant discourses of gender. Scholars in the field need to look for alternative discourses to make the discursive struggle visible. Third, I suggest, as I myself did, following the suggestions from other scholars, not to enter the field of research by introducing the topic of the research as sexual harassment, but as gendered relations at work. However, the most important suggestion, driven from my study, concerns the need to study sexual harassment within its' cultural-historical context, treating the constructions of harassment as part and parcel of the discursive lines available within the particular society.

**In conclusion**, the present study is an example of the problematic positioning of women in post-socialist societies with a neoliberal orientation. Topics such as need for shared parental leave, reducing gender pay-gap, standing up to violence against women or making women's voice visible in politics have already been raised in public. It took more than a decade since people have started to recognize such topics as social problems that need intervention for change. Sexual harassment at work, however, has not found such recognition. I suppose an important reason for that could lie in women's tendency to render their experiences invisible or in their lack of professional self-positioning, as it was demonstrated in my study among nurses.

Today's Estonian society, as a result of the Soviet legacy of gender-blindness on the one hand and neoliberal resistance to egalitarianism on the other,

does not expect women, especially in historically feminized professions like nursing, to focus on their professional careers. There are also few empowering subject positions available in public discourse outside the private sphere or hedonistic post-feminism. This makes professional self-positioning a challenge to many women. The social values are reproduced in institutional discourses as well as individual self-positioning. The latter also demonstrates, however, that nurses interviewed are able to negotiate their institutionally disempowered status and to create alternative spaces of discursive and personal empowerment. As nurses are not valued as professionals, they can resort to the powerful self-positioning as women. This allows the women to feel power on a personal level and also assure themselves about having met social expectations about women's roles. This knowledge needs to be taken into account when interpreting the numbers of women reporting on experiences of sexual harassment.

## REFERENCES

- Aavik K. (2013) Strategies of managing difficulties related to employment: narratives of Russian-speaking women in the Estonian labour market. In Allaste A.A. (eds.). *“Back in the West”. Changing Lifestyles in Transforming Societies*. Frankfurt: P. Lang, pp. 203–224.
- Aavik K. (2015) *Intersectional Disadvantage and Privilege in the Estonian Labour Market: An Analysis of Work Narratives of Russian-Speaking Women and Estonian Men*. Tallinn: Tallinn University Press.
- Abrams K. (1998) The New Jurisprudence of Sexual Harassment. *Cornell Law Review*, 83, pp. 1169–1230.
- Ahern K.J. (1999) Ten tips for reflexive bracketing. *Qualitative Health Research*, 9(3), pp. 407–411.
- Ahven A., Kommel K., Markina A., Rannama T., Salla J., Surva L., Sööt M.-L., Tamm K., Tuisk K. & Vajakas K. (2010) *Kuriteohvrite uuring 2009 [Study on Crime Victims 2009]. Kriminaalpoliitika uuringud 14*. Tallinn: EV Justiitsministeerium.
- Ahven A., Kommel, K. & Tuisk K. (2010) Metoodika [Methodology]. In Salla J. (ed.) *Kuriteohvrite uuring 2009 [Study on Crime Victims 2009]. Kriminaalpoliitika uuringud 14*. Tallinn: EV Justiitsministeerium, pp. 9–15.
- Anderson E. (2006) Recent thinking about sexual harassment: A review essay. *Philosophy and Public Affairs*, 34(3), pp. 284–311.
- Baker D.D., Terpstra D.E., Larttz K. (1990) The influence of individual characteristics and severity of harassing behavior on reactions to sexual harassment. *Sex Roles*, 22(5–6), pp. 305–325.
- Bamberg M. (2003) Positioning with Davie Hogan – Stories, Tellings, and Identities. In Daiute C. & Lightfoot C. (eds.) *Narrative analysis: Studying the development of individuals in society*. London: Sage, pp. 135–157.
- Bamberg M. (2004a) “We are young, responsible and male”: Form and function of “slut-bashing” in the identity constructions in 15-year-old males. *Human Development*, 47, pp. 331–353.
- Bamberg M. (2004b) Considering counter narratives. In Bamberg M. and Andrews M. (eds.) *Considering counter narratives: Narrating, resisting, making sense*. Amsterdam: John Benjamins.
- Barling J., Dekker I., Loughlin C.A., Kelloway E.K., Fullagar C. & Johnson D. (1996) Prediction and replication of the organizational and personal consequences of workplace sexual harassment. *Journal of Managerial Psychology*, 11(5), pp. 4–25.
- Baxter J. (2002a) Competing discourses in the classroom: A post-structuralist discourse analysis of girls’ and boys’ speech in public contexts. *Discourse & Society*, 13(6) pp. 827–842.
- Baxter J. (2002b) A juggling act: A feminist post-structuralist analysis of girls’ and boys’ talk in the secondary classroom. *Gender and Education*, 14(1), pp. 5–19.
- Baxter J. (2003) *Positioning Gender in Discourse. A Feminist Methodology*. Houndmills and New York: Palgrave Macmillan.
- Baxter J. (2008a) Is it all tough talking at the top? A post-structuralist analysis of the construction of gendered speaker identities of British business leaders within interview narratives. *Gender and Language*, 2(2), pp. 197–222.
- Baxter J. (2008b) Feminist post-structuralist discourse analysis – A new theoretical and methodological approach? In Harrington K. et al. (eds.) *Gender and Language Research Methodologies*. Houndmills: Palgrave Macmillan. pp. 243–255. A version of

- the article found at [http://eprints.aston.ac.uk/7367/1/Feminist\\_Post.pdf](http://eprints.aston.ac.uk/7367/1/Feminist_Post.pdf) (retrieved 10.10.15), pp. 1–8.
- Beganny T. (1995) Do you get the respect you deserve? (physician's respect for nurses). *Registered Nurse Journal*, 58(5), pp. 32–34.
- Benson K. A. (1984) Comments on Crocker's 'An Analysis of University Definitions of Sexual Harassment'. *Signs* 9, (via Lampman et al. 2009), pp. 516–519.
- Berdahl J. (2007) The sexual harassment of uppity women. *Journal of Applied Psychology*, 92(2), pp. 425–437.
- Berdahl J.L., Magley V.J. & Waldo C.R. (1996) The Sexual Harassment of Men? Exploring the Concept with Theory and Data. *Psychology of Women Quarterly*, 20(4), pp. 527–547.
- Berger R. (2013) Now I see it, now I don't: Researcher's position and reflexivity in qualitative research. *Qualitative Research*, 15(2), pp. 219–234.
- Bernstein A. (1994) Law, culture and harassment. *University of Pennsylvania Law Review*, 142(3), pp. 1227–1311.
- Bingham S.G. (1994) Introduction: Framing sexual harassment – defining a discursive focus of study. In Bingham S.G. (ed.) *Conceptualizing sexual harassment as discursive practice*. Westport, CT: Praeger. pp. 1–14.
- Bola M. (1996) Questions of Legitimacy?: The Fit between Researcher and Researched. In Wilkinson S. & Kitzinger C. (eds.) *Representing the Other*. London: Sage, pp. 125–128.
- Brewis J. (2001) Foucault, Politics and Organizations: (Re)-Constructing Sexual Harassment. *Gender, Work and Organization*, 8(1), pp. 37–60.
- Brogan D., Frank E., Elon L., Sivanesan P. and O'Hanlan K. (1999) Harassment of lesbians as medical students and physicians. *Journal of the American Medical Association*, 282, pp. 1290–1292.
- Bronner G., Peretz C. & Ehrenfeld M. (2003) Sexual harassment of nurses and nursing students. *Journal of Advanced Nursing*, 42(6), pp. 637–644.
- Buchanan N.T. & Ormerod A. J. (2002) Racialized sexual harassment in the lives of African American women. *Women & Therapy*, 25(3/4), pp. 107–124.
- Bucholtz M. & Hall K. (2005) Identity and Interaction: A Sociocultural Linguistic Approach. *Discourse Studies*, 7(4–5), pp. 585–614.
- Budden L., Birks M., Cant R., Bagley T. & Park T. (2015) Australian nursing students' experience of bullying and/or harassment during clinical placement. *Collegian*, pp. 1–9.
- Burchell B., Fagan C., O'Brien C. & Smith M. (2007) Working conditions in the European Union: The gender perspective <http://www.eurofound.europa.eu/et/publications/resume/2015/working-conditions/first-findings-sixth-european-working-conditions-survey-resume> (retrieved 01.06.16)
- Burman E. (1990) Differing with deconstruction: A feminist critique. In Parker I. & Shotton J. (eds.) *Deconstructing Social Psychology*. London: Routledge. pp. 208–220.
- Burr V. (1995) *An Introduction to Social Constructionism*. London: Routledge.
- Butler J. (1990) *Gender Trouble: Feminism and the Subversion of Identity*. London: Routledge
- Buzzanell P.M. & Liu M. (2005) Struggling with Maternity Leave Policies and Practices: A Poststructuralist Feminist Analysis of Gendered Organizing. *Journal of Applied Communication Research*, 33(1), pp. 1–25.

- Calleros C.R. (1995) The Meaning of "Sex": Homosexual and Bisexual Harassment Under Title VII. *Vermont Law Review*, 20(55), pp. 55–79.
- Cambridge P. & Carnaby S. (2000) A personal touch: Managing the risks of abuse during intimate and personal care. *The Journal of Adult Protection*, 2(4), pp. 4–16.
- Carrigan T, Connell B. & Lee J. (1985) Toward a new sociology of masculinity. *Theory and Society*, 14(5), pp. 551–604.
- Celik Y. & Celik S.S. (2007) Sexual harassment against nurses in Turkey. *Journal of Nursing Scholarship*, 39(3), pp. 200–206.
- Chan D.K-S., Lam C.B., Chow S.Y. & Cheung S.F. (2008) Examining the job-related, psychological, and physical outcomes of workplace sexual harassment: A meta-analytic review. *Psychology of Women Quarterly*, 32(4), pp. 362–376.
- Charmaz K. (1990) 'Discovering' chronic illness: Using grounded theory. *Social Science & Medicine*, 30(11), pp. 1161–1172.
- Charmaz K. (2000) Grounded theory: Objectivist and constructivist methods. In Denzin N. K. & Lincoln Y. S. (eds.) *Handbook of qualitative research. 2<sup>nd</sup> edition*. Thousand Oaks CA: Sage. pp. 509–535.
- Charmaz K. (2002) Qualitative interviewing and grounded theory analysis. In Gubrium J.F. & Holstein J.A. (eds.) *Handbook of interview research: context & method*. Thousand Oaks: Sage. pp. 675–694.
- Charmaz K. (2004) Grounded theory. In Hesse-Biber S.N. & Leavy P. (eds.) *Approaches to Qualitative Research. A reader on theory and practice*. New York Oxford: Oxford University Press. pp. 496–521.
- Charmaz K. (2006) *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis*. London: Thousand Oaks.
- Charmaz K. (2008) Constructionism and the grounded theory method. In Holstein J.A., Gubrium J.F. (eds.) *Handbook of constructionist research*. New York, NY: Guilford Press. pp. 397–412.
- Cholewinski J.T. & Burge J.M. (1990) Sexual harassment of nursing students. *Nursing Scholarship*, 22(2), pp. 106–110.
- Clarke A.E. (2012). Feminism, grounded theory and situational analysis revisited. In Hess-Biber S.N. (ed.) *Handbook of feminist research: Theory and Praxis*. Thousand Oaks, CA: Sage. pp. 388–412.
- Clement G. (1996) *Care, Autonomy, and Justice. Feminism and the Ethic of Care*. Oxford: WestviewPress.
- Cleveland J.N. & Kerst M.E. (1993) Sexual harassment and perceptions of power: An under-articulated relationship. *Journal of Vocational Behavior*, 42(1), pp. 49–67.
- Cogin J. & Fish A. (2009) Sexual harassment – A touchy subject for nurses, *Journal of Health Organization and Management*, 23(4), pp. 442–462.
- Collinson M. Collinson D. (1996) "It's Only Dick": The Sexual Harassment of Women Managers in Insurance Sales. *Work, Employment & Society*, 10(1), pp. 29–56.
- Connell R.W. (1987) *Gender and Power: Society, the Person, and Sexual Politics*. Stanford: Stanford University Press.
- Connell R.W. (2005) *Masculinities*. California: University of California Press.
- Cortina L.M., Lonsway K.A. & Magley V.J. (2002) What's Gender Got to Do with It? Incivility in the Federal Courts. *Law and Social Inquiry*, 27(2), pp. 235–270.
- Cotterill P. (1992) Interviewing Women, Issues of Friendship, Vulnerability, and Power. *Women's Studies International Forum*, 15(5–6), pp. 593–606.
- Council directive 76/207/EEC. Directive Amending Council Directive 76/207/EEC on the Implementation of the Principle of Equal Treatment for Men and Women as

