



Tackling Sexual Harassment

ACT UBUMBANO

Message From ACT Ubumbano/

ACT Ubumbano¹ is a network of over thirty southern African and European organisations² working jointly to confront economic, gender and environmental injustices by facilitating spaces for critical joint reflection and analysis and supporting innovative solidarity actions and collaborations.

ACT Ubumbano reflection-processes always start from the lived reality of those who are at the coalface of social justice struggles. The human rights violation that is sexual harassment is underpinned by unjust power relations and is, at its core, about the abuse of power. Sexual harassment is a challenge in faith communities too, as places of work.

1. <https://www.actubumbano.org>

2. This includes Act Church of Sweden, Brot fuer die Welt and Christian Aid. Southern African members include ACT Alliance members and a wider group of civil society organisations.

It is fundamental to make communities of faith safe for staff and congregants, so that they may enjoy their basic rights to integrity, dignity and equity. The reflections of ACT Ubumbano member organisations and participating communities confirmed that urgent efforts are needed to create safe faith spaces.

The recent #TheTotalShutdown and #MeToo campaigns disrupted the normalisation of violence against women, allowing women to shape the narrative and build solidarity across race, class and geographical locations. Young people have led this shift against the oppressive culture of patriarchy. Faith-based organisations (FBOs) have also been impacted by these movements and have raised questions about the systems that are, or are not, in place to respond to sexual harassment.

ACT Ubumbano has been working with FBOs to challenge the prevailing culture of sexual harassment in faith spaces. One of the key decisions from this process was to produce a guide to help faith institutions deal effectively with sexual harassment in a way that affirms the humanity and dignity of all, regardless of gender or sexual orientation, and that supports the struggle against gender inequality and discrimination.

As a network associated with the global ACT Alliance³, we are called to work against all forms of gender inequality, discrimination and violence. This includes saying “no” – both in word and in deed – to sexual harassment. We hope this booklet assists in answering that call.

3. ACT Alliance is a 155-member coalition of Protestant and Orthodox churches and church-related organisations engaged in humanitarian, development and advocacy work (<https://actalliance.org>).

NO to sexual harassment, YES to acting against it/

This booklet is intended to help ACT Ubumbano and its partners to better understand and actively tackle sexual harassment in the workplace and in the wider faith community. It gives readers information on what sexual harassment is, the social dynamics that drive it, and how it impacts individuals and organisations. The booklet provides practical ways for faith-based organisations (FBOs) to actively address sexual harassment. It is also a resource for self-reflection on personal and organisational roles in tackling sexual harassment, and provides a list of resources for further reading and support. The booklet is structured in four parts.

This publication is authored by Melanie Judge for ACT Ubumbano.

It is informed by a series of consultations and trainings involving gender activists and partner organisations. Their contributions and inputs are acknowledged and appreciated.



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Definitions & Dynamics /

Understanding what sexual harassment is, what drives it, and its impacts



"Sexual harassment is not simply abusive, humiliating, oppressive and exploitative but also a form of discrimination in employment, to be treated with the same disdain as other forms of discrimination, such as racism."⁴

4. Sexual Harassment and the Amended Code of Good Practice on the Handling of Sexual Harassment in South Africa, Naylor, N., & O'Sullivan, M., Women's Legal Centre, 2010, p5.

What is sexual harassment?

Sexual harassment is unwelcome, unwanted and inappropriate conduct of a sexual nature that causes a person to feel discomfort, offence, humiliation and/or intimidation. It is a form of unfair discrimination that violates fundamental human rights, including the rights to equality, human dignity, privacy, security of the person, and fair labour practice.

Sexual harassment can be physical, verbal, and/or non-verbal behaviour.

- Verbal harassment includes whistling or cat calls; making sexual comments, innuendos or jokes; turning work discussions toward sexual topics; or repeatedly asking out a person who is not

interested.

- Non-verbal harassment includes sharing sexually suggestive or explicit material; notes or emails of a sexual nature; or making sexual gestures.
- Physical harassment includes touching a person's clothing, hair, or body; hugging, kissing, patting, or stroking.

Sexual harassment can be a single incident or a series of incidents over time. It can also take different forms, such as:

- unwanted sexual attention: romantic or sexual advances that are unwelcome, unreciprocated, and/or offensive
- gender harassment: expressions of hostile, insulting, and/or degrading attitudes about women
- sexual pressure: job-related threats or bribes to establish a sexual relationship
- quid-pro-quo harassment: attempts to influence another person's employment circumstances by forcing them to submit to sexual advances in exchange for



workplace benefits

- sexual favouritism: when a person in a position of authority rewards those who respond to their sexual advances and/or punishes those who do not
- attempted or actual sexual assault or rape.