- Regards Access to Employment, Vocational Training and Promotion, and Working Conditions, European Parliament and Council Directive 2002/73/EC, OJ L 269, 5 October, p. 15. [http://eur-lex.europa.eu/legal\\_content/EN/TXT/?uri=celex:32002L0073](http://eur-lex.europa.eu/legal_content/EN/TXT/?uri=celex:32002L0073) (Retrieved 01.06.16)
- Dan A., Pinosof D. & Riggs L. (1995) Sexual harassment as an occupational hazard in nursing. *Basic and Applied Social Psychology*, 17(4), pp. 563–580.
- Davies B. & Harre R. (1990) Positioning: Conversation and the production of selves. *Journal for the Theory of Social Behavior*, 20(1), pp. 43–63.
- Davies B. & Harre R. (1990) Positioning: The discursive production of selves. *Journal for the Theory of Social Behavior*, 20, pp. 43–63.
- Davies K. (2003) The body and doing gender: the relations between doctors and nurses in hospital work. *Sociology of Health & Illness*, 25(7), pp. 720–742.
- Denzin N. K. (2001) The reflexive interview and a performative social science. *Qualitative Research*, 1(1), pp. 23–46.
- Derman N., Hansson, L., Heinla E., Helemäe J., Järve M., Laidmäe V.-I., Taru M., Vetik R. & Vöörmann R. (2006) *Soolise võrdõiguslikkuse monitooring 2005* [Gender Equality Monitoring 2005]. Tallinn: Tallinna Ülikool, EV Sotsiaalministeerium.
- Diehl C.S. (2014) *Ways of explaining sexual harassment Motivating, enabling and legitimizing processes*. Dissertation zur Erlangung des Doktorgrades der Philosophie (Dr. phil.) der Fakultät für Psychologie und Sportwissenschaften der Universität Bielefeld [PhD dissertation at the faculty of psychology and sports sciences, University of Bielefeld]. Germany: University of Bielefeld.
- Directive 2002/73/EC. Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.
- DiTomaso N. (1989) Sexuality in the workplace: discrimination and harassment. In: Hearn J. et al. (eds.) *The Sexuality of Organization*. London: Sage, pp. 71–90.
- Donalek J. G. (2005) The interview in qualitative research. *Urologic Nursing*, 25, pp. 124–125.
- Dougherty D. S. (1999) Dialogue through standpoint: Understanding women's and men's standpoints of sexual harassment. *Management Communication Quarterly*, 12(3), pp. 436–468.
- Dougherty D.S. & Atkinson J. (2006) Gendered constructions of power during discourse about sexual harassment: Negotiating competing meanings. *Sex roles* 54(7–8), pp. 495–507.
- Dougherty D.S. (2000) Women's discursive construction of a sexual harassment paradox. *Communication Quarterly*, 48(3), Q6.
- Dougherty D.S. (2001a) Sexual harassment as [dys]functional process: A feminist standpoint analysis. *Journal of Applied Communication Research*, 29(4), pp. 372–402.
- Dougherty D.S. (2001b) Women's discursive construction of a sexual harassment paradox. *Qualitative Research Reports in Communication*, 2(1), pp. 6–13.
- Dougherty D.S. (2006) Gendered Constructions of Power During Discourse About Sexual Harassment: Negotiating Competing Meanings. *Sex Roles*, 54(7–8), pp. 495–507.
- Dougherty D.S., Baiocchi-Wagner E.A. & McGuire T. (2011) Managing Sexual Harassment Through Enacted Stereotypes: An Intergroup Perspective. *Western Journal of Communication*, 75(3), pp. 259–281.

- Duldt B.W. (1982) Sexual harassment in nursing. *Nursing Outlook*, 30, pp. 336–343.
- Edley N. & Wetherell M. (2008) Discursive Psychology and the Study of Gender: A Contested Space. In Harrington K. et al. (eds) *Gender and Language Research Methodologies*. London: Palgrave Macmillan. pp. 161–73.
- Edley N. (2001) Analysing masculinity: interpretative repertoires, subject positions and ideological dilemmas. Discourse as data: a guide to analysis. In Wetherell M., Taylor S. & Yates V. (eds.) *Discourse as data: a guide to analysis*. London: Sage and the Open University. pp. 189–228.
- Edley N. and Wetherell M. (1997) Jockeying for Position: the construction of masculine identities. *Discourse and Society*, 8(2), pp. 203–217.
- Edwards D. (1997) *Discourse and Cognition*. London: Sage.
- Edwards R. and Ribbens J (1998) Living on the edges: public knowledge, private lives, personal experience. In: Ribbens, Jane and Edward, Rosalind eds. *Feminist Dilemmas in Qualitative Research: Public Knowledge and Private Lives*. Social Research Methods Online. London: Sage, pp. 2–20.
- EEOC (a) (2016) U.S. Equal Employment Opportunity Commission. Fact About Sexual Harassment. <https://www.eeoc.gov/eeoc/publications/fs-sex.cfm> (retrieved 18.06.16)
- EEOC (b) (2016) U.S. Equal Employment Opportunity Commission. Harassment. <https://www.eeoc.gov/laws/types/harassment.cfm> (retrieved 18.06.16)
- Eesti õenduse ja ämmaemanduse arengustrateegia 2011–2020 [Estonian Nursing and midwifery development strategy 2011–2020] [http://www.ena.ee/images/stories/attachments/article/507/Eesti\\_oenduse\\_ammaemanduse\\_arengustrateegia.pdf](http://www.ena.ee/images/stories/attachments/article/507/Eesti_oenduse_ammaemanduse_arengustrateegia.pdf) (retrieved 15.06.16.)
- Einarsen S., Hoel H., Zapf D. & Cooper C.L. (2003) The concept of bullying at work. The European tradition. In Einarsen S. et al. (eds.) *Bullying and emotional abuse in the workplace. International perspectives in research and practice*. London: Taylor and Francis. pp. 3–30.
- Eurofond (2015), Violence and harassment in European workplaces: Causes, impacts and policies, Dublin. [http://www.eurofound.europa.eu/sites/default/files/ef\\_comparative\\_analytical\\_report/field\\_ef\\_documents/ef1473en.pdf](http://www.eurofound.europa.eu/sites/default/files/ef_comparative_analytical_report/field_ef_documents/ef1473en.pdf) (Retrieved 01.06.16)
- European Commission (1997) *The prevention of sexual harassment*. DGV (Document CECAN6010348–058). Brussels: European Community, pp. 2–14.
- European Commission (1998) *Sexual Harassment at the Workplace in the European Union*. Directorate-General for Employment, Industrial Relations and Social Affairs Unit V/D.5.
- European Working Conditions Survey nr. 4 (2005) <https://www.eurofound.europa.eu/ewco/surveys/ewcs2005/index> (retrieved 03.03.15)
- European Working Conditions Survey nr. 5 (2010) <http://www.eurofound.europa.eu/et/surveys/2010/fifth-european-working-conditions-survey-2010> (Retrieved 01.06.16)
- European Working Conditions Survey nr. 6 (2015) Esimesed tähelepanekud: kuues Euroopa töötajimuste uuring [First observations: 6<sup>th</sup> European Working Conditions Survey] [https://www.eurofound.europa.eu/sites/default/files/ef\\_publication/field\\_ef\\_document/ef1568et.pdf](https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1568et.pdf) (Retrieved 01.06.16)
- Fairclough N. (2003) *Analysing Discourse: Textual Analysis for Social Research*, Routledge Abingdon and New York.
- Fiedler A. & Hamby E. (2000) Sexual harassment in the workplace: Nurses' perceptions. *Journal of Nursing Administration*, 30(10), pp. 497–503.
- Finlay L. (2002) "Outing" the researcher: The provenance, process, and practice of reflexivity. *Qualitative Health Research*, 12(4), pp. 531–545.

- Finnis S.J. & Robbins I. (1994) Sexual harassment of nurses: an occupational hazard? *Journal of Clinical Nursing*, 3(2), pp. 87–95.
- Finnis S.J., Robbins I. & Bender M.P. (1993) A pilot study of the prevalence and psychological sequelae of sexual harassment of nursing staff. *Journal of Clinical Nursing*, 2(1), pp. 23–27.
- Fitzgerald L. F., Shullman S. L., Bailey N., Richards M., Swecker J., Gold Y., Ormerod M. & Weitzman L. (1988) The incidence and dimensions of sexual harassment in academia and the workplace. *Journal of Vocational Behavior*, 32(2), pp. 152–175.
- Fitzgerald L., Drasgow F., Hulin C., Gelfand M. & Magley V. (1997) Antecedents and consequences of sexual harassment in organizations: a test of an integrated model. *Journal of Applied Psychology*, 82(4), pp. 578–589.
- Fitzgerald L.F. & Shullman S.L. (1993) Sexual harassment: A research analysis and agenda for the 1990s. *Journal of Vocational Behavior*, 42(1), pp. 5–27.
- Fitzgerald L.F., Magley V.J., Drasgow F. & Waldo C.R. (1999) Measuring sexual harassment in the military: The Sexual Experiences Questionnaire (SEQ-DOD). *Military Psychology*, 11(3), pp. 243–263.
- Fitzgerald L.F., Swan S. & Magley V. (1997) But was it really sexual harassment? Legal behavioral and psychological definitions of the workplace victimization of women. In O'Donohue W. (ed.) *Sexual harassment: Theory, research and treatment*. Boston: Allyn & Bacon. pp. 5–28.
- Foote W. & Goodman-Delahunty J. (2005) *Evaluating Sexual Harassment. Psychological, Social and Legal Considerations in Forensic Examinations*. Washington, DC: American Psychological Association.
- Foucault M. (1972) *The Archaeology of Knowledge and the Discourse on Language*. New York: Pantheon.
- Foucault M. (1980) *Power/Knowledge: Selected Interviews and Other Writings 1972–1977*. London: Harvester Press.
- Foucault M. (1990) *The History of Sexuality. Volume I: An introduction*. London and New York: Penguin Books.
- Foucault M. (2005) *Seksuaalsuse ajalugu I. Teadmistahe* [The history of sexuality: The will to knowledge]. Uustalu L. (ed). Tallinn: Valgus.
- Franke M.K. (1997) What's Wrong With Sexual Harassment? *Stanford Law Review*, 49(4), pp. 691–772.
- Frosh S., Phoenix A. & Pattman R. (2003) Taking a stand: Using psychoanalysis to explore the positioning of subjects in discourse. *British Journal of Social Psychology*, 42, pp. 39–52.
- Gal S. (1995) Language, gender, and power: an anthropological review. In Hall K. & Bucholtz M. (eds.) *Gender Articulated: Language and the Socially Constructed Self*. New York and London: Routledge: pp. 169–182
- Gamarnikow E. (1978) Sexual division of labour: the case of nursing. In Kuhn A. & Wolpe A.M. (eds.) *Feminism and Materialism. Women and Modes of Production*. London: Routledge and Kegan Paul.
- Gender Equality Act (RT I 2009, 48, 323). First entry into force 01.05.2004 (RT I 2004, 27, 181).
- Gender Equality Monitoring (2006) see for reference “Derman, N., Hansson, L., Heinla, E., Helemäe, J., Järve, M., Laidmäe, V.-I., Taru, M., Vetik, R. & Vöörmann, R. (2006)”
- Gender Equality Monitoring (2010) see for reference “Vainu V., Järviste L. & Biin H. (2010)”

- Giddens A. (1993) *Sociology, 2nd Edition*. Cambridge: Polity Press.
- Gilbert N. & Mulkay M. (1984) *Opening Pandora's Box: A sociological analysis of scientists' discourse. 6<sup>th</sup> edition*. Cambridge: Cambridge University Press.
- Gill R. (1995) Relativism, reflexivity and politics: Interrogating discourse analysis from a feminist perspective. In Wilkinson S. & Kitzinger C. (eds.) *Feminism and Discourse: Psychological Perspectives*. London: Sage. pp.165–187.
- Giuffre P.A. & Williams C.L. (1994) Boundary Lines: Labeling Sexual Harassment in Restaurants. *Gender and Society*, 8(3), pp. 378–401.
- Glaser B.G. & Strauss A. (1967) *The discovery grounded theory: strategies for qualitative inquiry*. Chicago: Aldin.
- Glaser B.G. (1999) The future of grounded theory. *Qualitative Health Research*, 9(6), pp. 836–845.
- Grieco A. (1987) Scope and nature of sexual harassment in nursing. *Journal of Sex Research*, 23(2), pp. 261–266.
- Gruber J.E. (1992) A Typology of Personal and Environmental Sexual Harassment: Research and Policy Implications from the 1990s. *Sex Roles*, 22(11–12), pp. 447–64.
- Gruber J.E. (1998) The impact of male work environments and organizational policies on women's experiences of sexual harassment. *Gender and Society*, 3(12), pp. 301–320.
- Gruber J.E., Smith M., Kauppinen-Toropainen K. (1996) Sexual Harassment Types and Severity: Linking Research and policy. In Stockdale M.S. (ed.) *Sexual Harassment in the Workplace. Perspectives, Frontiers and Response Strategies*, pp. 151–173
- Guba E.G. and Lincoln Y.S. (1994) Competing Paradigms in Qualitative Research. In Denzin N.K. and Lincoln Y.S. (eds.) *Handbook of Qualitative Research*. Thousand Island: Sage Publications. pp. 105–117.
- Gutek B. (1985) *Sex and the workplace. Impact of sexual behaviour and harassment on women, men and organization*. San Francisco: Jossey-Bass.
- Gutek B., Murphy R.O. & Douma B. (2004) A review and critique of the Sexual Experiences Questionnaire (SEQ). *Law and Human Behavior*, 28(4), pp. 457–482.
- Gutek B.A. & Koss M.P. (1993). Changed women and changed organisations: Consequences of and coping with sexual harassment. *Journal of Vocational Behavior*, 42(1), pp. 28–48.
- Gutek B.A. & Morasch B. (1982) Sex-Ratios, Sex-Role Spillover, and Sexual Harassment of Women at Work. *Journal of Social Issues*, 38(4), pp. 55–74.
- Gutek B.A. (1985) *Sex and the Workplace: The Impact of Sexual Behaviour and Harassment on Women, Men and Organizations*. San Francisco: Jossey-Bass.
- Gutek B.A., & Cohen, A.G. (1987) Sex ratios, sex role spillover, and sex at work: A comparison of men's and women's Experiences. *Human Relations*, 40(2), pp. 97–115.
- Gutek B.A., Cohen A.G. & Konrad A.M. (1990) Predicting Social-Sexual Behavior at Work: A Contact Hypothesis. *Academic Management Journal*, 33(3), pp. 560–577.
- Guthrie C. (1999) Nurses' perceptions of sexuality relating to patient care. *Journal of Clinical Nursing*, 8, pp. 313–321.
- Haavio-Mannila E. (1994) Erotic relations at work. In Alestalo M. et al. (eds.) *The Transformation of Europe – Social Conditions and Consequences*. Warszawa: IFiS Publishers. pp. 293–315.
- Hall S. (2009) Who needs 'identity'? In Gay P., Evans J. & Redman P. (eds.) *Identity: a Reader*. pp. 15–30.

- Hamlin L. & Hoffman A. (2002) Perioperative nurses and sexual harassment. *Association of Operative Room Nurses Journal*, 76(5), pp. 855–860.
- Hansson L. & Aavik K. (2012) The effect of gender and ethnicity and their intersection on work satisfaction and earnings in Estonia, 1993–2008. *Studies of Transition States and Societies*, 4(2), pp. 3–19.
- Haraway D. (1988). Situated knowledges: The science question in feminism and the privilege of partial perspective. *Feminist Studies*, 14(13), pp. 575–599.
- Harding S. (1991) *Whose science? Whose knowledge? Thinking from Women's Lives*. Ithaca: Cornell University Press.
- Hearn J. & Parkin W. (2001) *Gender, Sexuality and Violence in Organizations*. London: Sage.
- Hearn J. & Parkin W. (1987) 'Sex' at 'Work'. *The Power and Paradox of Organization Sexuality*. Brighton: Wheatsheaf/New York: St Martin's.
- Heinrich K. (1987) Effective responses to sexual harassment. *Nursing Outlook*, 35(2), pp. 70–72.
- Hepburn A. (2000) On the alleged incompatibility between relativism and feminist psychology. *Feminism & Psychology*, 10(1), pp. 91–106.
- Hesse-Biber S. (2012) Feminist research: Exploring, interrogating, and transforming the interconnections of epistemology, methodology, and method. In Hesse-Biber S. (ed.) *Handbook of feminist research: Theory and praxis*. 2nd ed. Thousand Oaks, CA: SAGE Publications, pp. 2–27.
- Higgins A., Barker P. & Begley C.M. (2009) Sexuality and mental health nursing in Ireland: Weaving the veil of socialised inhibition. *Nurse Education Today*, 29(3), pp. 357–364.
- Hite S. (2001) *Seks ja äri [Sex and business]*. Tartu: Fontese Kirjastus.
- Hitlan R.T., Pryor J.B., Hesson-McInnis M.S., Olson M. (2009) Antecedents to gender harassment: An analysis of person and situation factors. *Sex Roles: A Journal of Research*, 61(11–12), pp. 794–807.
- Hodges A. (2006) *Book Review: Positioning Gender in Discourse: A Feminist Methodology*. *Discourse Society*, 17, pp. 551–552.
- Hoel H., Cooper C.L. & Faragher B. (2001) The experience of bullying in Great Britain: The impact of organisational status. *European Journal of Work and Organisational Psychology*, 10(4), pp. 443–465.
- Hollway W. (1984) Fitting work: psychological assessment in organizations. In Henriques Jet al. (eds.) *Changing the Subject. Psychology, social regulation and subjectivity*. London, New York: Routledge. pp. 26–59.
- Hollway W. (1989) *Subjectivity and Method in Psychology: Gender, Meaning and Science*. London: Sage.
- Holstein J.A. & Gubrium J.F. (1997) *The Active Interview*. London: Sage.
- Hooks B. (1989) *Talking Back: Thinking Feminist, Thinking Black*. Boston: South End Press.
- Houston M. & Kramarae C. (1991). Speaking from silence: Methods of silencing and of resistance. *Discourse & Society*, 2(4), pp. 387–399.
- <http://www.un.org/womenwatch/osagi/pdf/shworkpl.pdf> (retrieved 22.02.13)
- Jones C. (2006) Drawing boundaries: Exploring the relationship between sexual harassment, gender and bullying. *Women's Studies International Forum*, 29(2), pp. 147–158.
- Jørgensen M. & Phillips L.J. (2002) *Discourse Analysis as Theory and Method*. Thousand Oaks, CA: Sage Publications.

- Juhila K. (1999) Kulttuurin jatkuvasti rakentuvat kehät – tilanteisesta kulttuuriseen kontekstiin [Constructing and Using Cultural Knowledge – from Situational to Cultural Context]. In Jokinen A., Juhila K. & Suoninen E. *Diskurssianalyysi liikkeessä*. Tampere: Vastapaino, pp. 160–198.
- Kamada L.D. (2009) Mixed-Ethnic Girls and Boys as Similarly Powerless and Powerful: Embodiment of Attractiveness and Grotesqueness. *Discourse Studies*, 11(3), pp. 329–352.
- Kannus A. (2017) Correspondence of the head of Estonian Nurses Association via e-mail on 11.05.17.
- Karnieli-Miller O., Strier r. & Pessach L. (2009) Power relations in qualitative research. *Journal of Qualitative Health Research*, 19(2), pp. 279–289.
- Karu M., Soo K., Biin H., Lamesoo K., Meiorg M., Masso M. & Turk P. (2014) *Sooline ja seksuaalne ahistamine töökohal [Gender- and sexual harassment at work]*. Tallinn: Poliitikauuringute Keskus Praxis.
- Kauppinen-Toropainen K. & Gruber J.E. (1993) Antecedents and outcomes of woman-unfriendly experiences: A study of Scandinavian, former Soviet, and American women. *Psychology of Women Quarterly*, 17(4), pp. 431–456.
- Keyton J. (2012) Sexual Harassment: A Multidisciplinary Synthesis and Critique. In Burlison B.R. (ed.), *Communication Yearbook 19*, Routledge: New York.
- Keyton, J., & Menzie, K. (2007). Sexually harassing messages: Decoding workplace conversation. *Communication Studies*, 58(1), pp. 87–103.
- Kitzinger C. & Thomas A. (1995) Sexual Harassment: A Discursive Approach. In Wilkinson S. & Kitzinger C. (eds.) *Feminism and Discourse: Psychological Perspectives*. London: Sage. pp. 32–48.
- Kitzinger C. and Frith H. (1999) Just Say No? The Use of Conversation Analysis in Developing a Feminist Perspective on Sexual Refusal. *Discourse and Society*, 10(3), pp. 293–316.
- Kivimaa K. (2012) Re-thinking art history: feminist art writing in post-Soviet Estonia. In Malinowski J. et al. (eds.) *The History of Art History in Central, Eastern and South-Eastern Europe*, Torun, 14–16 Sep 2010. pp. 255–260.
- Krusell S. (2011) Suhted tööl [Relations at Work]. In Masso M. (ed.) *Eesti Tööelu Uuring 2009. Sotsiaalministeeriumi toimetised nr 3/2011*. Tallinn: EV Sotsiaalministeerium, pp. 29–42.
- Lach D. H. & Gwartney-Gibbs P. A. (1993) Sociological perspectives on sexual harassment and workplace dispute resolution. *Journal of Vocational Behavior*, 43(1), pp. 102–115.
- Lagerspetz M. & Rikmann E. (2010) Naised ja mehed Eesti kodanikuühiskonnas [Women and Men in Estonian Civil Society]. In Marling R., Järviste L. & Sander K. (eds.) *Teel tasakaalustatud ühiskonda. Naised ja mehed Eestis*. Tallinn: Eesti Vabariigi Sotsiaalministeerium, pp. 163–179.
- Lampman C., Phelps A., Bancroft S. & Beneke M.B. (2009) Contrapower Harassment in Academia: A Survey of Faculty Experience with Student Incivility, Bullying, and Sexual Attention. *Sex Roles*, 60(5–6), pp. 331–346.
- Lauristin M. & Vihalemm P. (2009) The Political Agenda During Different Periods Of Estonian Transformation: External And Internal Factors. *Journal of Baltic Studies*, 40(1), pp. 1–28.
- Lawler J. (1991) *Behind the Screens: Nursing, Somology and The Problem of The Body*. Melbourn: Churchill Livingstone