Sexual harassment is determined from the viewpoint of the victim, not the harasser. This is because the recipient of the behaviour is best placed to say if it was unwelcome, unwanted or inappropriate. The intention of the perpetrator (i.e. whether or not they meant to sexually harass someone) is not relevant to determining whether a particular behaviour is harassment.

The dynamics of sexual harassment

Sexual harassment does not occur in a vacuum. It may take place between two people, but it is driven by social dynamics of power and gender.

Gender inequality. Sexual harassment occurs in many social spaces and institutions. It happens most often when there is an

unequal power relation between two individuals, such as a man and a woman. In a patriarchal society such as ours, the status of men and women is not equal. Men hold more social, economic, political and sexual power than women. This influences how women and men relate to one another. Sexual harassment is a result of this gender inequality and is a form of gender-based discrimination and violence.

Abuse of Power. Sexual harassment happens when one person (the perpetrator) abuses the power that they have over another person (the survivor or victim). Perpetrators may have power over their victims because of differences in gender, race, sexuality, position of authority, age, or a combination of these factors. Anyone can be a victim of sexual harassment, whatever their sex, gender, or sexual orientation. When power abuse occurs in institutions of faith, it may be “justified” by abusing the authority of scripture through particular interpretations of Bible passages.

Because of the gender inequality in society, most sexual harassment is experienced by women and perpetrated by men. Some

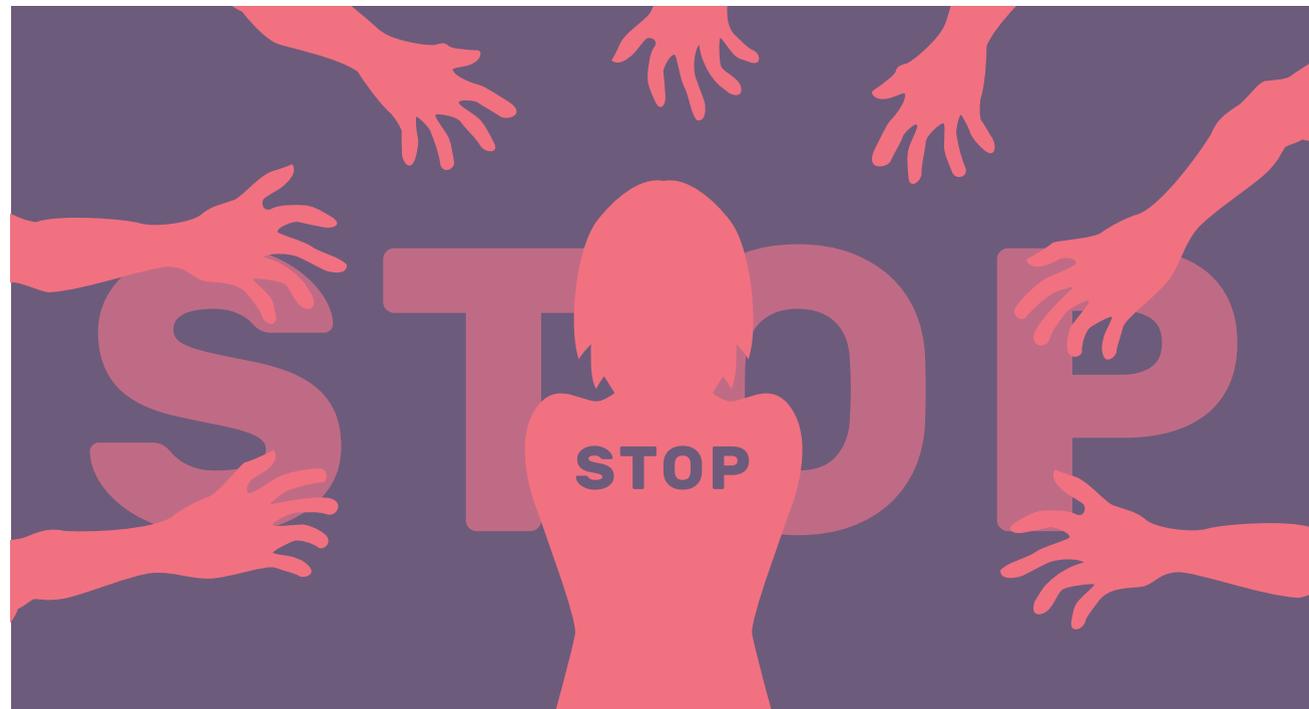
men do experience harassment (e.g. gay men or men with less power) – this, too, is an abuse of power. Lesbian, gay, bisexual, transgender and intersex (LGBTI) people are also vulnerable to sexual harassment because they don’t conform to sexual and gender norms and prescriptions.