- Lee D. (2002) Gendered workplace bullying in the restructured UK Civil Service. *Personnel Review*, 31(2), pp. 205–227.
- Lee S.K., Song J.E. & Kim S. (2011) Experience and Perception of Sexual Harassment during the Clinical Practice of Korean Nursing Students. *Asian Nursing Research*, 5(3), pp. 170–176.
- Libbus M. & Bowman K. (1994) Sexual harassment of female registered nurses in hospitals. *Journal of Nursing Administration*, 24(6), pp. 26–31.
- Lim S. & Cortina L.M. (2005) Interpersonal Mistreatment in the Workplace: The Interface and Impact of General Incivility and Sexual Harassment. *Journal of Applied Psychology*, 90(3), pp. 483–496.
- Lips H.M. (1991) *Women, men, and power*. Mountain View, CA: Mayfield.
- Lopez S.H., Hodson R. & Roscigno V.J. (2009) Power, Status, and Abuse at Work: General and Sexual Harassment Compared. *The Sociological Quarterly*, 50(1), pp. 3–27.
- Lundgren A. (2013) Doing age: Methodological reflections on interviewing. *Qualitative Research*, 13(6), pp. 668–684.
- MacKinnon C.A. (1979) *Sexual harassment of working women: A case of sex discrimination*. New Haven, CT: Yale University Press.
- Madison J. & Minichiello V. (2000) Recognizing and labeling sex-based and sexual harassment in the health care workplace. *Journal of Nursing Scholarship*, 32, pp. 405–411.
- Magley V. J., Hulin C. L., Fitzgerald L. F. & DeNardo M. (1999) Outcomes of self-labeling sexual harassment. *Journal of Applied Psychology*, 84(3), pp. 390–402.
- Manderson L., Bennett E. & Andajani-Sutjahjo S. (2006) The social dynamics of the interview: age, class, and gender. *Qualitative Health Research*, 16(10), pp. 1317–1334.
- Markert J. (2005) The globalization of sexual harassment. *Advances in Gender Research*, 9, pp. 133–160.
- Marling R. (2010a) Sissejuhatus. [Introduction] In Marling R., Järviste L & Sander K. (eds.) *Teel tasakaalustatud ühiskonda. Naised ja mehed Eestis II*. [On the way to balanced society. Women and men in Estonia II]. Tallinn: EV Sotsiaalministeerium.
- Marling R. (2010b) The Intimidating Other: Feminist Critical Discourse Analysis of the Representation of Feminism in Estonian Print Media. *NORA – Nordic Journal of Feminist and Gender Research*, 18(1), pp. 7–19.
- Marsh J., Patel S., Gelaye B., Gosh M., Worku A., Williams M. A. & Berhane Y. (2009) Prevalence of workplace abuse and sexual harassment among female faculty and staff. *Journal of Occupational Health*, 51(4), pp. 314–322.
- Marshall A.-M. (2003) Injustice Frames, Legality and the Everyday Construction of Sexual Harassment. *Law & Social Inquiry*, 28(3), pp. 659–689.
- Maynard M. & Purvis J. (1994) *Researching Women's Lives from a Feminist Perspective*. London: Taylor and Francis.
- McDonald P. (2012) Workplace Sexual Harassment 30 Years on: A Review of the Literature. *International Journal of Management Reviews*, 14(1), pp. 1–17.
- Mcguire T., Dougherty D.S. & Atkinson J. (2006) “Paradoxing the Dialectic” The Impact of Patients’ Sexual Harassment in the Discursive Construction of Nurses’ Caregiving Roles. *Management Communication Quarterly*, 19(3), pp. 416–450
- McIlvenny P. (2002) *Talking Gender and Sexuality*. Amsterdam: John Benjamins Publishing.

- McKann D. (2005) *Sexual Harassment at Work: National and International Responses. Project Report*. Geneva: International Labour Organization.
- McKenna B.G., Smith N.A., Poole S. J. & Coverdale J.H. (2003) Horizontal violence: Experiences of registered nurses in their first year of practice. *Journal of Advanced Nursing* 42(1), pp. 90–96.
- McLaughlin H., Uggen C. & Blackstone A. (2012) Sexual Harassment, Workplace Authority, and the Paradox of Power. *American Sociological Review*. 77(4), pp. 625–647.
- Meares M M., Oetzel J. G., Torres A., Derkacs D. & Ginossar T. (2004) Employee mistreatment and muted voices in the culturally diverse workplace. *Journal of Applied Communication Research*, 32(1), pp. 4–27.
- Mooney L.A., Knox D., Schacht C. (2014) *Understanding Social Problems. Ninth edition*. Cengage learning, Stanford: USA.
- Muidre M. (2012) FW: SVV ahistamise praktika, e-kiri, 29. märts 2012. Viidatud Karu 2014 kaudu. Tallinna Ringkonnakohtu otsus nr 2-09-27445 (15.11.10)
- Nicolson P. (1996) *Gender, Power and Organisation: A Psychological Perspective*. London: Routledge.
- Nicolson P. (1997) Gender inequality, sexual harassment and the toxic organization: The case of medical women. In Thomas A. & Kitzinger C. (eds.) *Sexual Harassment*. Buckingham: Open University Press, pp. 32–48.
- O’Connell C.E. & Korabik K. (2000) Sexual harassment: The relationship of personal vulnerability, work context, perpetrator status, and type of harassment to outcomes. *Journal of Vocational Behavior*, 56(3), pp. 299–329.
- O’Hare E. & O’Donohue W. (1998) Sexual harassment: Identifying risk factors. *Archives of Sexual Behavior*, 27(6), pp. 561–579.
- Oakley A. (1981) ‘Interviewing Women: A Contradiction in Terms’. In Roberts H. (ed.) *Doing Feminist Research*. London: Routledge and Kegan Paul, pp. 31–61.
- Padavic I. & Orcutt J.D. (1997) Perceptions of sexual harassment in the Florida legal system: A comparison of dominance and spillover explanations. *Gender Sociology*, 11(5), pp. 682–698.
- Pajumets M. (2012) *Post-Socialist Masculinities, Identity Work, and Social Change: An Analysis of Discursive (Re)constructions of Gender Identity in Novel Social Situations*. Tallinn: Tallinn University Press.
- Pakosta L. (2017) Correspondence of the Equal Treatment Commissioner via e-mail on 07.06.17
- Paley J. (2001) An archaeology of caring knowledge. *Journal of Advanced Nursing*, 36(2), pp. 188–198.
- Payne K. (1993) The power game: Sexual harassment on the college campus. In Kreps G.L. (ed.) *Sexual Harassment: Communication Implications*. Cresskill, NJ: Hampton Press, pp. 133–148.
- Peräkylä A. (2004) Conversation Analysis in Qualitative Research Practice. In Seale C. et al. (eds) *Qualitative Research Practice*, pp. 165–179.
- Phillips S.P. & Schneider M. (1993) Sexual Harassment of Female Doctors by Patients. *The New England Journal of Medicine*, 329(26), pp. 1936–1939.
- Phoenix J. (1999) *Making Sense of Prostitution*. London: MacMillan Press.
- Pina A. Gannon T.A. & Saunders B. (2009) An overview of the literature on sexual harassment: Perpetrator, theory, and treatment issues. *Aggression and Violent Behavior*, 14(2), pp. 126–138.
- Potter J. & Wetherell M. (1987) *Discourse and Social Psychology*. London: Sage.

- Pryor J. B. & Whalen N. J. (1997) Characteristics of harassers and the social circumstances under which SH occurs. In O'Donohue W. (ed.) *Sexual Harassment: Theory, research, and treatment*. Needham Heights, MA: Allyn & Bacon. pp. 129–151.
- Psychosocial Risks Survey (2010) see for reference “Seppo, I., Järve, J., Kallaste, E., Kraut, L. & Voitka, M. (2010)“
- Quine L. (1999) Workplace bullying in NHS community trust: staff questionnaire survey. *British Medical Journal*, 318, pp. 228–232.
- Quinn B.A. (2002) Sexual Harassment and Masculinity: The Power and Meaning of 'Girl Watching. *Gender & Society*, 16(3), pp. 386–402.
- Rämmer A. (2009) Eesti koolinoorte väärtused [The values of Estonian school youngsters]. In Sutrop M., Valk P. & Velbaum K. (eds.) *Väärtused ja väärtuskasvatus valikud ja võimalused 21. sajandi Eesti ja Soome koolis*. Tartu: Tartu Ülikooli eetikakeskus, pp. 83–117.
- Ribbens J. & Edwards R. (1998) *Feminist Dilemmas in Qualitative Research*. London: Sage Publications.
- Robbins I., Bender M. & Finnis S. (1997) Sexual harassment in nursing. *Journal of Advanced Nursing*, 25(1), pp. 163–169.
- Rogers J.K. & Henson K.D. (1997) “Hey, why don't you wear a shorter skirt?”: Structural Vulnerability and the Organization of Sexual Harassment in Temporary Clerical Employment. *Gender & Society*, 11(2), pp. 215–237.
- Roscigno V.J., Hodson R., & Lopez S.H. (2009) Workplace incivilities: the role of interest conflicts, social closure and organizational chaos. *Work, Employment & Society*, 23(4), pp. 747–773.
- Rospenda K.M., Richman J.A. & Nawyn S.J. (1998) Doing power – The confluence of gender, race, and class in contrapower sexual harassment. *Gender & Society*, 12(1), pp. 40–60.
- Rubenstein M. (1992) Dealing with sexual harassment at work: The experience of industrialised countries. *Conditions of Work Digest: Combating sexual harassment at work*, 11(1), pp. 11.
- Rubin H.J. & Rubin I.S. (2005) *Qualitative interviewing: The art of hearing data (2nd ed.)*. Thousand Oaks, CA: Sage.
- Rubenstein M. (1987) *The dignity of women at work Part I and II, COM, V/412/87*. Brussels: European. Commission.
- Saar Poll (2005) *Tööelu baromeeter 2005. Elanikkonna uuringu aruanne* [Work Life Barometer. Report on population Survey]. Tallinn: Saar Poll, Sotsiaalministeerium.
- Salin D. (2003) Ways of explaining workplace bullying: A review of enabling, motivating and precipitating structures and processes in the work environment. *Human Relations*, 56(10), pp. 1213–1232.
- Salla J. ja Surva L. (2010) Vägivald ja ohvrid. Seksuaalne ahistamine. [Violence and victims. Sexual harassment]. In Salla J. (ed.) *Kuriteoohvrite uuring 2009 [Study on Crime Victims 2009]. Kriminaalpoliitika uuringud 14*. Tallinn: EV Justiitsministeerium, pp. 50–53.
- Samuels H. (2003) Sexual harassment in the workplace: a feminist analysis of recent developments in the UK. *Women's Studies International Forum*, 26 (5–6), pp. 467–482.
- Sarv M., Muidre M. & Sepper M.-L. (2008) Soolise võrdõiguslikkuse voliniku 2007. aasta tegevuse ülevaade [Gender Equality Commissioner's Annual Report on 2007]. Tallinn: Soolise võrdõiguslikkuse ja võrdse kohtlemise voliniku kantselei.

- <http://www.vordoigusvolinik.ee/wp-content/uploads/2014/03/Voliniku-tegevuse-ylevaade-2007.pdf> (retrieved 05.05.2017).
- Sbraga T.P. & O'donohue W. (2000) Sexual Harassment. *Annual Review of Sex Research*, 11(1), pp. 258–285.
- Schultz V. (1998) Reconceptualising Sexual Harassment. *Yale Law Review*, 107(6), pp. 1683–805.
- Seppo, I., Järve, J., Kallaste, E., Kraut, L. & Voitka, M. (2010) Psühhosotsiaalsete riskide levik Eestis. [The scope of psychosocial risks in Estonia]. Tallinn: Rakendus-uuringute keskus CentAR.
- Shanker M., Astakhova M. N. & DuBois C. L. Z. (2015) Sexual Harassment: A Complex Adaptive System Viewpoint. *Gender, Technology and Development*, 19(3), pp. 239–270.
- Sigal J. (2006) International Sexual Harassment. *Annual New York Academy of Sciences*, 1087, pp. 356–369.
- Soolise võrdõiguslikkuse ja võrdse kohtlemise voliniku 2014. aasta tegevuse aruanne [Gender Equality and Equal Treatment Commissioner's Annual Report on 2014] (2015) Tallinn: Soolise võrdõiguslikkuse ja võrdse kohtlemise voliniku kantsleil. <http://www.vordoigusvolinik.ee/wp-content/uploads/2015/06/SVV-Aastaruanne-2014.pdf> (retrieved 05.05.2017).
- Spector M. & Kitsuse J.I. (2001) *Constructing social problems*. New Brunswick, NJ: Transaction.
- Spector P. E., Zhou Z. E. & Che X. X. (2014) Nurse exposure to physical and non-physical violence, bullying, and sexual harassment: A quantitative review. *International Journal of Nursing Studies*, 51, pp. 72–84.
- Sprague J. & Zimmerman M. (1993) Overcoming Dualisms: A Feminist Agenda for Sociological Methodology. In England P.A. (ed.) *Theory on Gender/Feminism*. New York, NY: Aldine. pp. 255–280.
- Standing K. (1998) Writing the Voices of the Less Powerful: Research on Lone Mothers. In: Ribbens J. & Edward R. (eds.) *Feminist Dilemmas in Qualitative Research: Public Knowledge and Private Lives*. *Social Research Methods Online*. London: Sage, pp. 186–202.
- Stanko E.A. (1985) *Intimate Intrusions. Women's Experience of Male Violence*. New York: Routledge.
- Star S.L. (2007) Living grounded theory: Cognitive and emotional forms of pragmatism. In Bryant A. & Charmaz K. (eds.) *Handbook of grounded theory*. Thousand Oaks, CA: Sage. pp. 75–94.
- Starks H. & Trinidad S.B. (2007) Choose Your Method: A Comparison of Phenomenology, Discourse Analysis, and Grounded Theory. *Qualitative Health Research*, 17(10), pp. 1372–1380.
- Statistics Estonia (2015) Equalised yearly disposable income by ethnic nationality and sex.
- Stockdale M.S. (1998) The direct and moderating influences of sexual harassment pervasiveness, coping strategies and gender on work-related outcomes. *Psychology of Women Quarterly*, 22(4), pp. 521–535.
- Stockdale M.S., Vaux A. & Cashin J. (1995) Acknowledging Sexual Harassment: A Test of Alternative Models. *Basic and Applied Social Psychology*, 17(4), pp. 469–496.

- Strauss A. & Corbin J. (1998) *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory (2nd ed.)*. Thousand Oaks, London, New Delhi: Sage Publications.
- Strauss, A. (1987) *Qualitative Analysis for Social Scientists*. Cambridge, US: Cambridge University Press
- Strömpl J. (2007) 'We are Here to Restore the Destroyed Harmony between Genders': Narratives about the Mission of Migrant Prostitution in Finland. *Finnish Journal of Ethnicity and Migration*, 2(1), pp. 11–19.
- Strömpl J. (2008) Tundlike teemade käsitlemise eetilise-metodoloogilised küsimused sotsiaaltöö-uurimuste kontekstis Eesti näitel [Ethical-methodological questions in disserting delicate topics in social work studies in Estonia]. In Rämmer A. (ed.) *Vaateid teelahkmelt. Sotsioloogia, sotsiaaltöö ja sotsiaalpoliitika aktuaalseid probleeme Eestis*. Tartu: Tartu Ülikooli Kirjastus, pp. 143–166.
- Studd M.V. & Gattiker U.E. (1991) The evolutionary psychology of sexual harassment in organizations. *Ethology and Sociobiology*, 12(4), pp. 249–290.
- Suchland J. (2008) Contextualizing Discrimination: The Problem with Sexual Harassment in Russia. *Journal of Women, Politics & Policy*, 29(3), pp. 335–363.
- Tang N. (2002) Interviewer and Interviewee Relationships between Women. *Sociology*, 36(3), pp. 703–721.
- Tangri S.S. & Hayes S.M. (1997) Theories of sexual harassment. In O'Donohue W. (ed.) *Sexual Harassment: Theory, Research and Treatment*. Needham Heights, MA: Allyn and Bacon. pp. 112–127.
- Tangri S.S., Burt M.R. & Johnson L.B. (1982) Sexual Harassment at Work: Three Explanatory Models. *Journal of Social Issues*, 38(4), pp. 33–54.
- Thomas A. (1997) Men behaving badly? A psychosocial exploration of the cultural context of sexual harassment. In Thomas, A. and Kitzinger, C. (eds), *Sexual Harassment: Contemporary Feminist Perspectives*. Buckingham: Open University Press, pp. 131–154.
- Timmerman G. & Bajema C. (1999). Sexual Harassment in Northwest Europe – A Cross-Cultural Comparison. *European Journal of Womens Studies*, 6(4), pp. 419–439.
- Tööinspektsiooni teabenõue [request for information from Labour Inspectorate] (2016a) Töövaidlus nr 9.10-02/472 [labour dispute nr 9.10-02/472]. Esitatud teabenõue kategoorias „Töövaidluskomisjoni menetluses olnud ebavõrdse kohtlemisega seotud töövaidlusasjad“ ajavahemiku 07.04.2004 kuni 15.08.16 kohta [Request claimed under category of “Labour dispute commission’s cases proceeded regarding the cases on discrimination“ concerning the period 07.04.2004–15.08.16].
- Tööinspektsiooni teabenõue [request for information from Labour Inspectorate] (2016b) Töövaidluse numbrit teabenõudes ei avaldatud ) [The nr of the labour dispute is not made public]. Esitatud teabenõue kategoorias „Töövaidluskomisjoni menetluses olnud ebavõrdse kohtlemisega seotud töövaidlusasjad“ ajavahemiku 07.04.2004 kuni 15.08.16 kohta [Request claimed under category of “Labour dispute commission’s cases proceeded regarding the cases on discrimination“ concerning the period 07.04.2004 – 15.08.16].
- Törrönen J. (2001) The concept of Subject Positioning in Empirical Social Research. *Journal for the Theory of Social Behaviour*, 31(3), pp. 313–329.
- Uggen C. and Blackstone A. (2004) Sexual Harassment as a Gendered Expression of Power. *American Sociological Review* 69(1), pp. 64–92.

- Vainu V., Järviste L. & Biin H. (2010) *Soolise võrdõiguslikkuse monitooring 2009* [Gender Equality Monitoring]. Sotsiaalministeeriumi toimetised nr. 1/2010. Tallinn: EV Sotsiaalministeerium.
- Vainu V., Järviste L. & Biin H. (2010) *Soolise võrdõiguslikkuse monitooring 2009* [Gender Equality Monitoring]. Sotsiaalministeeriumi toimetised nr. 1/2010. Tallinn: EV Sotsiaalministeerium.
- Valente S.M. & Bullough V. (2004) Sexual harassment of nurses in the workplace. *Journal of Nursing Care Quality*, 19(3), pp. 234–241.
- Waldo C.R., Berdahl, J.L. & Fitzgerald L.F. (1998) Are Men Sexually Harassed? If So, by Whom? *Law and Human Behavior*, 22(1), pp. 59–79.
- Warelow P. J. (1997) A nursing journey through discursive praxis. *Journal of Advanced Nursing*, 26(5), pp. 1020–1027.
- Warelow P.J. (1996) Is caring the ethical ideal? *Journal of Advanced Nursing*, 24(4), pp. 655–661.
- Wear D. & Aultman J.M. (2005) The limits of narrative: medical student resistance to confronting inequality and oppression in literature and beyond. *Medical Education*, 39(10), pp. 1056–1065.
- Weedon C. (1987) *Feminist Practice and Poststructuralist Theory*. Oxford, UK: Blackwell Publishing.
- Wehren L. (1995) Same-Gender Sexual Harassment Under Title VII: Garcia v. Elf Atochem Marks a Step in the Wrong Direction. *California Western Law Review*, 32(1), Article 5.
- Weiss G. & Wodak R. (2003) Introduction: Theory, Interdisciplinarity and Critical Discourse Analysis. In Weiss G. & Wodak R. (eds.) *Critical Discourse Analysis. Theory and Interdisciplinarity*. London: Palgrave Macmillan. pp. 1–34.
- Welsh S. (1999) Gender and Sexual Harassment. *Annual Review of Sociology*, 25, pp. 169–190.
- West C. & Zimmerman D.H. (1987) Doing Gender. *Gender & Society* 1(2), pp. 125–151.
- Wetherell M. and Potter J. (1988) Discourse Analysis and the Identification of Interpretative Repertoires. In Antaki C. (ed.) *Analysing Everyday Explanation. A Casebook of methods*. London: Sage. pp. 168–183.
- Wetherell M. & Edley N. (1999) Negotiating Hegemonic Masculinity: Imaginary Positions and Psycho-Discursive Practices. *Feminism & Psychology*, 9(3), pp. 335–356.
- Wetherell M. (1998) Positioning and Interpretative Repertoires: Conversation Analysis and Post-Structuralism in Dialogue. *Discourse & Society* 9(3), pp. 387–412.
- Wetherell M. (2001) Debates in Discourse Research. In Wetherall M., Taylor S. & Yates S.J. (eds.) *Discourse Theory and Practice: A Reader*. London: Sage Publications. pp. 380–399.
- Widdicombie S. (1995) Identity, politics and talk: A case for the mundane and the everyday. In Wilkinson S and Kitzinger C. (eds.) *Feminism and Discourse: Psychological Perspectives*. London: Sage. pp. 106–127.
- Wilkinson S. & Kitzinger C. (1995) *Feminism and Discourse: Psychological Perspectives*. London: Sage.
- Williams C. (1997) Sexual Harassment in Organizations: A Critique of Current Research and Policy. *Sexuality and Culture*, 1, pp. 19–43.

- Williams J.H., Fitzgerald L.F. & Drasgow F. (1999) The effects of organizational practices on sexual harassment and individual outcomes in the military. *Military Psychology*, 11(3), pp. 303–328.
- Willness C. R., Steel P. & Lee K. (2007) A meta-analysis of the antecedents and consequences of workplace sexual harassment. *Personnel Psychology*, 60(1), pp. 127–162.
- Willness C.R., Steel P. & Lee K. (2007) A meta-analysis of the antecedents and consequences of workplace sexual harassment. *Personnel Psychology*, 60(1), pp. 127–162.
- Wilson F., & Thompson, P. (2001) Sexual harassment as an exercise of power. *Gender, Work and Organization*, 8(1), pp. 61–83.
- Wilson F.M. (1995) *Organizational Behaviour and Gender*. London: McGraw-Hill Book Company.
- Wodak R. (2004) Critical discourse analysis. In Seale C. et al. (Eds.) *Qualitative research practice*. London: Sage. pp. 197–213.
- Wood J.T. (1992) Telling our stories: Narratives as a basis for theorizing sexual harassment. *Journal of Applied Communication Research*, 20(3), pp. 349–362.
- Wood J.T. (1994) Saying it makes it so: The discursive construction of sexual harassment. In Bingham S.G. (ed.) *Conceptualizing sexual harassment as discursive practice*. Westport, CT: Praeger. pp. 17–30.
- Work Life Barometer (2005) see for reference “Saar Poll (2005)”
- Work Life Survey (2010) Eesti Tööelu Uuring 2009. Sotsiaalministeeriumi toimetised nr 3/2011. Tallinn: EV Sotsiaalministeerium.
- Zhurzhenko T. (1999) Analiz polozheniia zhenshchin v perekhodnoi ekonomike: v poiskakh feministkoi epistemologii. In Khotkina Z., Pushkareva N. & Trofimova (eds.). *Zhenshchina, Gender, Kul'tura*. Moskva: RLSHG (referred via Suchland 2008).
- Zippel K.S. (2006) Gender Equality Politics in the Changing European Union: The European Union Anti-Discrimination Directive and Sexual Harassment. Center for European Studies. Working paper, no. 134, 2006. <http://aei.pitt.edu/9027/1/Zippel134.pdf> (retrieved 03.03.2015).
- Zippel K. (2004) Transnational Advocacy Networks and Policy Cycles in the European Union: The Case of Sexual Harassment. *Social Politics: International Studies in Gender, State, and Society*, 11(1), pp. 57–85.
- Zippel, K. (2009) The European Union 2002 Directive on sexual harassment: A feminist success? *Comparative European Politics*, 2009/7, pp. 139–157.
- Zurbrügg L. & Miner K.N. (2016) Gender, Sexual Orientation, and Workplace Incivility: Who Is Most Targeted and Who Is Most Harmed? *Frontiers in Psychology*, 7, pp. 565.