Socialisation and Normalisation. We live in a society where gender discrimination is normalised and many people accept it as “just the way things are”. It seems “normal” for men to make sexual comments and advances towards women, and it is generally believed that they are entitled to do so. But no one should ever assume that

someone else wants their sexual advances. These attitudes are changing, thanks to gender-rights activism and, more recently, to the #MeToo and #TheTotalShutdown movements.⁵ Now more than ever, people are questioning and challenging the gender norms and practices that make sexual harassment so common.

Disregard of Consent. Consent is when someone clearly and voluntarily agrees

5. For more about the #MeToo movement that supports survivors and seeks to end sexual violence, go to <https://metoomvmt.org>. For more about the South African #TotalShutdown Intersectional Womxn’s Movement Against Gender-Based Violence, go to <https://www.facebook.com/WomenProtestSA/>



to do something or gives permission for something to happen, and fully understands the consequences of their decision. When someone is forced or manipulated into accepting the unwanted actions of another person, there is no consent.

In certain circumstances, due to unequal power dynamics, it may not be possible for someone to say “no” or withhold consent. Women in the workplace may find it difficult to refuse sexual advances because they fear being victimised, blamed, or losing their job. Women living under patriarchal (or racialised or class-based) social norms may also feel unable or unentitled to withhold consent. Women have the right to choose whether, when, where, and with whom to have sexual relationships. Sexual harassment violates this right.

Underreporting. Many victims do not report sexual harassment. They are not always aware that what has happened is wrong or that they have a right to speak out. They often fear rejection, blame or judgment if they do come forward. But, as with rape, not making a formal report doesn’t mean it didn’t happen. It is because

sexual harassment is so rife that people often don’t report. Why risk the consequences of reporting if they don’t believe that justice will be done?

Sexual harassment in the workplace

Sexual harassment is also considered an unfair labour practice because it violates labour laws. Some countries have specific laws and codes to deal with sexual harassment⁶, but it can also be challenged through laws against gender discrimination and gender-based violence. These legal instruments are intended to protect and provide redress to individuals who have experienced sexual harassment and to promote equal opportunity and fair treatment in employment.

Sexual harassment in a place of work

- violates the victim’s right to equality, human dignity, privacy

6. In South Africa, the primary legal instruments are the Labour Relations Act (1995), the Employment Equity Act (1998), and the 2005 Amendments to the Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace.

and security

- threatens their career, livelihood and wellbeing
- undermines the integrity of the employment relationship
- creates a tense or hostile work environment.

The experience of being harassed has many impacts. Victims may be left feeling exposed, vulnerable and disempowered, while a hostile work environment can negatively affect all employees’ ability to do their jobs and to feel safe and secure.

People who are sexually harassed often feel shame and guilt for what has been done to them. Other impacts include

- psychological and physical stress and trauma
- humiliation, embarrassment and self-blame
- withdrawal from or feelings of insecurity with their partners, family members and community
- reduced job satisfaction and productivity
- increased vulnerability and fear of further harassment.

Stigma, discrimination and silence can worsen the effects of sexual harassment, but victims are frequently unable to speak out because they are afraid of losing future job opportunities rejection by co-workers being seen as a “trouble-maker” being labelled “over-sensitive” or “unstable” not being believed being blamed being victimised or retaliated against if they report the incident.

What drives sexual harassment in FBOs?

Sexual harassment is a reality in faith-based organisations and the communities where they work. Faith can be practised in ways that challenge injustices (such as sexual harassment) or in ways that promote it. The following characteristics of FBOs can enable sexual harassment to happen and to continue unchallenged.

Access to Vulnerable Communities. Where FBOs operate in communities that are marked by poverty, unemployment and other forms of marginalisation, community members may be vulnerable to sexual exploitation by more powerful FBO members.