## SUMMARY IN ESTONIAN

### **Seksuaalse ahistamise sotsiaalne konstrueerimine nõukogudeaja järgse ühiskonna kontekstis Eesti meditsiiniõdede näitel**

Ajal, mil Ameerika Ühendriikides levis feminism, kuulus Eesti Nõukogude Liitu. Sugupooleuringuid hakati meil tegema 1990. aastate keskpaigas ja feministlikust liikumisest sellisena, nagu see toimus Ameerika Ühendriikides või teistes lääneriikides, meil 20. sajandi teisel poolel rääkida ei saa. Küll aga on välja kujunenud sooperspektiiviga seotud ühiskondlikud teemad, mida on enam uuritud ja avalikult kajastatud (nt prostitutsioon, paarisuhtevägivald, töö ja pereelu ühitamine, sooline palgalõhe ja naiste osalemine otsustusprotsessides). Eesti teaduskirjanduses on seni varju jäänud üks soolise diskrimineerimise vormidest – seksuaalne ahistamine. Ka avalikku debatti pole ühiskonnas sel teemal siiani toimunud.

Kui hakkasin 2005. aastal teemaga süvitsi tegelema, oli tegu taasiseseisvunud Eestis veel täiesti uurimata valdkonnaga. Nüüdseks on olemas mõned soolise võrdõiguslikkuse seisu (Derman jt 2006; Vainu, Järviste & Biin 2010) ja vägivalla eri vormide levikut (Salla ja Surva 2010) kaardistavad uuringud, mis muu hulgas küsivad ka seksuaalse ahistamise eri vormidega kogemise kohta. Riikliku tellimusena valmis paar aastat tagasi spetsiaalselt seksuaalsele ja soolisele ahistamisele keskendunud küsitlusmoodul, mida saaks lisada regulaarselt läbiviidavatele soolise võrdõiguslikkuse monitooringutele (Karu jt 2014), kuid seni pole seda tehtud.

Eesti õigusruumis sätestati seksuaalse ahistamise mõiste esimest korda 2004. aastal, mil võeti vastu soolise võrdõiguslikkuse seadus. Seaduses on seksuaalne ahistamine määratletud ühena soolise diskrimineerimise vormidest – see on mis tahes soovimatu sõnaline, mittesõnaline või füüsiline seksuaalse olemusega käitumine või tegevus, mille eesmärk või tegelik toime on isiku vääriskuse alandamine, eelkõige luues häiriva, ähvardava, vaenuliku, halvustava, alandava või solvava õhkkonna (SoVS § 3 lg 1 p 5, RT I 2009, 48, 323).

Tegelikult pole seksuaalset ahistamist käsitledes sedavõrd oluline juriidiline määratlus, vaid ennekõike ajaloolis-kultuuriline raam, mis määrab, kui võrd seksuaalset ahistamist tajutakse sotsiaalse probleemina. Näiteks Ameerika Ühendriikides tõstasid naisõiguslaste rühmitused soovimatu seksuaalse sisuga käitumise temaatika 1970. aastatel (Timmerman ja Bajema 1999), kuid avalikkuse tähelepanu pälvis see alles 1980. aastatel. Toonased akadeemilised uuringud keskendusid sellele, et selgitada välja, kui võrd on tegu uurimist vääriva sotsiaalse probleemiga (Welsh 1999). Lääne-Euroopas hakati seksuaalset ahistamist sotsiaalse probleemina teadvustama 1990. aastatel, mil hakati järjest enam tuvastama seksuaalse ahistamise ilmnemist töökohal ja tegema riikidevahelisi võrdlusuuringuid probleemi esinemise määra väljaselgitamiseks (Bernstein 1994).

Euroopa riikide võrdlevas uuringus (European Commission 1998) on täheldatud, et Lõuna-Euroopa ja Põhja-Euroopa naised tajuvad seksuaalset ahistamist erinevalt. Lõunas on seksuaalne ahistamine naiste jaoks midagi, millega tuleb leppida, sest see on lahutamatu osa naiseks olemisest, mehed aga oma käitumist seksuaalse ahistamisena ei taju. Seevastu Põhja-Euroopas ja eriti Põhjamaades, kus soolise võrdõiguslikkuse küsimusi peetakse oluliseks, on inimesed nähtusest teadlikumad. Võib oletada, et kui mõnes Skandinaavia riigis on seksuaalse ahistamise määr kõrgem kui mõnes Lõuna-Euroopa riigis, viitab see lihtsalt kõrgemale teadlikkusele, mis võimaldab inimestel ahistamist ära tunda, sellekohasele küsimusele ankeedis vastata või julgemini õigussüsteemi poole pöörduda. Nendes riikides on teema leidnud rohkem avalikku kajastamist ja uurimiskogemus on samuti pikem, mistõttu seksuaalset ahistamist ei käsitata paratamatusena (European Commission 1998). Seega võib erinevusi ahistamise esinemissageduses käsitada ennekõike rahvuslike või kultuuriliste erinevuste peegeldusena (Timmermani ja Bajema 1999), mis nõuab seksuaalse ahistamise esinemissageduse riikidevahelises võrdluses kriitilist vaadet. Kuigi geograafiliselt asub Eesti pigem Põhja-Euroopas, paigutub ta ühiskondliku ja ajaloolise pärandi tõttu endiselt pigem Ida-Euroopa riikide hulka. See loob konteksti, mis mõjutab inimeste arusaamist ja valmisolekut ahistamist sotsiaalse probleemina käsitleda. Venemaal seksuaalset ahistamist uurinud Suchlandi (2008) arvates tuleb nähtust analüüsides laiemaid ühiskondlikke protsesse arvesse võtta. Seda, kuidas seksuaalset ahistamist mõistetakse taasiseseisvunud Eestis, pole kvalitatiivsete meetodite abil teaduslikult veel uuritud.

Oma doktoritöös olen seadnud fookusesse seksuaalse ahistamise kvalitatiivsel uurimisel ilmnevad probleemid. Kuigi diskursiivne lähenemine on teistes riikides seksuaalse ahistamise uurimisel tänapäeval juba võrdlemisi levinud, on siiski puudu uurimustest, mis võtaksid diskursuste analüüsimisel arvesse ajaloolis-kultuurilist konteksti. Enamikus uurimustes (v.a Dougherty 2006 ning Thomas ja Kitzinger 1995) on tähelepanu pööratud sellele, et võimu kui ahistamise kesket kategooriat ei tohiks käsitleda ühesuunalise kategooria (nt Brewis 2001, Uggén ja Blackstone 2004, Lopez jt 2009) või fikseeritud hierarhiana, kuid minule teadaolevalt ei ole tehtud uuringuid, mis näitlikustaks selle teoreetilise seisukoha rakendamist empiiriliste andmete peal.

Minu väitekirjariigis rajaneb 21 süvaintervjuul haiglas töötavate meditsiiniõdedega. Oma uurimuses käsitlen väljakutseid, mida seksuaalne ahistamine uurimisteemana kvalitatiivsele uurijale esitab, ja osutan, kui oluline on selle uurimisel arvestada konkreetse sotsiaal-kultuurilise kontekstiga. Keskendun diskursiivsetele pingetele, mis ilmnevad võimu kui seksuaalse ahistamise keskse teema konstrueerimisel.

Minu doktoritöö eesmärk on rikastada seksuaalse ahistamise uurimismetoloogiat, tehes nähtavaks mitmetasandilisuse ja dünaamilisuse, mida seksuaalse ahistamise uurimisel on oluline silmas pidada. Lähenedes samadele andmetele erinevaid uurimismeetodeid kasutades, on võimalik süvitsi mõista intervjueritavate konstruktsioone seksuaalsest ahistamisest.

- Väitekiri panustab seksuaalse ahistamise uurimisvaldkonda kahest aspektist:
- Eesti pakub huvitavat uurimisainest, kuna ühest küljest varjutab meie arusaamist soolisest diskrimineerimisest endiselt nõukogude pärand, kuid teisest küljest kuulume Põhjamaade kultuuriruumi. Selline kontekst, millesse on *a priori* sisse kirjutatud teatav ambivalentsus, mõjutab meditsiiniõdede arusaamist seksuaalsest ahistamisest ning nõuab nimelt kvalitatiivset ja diskursiivset lähenemist, et süvitsi mõista nende loodud konstruktsioone.
  - Olen oma väitekirjas näitlikustanud võimu dünaamilisust empiirilisel – seda, kuidas võimu praktiseerimine leiab aset mitmel tasandil ja mitte ühesuunaliselt. Intervjuueritavad positsioneerivad ennast samal ajal nii võimu omavate kui ka mitteomavatenä. Sellisel viisil pole võimu ambivalentsust ja dünaamilisust ahistamise kontekstis empiirilisel näitlikustatud.

Väitekiri koosneb kolmest, omavahel tihedalt seotud teadusartiklist, millest esimene (uurimus I) ja kolmas (uurimus III) on empiirilised, põhinedes 21-l põhistatud teooria meetodil läbiviidud süvaintervjuul. Teine artikkel (uurimus II) on teoreetiline ja selles lahkan küsimusi, millega Eesti kontekstis seksuaalse ahistamise uurimisel tuleks arvestada ning kuidas suhestuvad üksteisega sooline- ja seksuaalse ahistamine. Kui intervjuude kogumiseks ja esmaseks analüüsiks kasutasin põhistatud teooria meetodit, siis samade andmete teisesel analüüsil keskendusin meditsiiniõdede tekstis ilmnevatele diskursustele, täpsemalt diskursuste vaheliste vastuolude ja dünaamilisuse nähtavaks tegemisele. Leidsin, et kõige paremini sobib selleks feministlik poststrukturealistlik diskursuseanalüüsi meetod (ingl *feminist post-structuralist discourse analysis*).

Selleks, et tuua esile uurimise käigus ilmnunud metodoloogilised väljakutsed, olen doktoritöö tulemused esitanud abduktiivselt, mis tähendab pidevat edasi-tagasi liikumist uurimiseelse teadmise, empiirilise andmestiku ja erinevate teoreetiliste perspektiivide vahel, ning diskussiooniosa refleksiivselt. Valisin refleksiivse kirjutamisvormi kuna esiteks võimaldab see teha nähtavaks paindlikkust, mida seksuaalse ahistamise uurimine uurijalt eeldab ja teiseks võimaldab see lugejal jälgida protsessi, mille abil leida seksuaalse ahistamise keskse termini võimu sügavamaks mõistmiseks sobivaim meetod andmete teiseks analüüsiks.

Ülevaateartikkel algab teoreetilise peatükiga, milles käsitlen kõigepealt seksuaalse ahistamise kui juriidilise termini arengut ja õigusliku määratlemise raskusi. Ülevaade termini arengust on oluline, kuna seksuaalse ahistamise definitsiooni jõudmine seadusandlusse on olnud feministliku liikumise tulemus ja sellest tulenevalt on mõistet defineeritud meeste ja naiste võimusuhte kontekstis. Annan ülevaate sellest, mille poolest erineb Ameerika Ühendriikide seadusandlik lähenemine Euroopa Liidu omast ning millist kriitikat on õigusaktidele teinud õigusteadlastest feministlikud uurijad. Näiteks ütleb Zippel (2006: 2), et Euroopa Liidu riikides on küll direktiivide kehtestamisega ühtlustatud õigusaktid, kuid toetuseta on jäänud kõige suuremaid probleeme tekitavad aspektid nagu ennetamine, seaduste tegelik rakendamine (*implementation*) ja jõustamine (*enforcement*). Samuti puuduvad õiguslikud vahendid ohvri kaits-

miseks näiteks juhul, kui viimane on juba kaotanud töö (Zippel 2009: 7). Kuigi soolise ahistamise mõiste õiguslik määratlemine võimaldab paremini avada seksuaalse ahistamise tegelikkust olemust ja tagamaid, muudab see teisest küljest nähtuse määratlemise ja seeläbi ka uurimise veelgi keerukamaks.

Teoreetilist peatükki jätkan kokkuvõtliku ülevaatega seksuaalse ahistamise uurimisega seotud kitsaskohtadest, milleks on dilemma uurija objektiivse ja uuritava subjektiivse hinnangu vahel sellest, mis on seksuaalne ahistamine; raskused võrdlusuuringute läbiviimisel, mis tulenevad erinevatest definitsioonidest ja klassifikatsioonidest; ahistamise esitamine nähtamatu või olematu kategooriana; soolise ja seksuaalse ahistamise eristamise raskused ning meeste ahistamise uurimise võimalikkus heteroseksuaalsete võimusuhte kontekstis.

Teoreetilise peatüki lõpetan sellega, kuidas mõistan refleksiivsuse rolli oma ülevaateartiklis. Toetun Burmani (1990) tähelepanekule sellest, kui oluline uurijal on võtta arvesse seda, kuidas kogu uurimisprotsess on läbi põimunud domineerimise, soo, seksuaalsuse, klassi ja vanuse temaatikaga, mis ei tekita vastuolusid mitte ainult subjektide vahel, vaid ka subjektide sees. Selliseid protsesse saab nähtavaks teha üksnes uurija refleksiivsuse abil, kuna selline teadlik eneseanalüüs võimaldab võimudünaamika esile tuua (Finlay 2002).

Ülevaateartikli teine peatükk „Uurimuse kontekst“, annab kõigepealt ülevaate Eestis tehtud asjaspepuutuvatest uuringutest. Valdavalt on seksuaalset ja soolist ahistamist puudutavaid küsimusi esitatud mõne laiema uuringuvaldkonna raames nagu sooline võrdõiguslikkus või kuritegevus ja vägivald.

Et minu väitekirja kolmest artiklist kaks põhinevad intervjuudel haiglas töötavate meditsiiniõdedega, teen lühikese ülevaate õendusest kui professionist seksuaalse ahistamise kontekstis. Õendus on amet, kus soo- ja professionaalse staatuse hierarhia kattuvad (Dan jt 1995: 563), ning senised uurimused on jõudnud erinevatele tulemustele selles osas, kas õed kogevad rohkem seksuaalset ahistamist arstide (nt Duldt 1982, Beganny 1995, Hamlin ja Hoffman 2002) või patsientide (nt Grieco 1987, Libbus ja Bowman 1994, Bronner, Peretz ja Ehrenfeld 2003) poolt.

Peatüki lõpetan ülevaatega kolmest artiklist, millel minu väitekirja põhineb.

Kolmandas peatükis annan ülevaate oma väitekirja metodoloogilistest lähte-kohtadest. Alustan põhistatud teooriast kui meetodist andmete kogumiseks ja analüüsiks ning annan ülevaate sotsiaal-konstruktivistlikest epistemoloogilistest eeldusest, mida uurijana jagan. Konstruktivistliku põhistatud teooria (Char-maz 2008: 402) kohaselt esineb samaaegselt palju reaalsusi ja teadmisi konstrueeritakse inimestevahelise suhtlemise käigus ja konkreetsetes kontekstis, sh uurija ja uuritava vahel. Seejärel annan ülevaate feministlikust poststrukuralistlikust diskursuseanalüüsist (edaspidi FPDA) kui analüüsimeetodist ja selle epistemoloogilistest asetusest, mida kasutasin põhistatud teooria meetodil kogutud andmete teiseks analüüsiks. Seejärel tutvustan andmeid, millel analüüs põhineb ja reflekteerin andmekogumise protseduuri üle. Lõpuks tutvustan andmete analüüsi, täpsemalt kodeerimise protseduuri põhistatud teooria meetodil, ning kirjeldan seda, kuidas viisin läbi andmete teise analüüsi FPDA raamistikus.

Doktoritöö neljandas peatükis arutlen refleksiivselt saadud tulemuste üle. Tegu ei ole klassikalise doktoritöö struktuuriga, kus diskussioon järgneb eraldi seisvalt uurimistulemuste esitamisele. Olen uurimustulemuste esitamisel omavahel läbi põiminud uurimisprotsessi kirjeldused, uurimistulemused, erinevate meetodite katsetused (ka need, mis ei leidnud lõpuks rakendamist), uurimise käigus tekkinud ja muutunud uurimisküsimused, epistemoloogilised positsioneeritud, teiste autorite teoreetilised ja empiirilised ning iseenda kui uurija kahtlused selle suhtes, kuidas oma uurimistööd jätkata. See, et diskussioon hõlmab endas kõiki äsja nimetatud tasandeid ei tähenda, et diskussioonil ei oleks struktuuri. Diskussiooni läbiva struktuuri moodustab ajatelg, mis võimaldab lugejal jälgida, kuidas ühele uurimisküsimusele vastuse saamine tekitab rea uusi küsimusi ning kuidas ma katsetan neile uurimuse käigus tekkinud küsimustele vastuste leidmiseks sobivaimaid meetodeid.

Esimese uurimuse (uurimus I) käigus viisin konstruktivistliku põhistatud teooria meetodil läbi 21 intervjuud haiglast töötavate meditsiiniõdedega. Uurimuse keskmesse asetasin seksuaalse ahistamise tajumise kahe osapoole – s.o meessoost raviarstide ja meessoost patsientide võrdluses.

Uurimuse eesmärk oli saada teada, kuidas õed kirjeldavad ja mõistavad seksuaalset ahistamist oma igapäevatöö kontekstis. Analüüsitulemused näitasid, et õed mõtestavad seksuaalset ahistamist haiglas valitseva hierarhia kontekstis – hierarhia tipus on arstid, hierarhia alumises otsas patsiendid ja iseendid asetati hierarhia keskele. Õed mõtestasid oma võimu patsientide üle austuse kaudu, mida nad patsientide poolt tunnetavad. Austuse kontseptsiooni kasutasid õed ka arstide kohta, sedapuhku räägiti austusest kui millestki, mis valitseb meesarstide suhtes naisarstidega. Samas hierarhilises kontekstis andsid õed arstide seksuaalselt laetud käitumisele solvavama ja häirivama tähenduse kui patsientidepoolsele ahistamisele, isegi kui see käitumine on sisuliselt äärmuslikum, nagu näiteks oma suguelundite demonstreerimine või füüsiline katsumine. Arstidepoolsest seksuaalsest ahistamisest räägiti seoses nende autoriteediga kui millestki, mis õigustab seksuaalset ahistamist.

Teise, teoreetilise artikli (uurimus II) eesmärk oli avada seksuaalse ahistamise uurimise problemaatikat, anda ülevaade uurimisvaldkonna arengust ja asetada see teadmine Eesti konteksti. Artikkel aitab tulevastel uurijatel langetada seksuaalset ahistamist uurides teadlikumaid otsuseid, kuna teen kokkuvõtte peamistest seksuaalse ahistamise uurimisega seonduvatest raskustest. Teoreetilise analüüsi tulemusena soovitan Eesti uurijatel jätta uurimust planeerides kõrvale Läänes aastakümneid levinud eelduse, et ahistajaks on kõrgemal positsioonil olev heteroseksuaalne mees ja ahistatavaks madalamal positsioonil olev heteroseksuaalne naine, kuna Eestis on naised käinud töö ka nõukogude perioodil ja järjest enam naisi on juhtivatel ametikohtadel. Lahendamaks lõhet seksuaalse ahistamise tajumise subjektiivsete ja objektiivsete kriteeriumide vahel, soovitan uurijatel pöörduda etnograafiliste meetodite poole, võttes üheks eelduslikuks uurimusküsimuseks selle, kas ja kuidas võidakse Eestis seksuaalset ahistamist eitada ja pidada pseudoprobleemiks, nagu see kehtib teiste soolist diskrimineerimist puudutavate teemade puhul Eestis (Lagerspetz ja Rikmann

2010). Samuti soovitan keskenduda sellele, millised on Eesti meeste arusaamad ahistamisest ja teha seda meesuurimuslikust raamis. Seksuaalse ahistamise defineerimise seisukohast leidsin, et Eestis pole mõistlik käsitleda seksuaalse ahistamise mõistet eraldi soolise ahistamise mõistest. Soolise ahistamise mõistet eesti keelde tõlkides kaotab see oma tähenduse, kuna Eesti keeles puudub eraldi termin sotsiaalse soo (ingl *gender*) kohta, mis tähistaks bioloogiliste erinevuste kõrval sotsiaalselt konstrueeritud erinevusi, täpsemalt sugupooltevahelisi võimusuhteid. Eestis saadab sugupooltevaheliste suhete reguleerimist mis tahes vormis teatav võhiklikkus ja skeptitsism ning seetõttu soovitasin niigi segadust tekitavate mõistete „sooline ahistamine” ja „seksuaalne ahistamine” asemel rääkida sooliselt ahistavast seksuaalse sisuga käitumisest.

Kolmandas artiklis (uurimus III) jätkan esimese uurimuse käigus kogutud andmete, s.t ödede intervjuude analüüsimist. Sedapuhku oli uurimuse eesmärk tuua esile keerukus seksuaalse ahistamise mõistmisel, täpsemalt see, kuidas öed positsioneerivad ennast seksuaalsest ahistamisest rääkides diskursiivselt nii võimu omavate kui ka võimututena. Võimu diskursiivses käsitlemises pole teoreetilises plaanis midagi uut ja samuti leidub uurimusi, mis on seadnud võimu ahistamise keskmesse ja analüüsinud sellega seonduvaid diskursiivseid praktikaid. Ometi ei ole varasemad empiirilised uuringud suutnud teha nähtavaks ambivalentust ja diskursuste vahelisi pingeid ega näidanud, kuidas võimu käsitamine dünaamilise ja mitmetähendusliku kategooriana empiirilises analüüsis välja näeb. Selles uurimuses tuginesin feministliku poststrukturealistliku diskursuseanalüüsi meetodile, mis võimaldab käsitleda sugu diskursiivse võitluse väljana. Analüüsitulemustes osutasin, kuidas võitlus erinevate diskursuste vahel ei leia aset vaid ühe intervjuu käigus, vaid ka ühe lausungi sees, kus öed muudavad pidevalt enda subjekti positsiooni, kuna diskursused – nii selgemalt nähtavad kui ka varjatamad – kattuvad omavahel. Sellise dünaamilisuse esiletoomine nõudis väikeste tekstiühikute mikrotasandi analüüsi. Analüüsi tulemusena näitasin, kuidas naiste püüdlused positsioneerida ennast professionaalses kontekstis võimukana ebaõnnestusid, kuna professionaalset identiteeti oli raske leida. Leidsin, et kontekstis, kus neil puudub nn feministlik keel, mis võimaldaks neil ära tunda enda võimutust haigla süsteemis, tuginetakse diskursusele, mis Eestis kontekstis võimaldab neil saada osa diskursiivsest võimust, asetades ennast naise positsiooni. Öded enesepositsioneerimine naisena võimaldab neil hoiduda iseenda asetamisest ohvripositsiooni, mis paratamatult seksuaalse ahistamise, ja teiste soolise diskrimineerimisega seotud nähtustega, kaasas käib. Uurimuse käigus teen nähtavaks selle, kuidas subjekti positsiooni võtmine võimaldab naisel diskursiivselt positsioneerida ennast võimukana ja lükata tagasi ohvripositsiooni. Taotledes professionaali subjektipositsiooni, on öed sunnitud silmitsi seisma võimutusega, enda positsioneerimine naisena on aga üks viis enese võimustamiseks.

Viimases, kokkuvõtvast peatükis, annan vastused sissejuhatuses püstitatud uurimisküsimustele. Peamised teesid on:

- Eestis 1980. aastate lõpul läbiviidud uuringu põhjal (Haavio-Mannila 1994) pakuti välja kaks ideoloogilist suunda, kuhu endised sotsialismimaad võiksid areneda – feminism või seksuaalne liberaliseerimine. Õdede intervjuude analüüs näitas, et endiselt esineb pigem soosiv suhtumine flirti, mis toetab sugudevaheliste suhete seksualiseeritust töökohal. Samas on märke ka feministlikest ideedest, mis mõistavad hukka soorollide laialivalgumist töökeskkonda (ingl *sex-role spillover*) ning mis võiksid vähendada erotiseerimist, flirti ja seksuaalset ahistamist töökohal.
- Uurimistulemused näitasid, et õed tõlgendasid seksuaalse sisuga käitumist haiglas valitseva hierarhia võtmes, mille tippu asetati arstid, keskele õed ja hierarhia alumisele astmele patsiendid. Arstide kui kõrgema positsiooni esindajate käitumist peeti soovimatu seksuaalse tähelepanu seisukohast häirivamaks kui patsientide käitumist, kuid samamoodi hinnati olulisemaks arstidepoolset flirti.
- Asjaolu, et lisaks seksuaalse ahistamise mõistele on hakatud kasutama ka soolise ahistamise mõistet, osutab sellele, et seksuaalset ahistamist kui seksualiseeritud käitumist ei käsitata vaid ahistamise ja soolise võrdõigussuse küsimusena, vaid tunnistatakse ka ahistamise mitteseksuaalseid vorme. Selline käsitlus on oluline, kuna sageli kogetakse samal ajal nii seksuaalset kui ka soolist ahistamist. Kuigi soolise ahistamise mõiste kasutuselevõtt seksuaalse ahistamise kõrval võimaldab paremini avada seksuaalse ahistamise tegelikku olemust ja tagamaid, muudab see nähtuse määratlemise ja ka selle ulatuse mõõtmise veelgi keerukamaks. Seksuaalne ahistamine ei ole sooline diskrimineerimine sellepärast, et see on seksuaalne, vaid sellepärast, et see käitumine toetub sugudevahelistele võimusuhetele. Kui loobuda seksuaalse ahistamise mõistest ja piirduda vaid soolise ahistamise mõistega, pisendaks see juhtunu tõsidust. Kui soolisele ahistamisele lisandub seksuaalsuse aspekt, võiks termin sisaldada mõlemat mõistet. Seetõttu pakun välja rääkida sooliselt ahistavast seksuaalse sisuga käitumisest.
- Täiesti uus kategooria seksuaalse ahistamise uurimisel, mida tulevasi uurimusi kavandades selle ülekandmise või kehtivuse kontrollimise eesmärgil arvesse võtta, on „austus.“ Õed mõtestasid seksuaalset ahistamist hierarhia ja võimu kontekstis ning tõid selle juures sisse austuse kontseptsiooni. Austus on õdede jaoks midagi, mida nad tajuvad patsientide poolt enda suhtes ja mis nende meelest valitseb mees- ja naisarstide suhetes. Õed põhjendavad austusega seda, miks meesarstid naisarste seksuaalselt ei ahista.
- Üks põhjustest, miks naised esitavad seksuaalset ahistamist nähtamatu või olematu kategooriana, on uurijate (Collinson ja Collinson 1996) sõnul naiste soov kuuluda töökollektiivi nn võrdse liikmena. Oma uurimuses osutasin, mis juhtub, kui enda positsioneerimine võrdväärse tiimiliikmena läbi kukub. Taotledes professionaali subjektipositsiooni, olid õed sunnitud seisma silmitsi võimutusega, enda positsioneerimine naisena oli aga üks viis enese võimustamiseks.



## **PUBLICATIONS**

## CURRICULUM VITAE

**Name:** Katri Lamesoo  
**Date of birth:** August 25, 1981, Tallinn, Eesti  
**Citizenship** Estonian  
**E-mail:** katri.lamesoo@ut.ee  
**Current position:** University of Tartu, Centre of Educational Innovation

### Education:

2015... Family and Systemic psychotherapy training  
2005... Phd studies at the University of Tartu, Sociology  
2004–2005 Msc in Social Sciences, University of Tartu  
1999–2003 BA in Social Work and Social Policy, University of Tartu  
1996–1999 Tallinn Secondary Science School

### Work Experience:

2016... NGO Välitöö ja sisekaemus, family counselor  
2014... Centre for Educational Research and Curriculum  
Development, University of Tartu, senior specialist  
2012–2013 Self-employed sociologist  
2010–2012 Centre for Educational Research and Curriculum  
Development, University of Tartu, specialist  
2006–2008 Department of Sociology and Social Policy; Unit of  
Gender Studies, University of Tartu, extraordinary research  
fellow  
2003–2006 Institute of Sociology and Social Policy, Unit of Gender  
Studies, University of Tartu, assistant, project manager

**Language skills:** Estonian (native), English (excellent), Finnish (good),  
Russian (poor)

### Main fields of research:

Sexual and gender harassment at work; gender equality; women in politics;  
prostitution; intimate partner/domestic violence; formative assessment; cross-  
curricular themes; optional courses at school; curriculum design.

### Publications:

Pepper D. Hodgen J., Lamesoo K., Kõiv P. & Tolboom J. (2016) Think aloud:  
Using cognitive interviewing to validate the PISA assessment of student  
self-efficacy in mathematics. *International Journal of Research and Method  
in Education*, pp. 1–14.  
Lamesoo K. & Marling R. (2015) Switching Discourses and Subject Positions –  
A Strategy to Cope with Sexual Harassment among Estonian Nurses. *Sexual  
Harassment and Sex Offenders: Patterns, Coping Strategies of Victims and*

- Psychological Implications, ed. Ortega S.H., Nova Science Publishers, pp. 131–145
- Lamesoo, Katri (2013) “Some things are just more permissible for men”: Estonian nurses’ interpretations of sexual harassment. *NORA – Nordic Journal of Feminist and Gender Research*, 21(2), pp. 123–139.
- Lamesoo K. (2013) Seksuaalne ahistamine kui uurimisvaldkond – proovikivi Eestile. *Ariadne Lõng: nais- ja meesuuringute ajakiri*, 2012(1–2), pp. 3–18.
- Kõiv, Pille; Lamesoo, Katri (2012) School-based curriculum development – document or process? Lindqvist, U (ed.). *Create learning for all – what matters?* – CIDREE Yearbook 2012, toim. Lindqvist U., Stockholm, Sweden, Skolverket: Fritze, pp. 105–120.
- Kõiv P., Lamesoo K. & Luisk Ü. (2010) Õpetajate mured uue riikliku õppekava läbivate teemade rakendamise eel [Teachers’ concerns on implementing cross-curricular themes]. *Haridus [Education]*, ed. Penjam T., SA Kultuurileht.

## ELULOOKIRJELDUS

**Nimi:** Katri Lamesoo  
**Sünniaeg ja koht:** 25. august 1981, Tallinn, Eesti  
**Kodakondsus:** Eesti  
**E-mail:** katri.lamesoo@ut.ee  
**Praegune töökoht:** Tartu Ülikool, Haridusuenduskeskus; peaspetsialist

### Haridus:

2015 ... Perekonna psühhoterapeudi väljaõpe  
2005 ... Sotsioloogia doktorantuur, Tartu Ülikool  
2004–2005 Tartu Ülikool, Mag sotsiaalteadustes  
1999–2003 Tartu Ülikool, Sotsiaaltöö ja sotsiaalpoliitika BA  
1996–1999 Tallinna Reaalkool

### Töökogemus:

2016 ... MTÜ Välitöö ja sisekaemus, perenõustaja  
2014 ... TÜ Haridusuuringute ja õppekavaarenduse keskus, peaspetsialist  
2012–2013 Vabakutseline sotsioloog  
2010–2012 Haridusuuringute ja õppekavaarenduse keskus, spetsialist  
2006–2008 TÜ, Sotsioloogia ja sotsiaalpoliitika instituut, erakorraline teadur  
2003–2006 TÜ, Sotsioloogia ja sotsiaalpoliitika osakond, referent, projektijuht

**Keeleoskus:** Eesti (emakeel), inglise keel (suurepärane), soome keel (hea), vene keel (rahuldav)

### Peamised uurimisvaldkonnad:

Seksuaalne ja sooline ahistamine töökohal; sooline võrdõiguslikkus; naised poliitikas; prostitutsioon; paarisuhtevägivald; kujundav hindamine; õppekava läbivad teemad; valikainete pakkumine keskkoolis, õppekava disain.

### Publikatsioonid:

Pepper D. Hodgen J., Lamesoo K., Kõiv P. & Tolboom J. (2016) Think aloud: Using cognitive interviewing to validate the PISA assessment of student self-efficacy in mathematics. *International Journal of Research and Method in Education*, pp. 1–14.

Lamesoo K. & Marling R. (2015) Switching Discourses and Subject Positions – A Strategy to Cope with Sexual Harassment among Estonian Nurses. *Sexual Harassment and Sex Offenders: Patterns, Coping Strategies of Victims and Psychological Implications*, toim. Ortega S.H., Nova Science Publishers, pp. 131–145

- Lamesoo, Katri (2013) "Some things are just more permissible for men": Estonian nurses' interpretations of sexual harassment. *NORA – Nordic Journal of Feminist and Gender Research*, 21(2), pp. 123–139.
- Lamesoo K. (2013) Seksuaalne ahistamine kui uurimisvaldkond – proovikivi Eestile. *Ariadne Lõng: nais- ja meesuuringute ajakiri*, 2012(1–2), pp. 3–18.
- Kõiv, Pille; Lamesoo, Katri (2012) School-based curriculum development – document or process? Lindqvist, U (Toim.). *Create learning for all – what matters? – CIDREE Yearbook 2012*, toim. Lindqvist U., Stockholm, Sweden, Skolverket: Fritze, pp. 105–120.
- Kõiv P., Lamesoo K. & Luisk Ü. (2010) Õpetajate mured uue riikliku õppekava läbivate teemade rakendamise eel. *Haridus*, toim. Penjam T., SA Kultuuri-leht.

## DISSERTATIONES SOCIOLOGICAE UNIVERSITATIS TARTUENSIS

1. **Veronika Kalmus.** School textbooks in the field of socialisation. Tartu, 2003, 206 p.
2. **Kairi Kõlves.** Estonians' and Russian minority's suicides and suicide risk factors: studies on aggregate and individual level. Tartu, 2004, 111 p.
3. **Kairi Kasearu.** Structural changes or individual preferences? A study of unmarried cohabitation in Estonia. Tartu, 2010, 126 p.
4. **Avo Trumm.** Poverty in the context of societal transitions in Estonia. Tartu, 2011, 215 p.
5. **Kadri Koreinik.** Language ideologies in the contemporary Estonian public discourse: With a focus on South Estonian. Tartu, 2011, 128 p.
6. **Marre Karu.** Fathers and parental leave: slow steps towards dual earner/dual carer family model in Estonia. Tartu, 2011, 125 p.
7. **Algi Samm.** The relationship between perceived poor family communication and suicidal ideation among adolescents in Estonia. Tartu, 2012, 121 p.
8. **Tatjana Kiilo.** Promoting teachers' efficacy through social constructivist language learning: challenges of accommodating structure and agency. The case of Russian-speaking teachers in Estonia. Tartu, 2013, 156 p.
9. **Ave Roots.** Occupational and income mobility during post-socialist transformation of 1991–2004 in Estonia. Tartu, 2013, 130 p.
10. **Tarmo Strenze.** Intelligence and socioeconomic success A study of correlations, causes and consequences. Tartu, 2015, 119 p.
11. **Mervi Raudsaar.** Developments of social entrepreneurship in Estonia. Tartu, 2016, 141 p.
12. **Ero Liivik.** Otsedemokraatia Eestis: õigussotsioloogilisi aspekte. Tartu, 2017, 166 p.
13. **Mai Beilmann.** Social Capital and Individualism – Collectivism at the Individual Level. Tartu, 2017, 145 p.
14. **Rainer Reile.** Self-rated health: assessment, social variance and association with mortality. Tartu, 2017, 123 p.