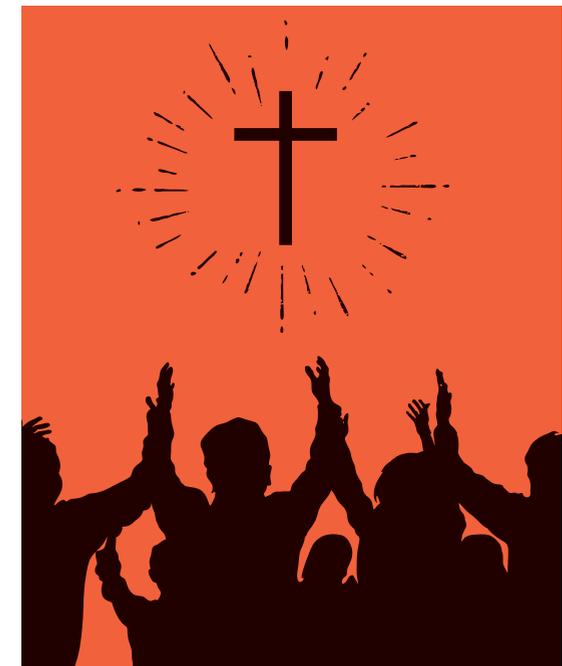
Theological Justification. Certain interpretations of the Bible can promote gender inequality and discrimination: for example, the idea that women should be submissive to men (including sexually).

Patriarchal Norms and Structures. In faith-based communities, as elsewhere, patriarchal norms and structures that constrain women’s roles and independence breed an enabling environment for sexual harassment. Oppressive masculinity that assumes, for example, men’s superior position over women or that homosexuality is “unnatural” and sinful, can also foster abusive behaviour towards women and LGBTI people.

Strict Hierarchy. Hierarchical faith structures create power imbalances between those who are at the top (e.g. leaders) and those at the bottom (e.g. beneficiaries of FBO services). Those who have less power can be silenced and excluded when they face sexual harassment and other forms of power abuse, especially when those at the top are the perpetrators.

Lack of Accountability. In like manner, it is hard to challenge church leaders if the authority of their position makes their behaviour unquestionable and unaccountable to others. Women church leaders may also protect powerful men to secure their own position within the church. Stigma.

Religious and cultural messages that silence issues of sex and gender-based violence also create a stigma against recognising and naming harassment and power abuse. It is often difficult to talk openly about these issues in faith settings, and more so if people do not have the appropriate information and language to do so.



What Your Organisation Can Do/

Practical actions to deal with sexual harassment in the workplace and in faith settings

action to be taken. The policy should apply equally to all employees (such as pastors and fieldworkers) and non-employees (such as congregants or recipients of FBO services), regardless of their level or status in the organisation or the community. The complaints process should be accessible, fair, confidential and speedy.

Some guiding principles for a workplace policy are

- to recognise that an organisation is a microcosm of a society where gender discrimination and power abuse are widespread
- to provide a safe working environment, free from sexual harassment and sexual violence
- to adopt a zero-tolerance approach to sexual harassment so that it is neither allowed, enabled nor condoned
- to take a victim-centred approach that facilitates the reporting of sexual harassment, and that gives the highest level of protection, support and care to the person making the complaint (the “complainant”)

sexual harassment and other abuses of power. Thus, they have a duty to prevent sexual harassment and abuse, and to hold those responsible to account. This duty of care includes upholding and protecting the rights and safety of their employees and extends to members of the communities in which the organisation is involved.

Here are some practical ways that your organisation can fulfil its duty of care by tackling sexual harassment and the social dynamics that drive it.

1. Establish a workplace policy

A workplace policy on sexual harassment sets out the internal steps for a complaint to be reported and investigated, and for

Faith-based organisations have a responsibility to protect the vulnerable, to act against injustice, and to give care and support to those who have been abused. FBOs are also powerful shapers of social norms and attitudes about

- model appropriate relations with others, especially with regard to gender and power
- speak out against sexual harassment and the dynamics that enable it
- educate the organisation about sexual harassment and everyone's right to work in a harassment-free environment
- be aware of sexually-harassing behaviours and take a stand against them
- make sure that corrective action is taken when sexual harassment does occur.

Leaders should use their authority to ensure that the organisation

- combats sexual harassment in both policy and practice
- provides supportive and protective measures to those who report sexual harassment
- handles complaints sensitively, promptly, confidentially and effectively.

5. Build an inclusive, non-discriminatory organisational culture

The organisational culture of a faith-based organisation should respect and secure the dignity of all people. An inclusive non-discriminatory culture can significantly reduce the risk of sexual harassment and other forms of harm. To build this, an FBO can

- promote and maintain a working environment in which personal dignity is respected and safety is protected
- conduct its work in a manner that safeguards all those within its duty of care, particularly those who are vulnerable
- set standards for an inclusive work culture in which people feel safe and welcome
- challenge roles, attitudes and behaviours that perpetuate abuses of power, gender inequality, and other forms of discrimination

- when sexual harassment does happen, empower individuals to report their experiences through policies and procedures that have meaningful consequences.

6. Increase knowledge and awareness

Education and awareness-raising can help break the secrecy and silence that often surrounds sexual harassment, and can help identify organisational factors that might foster its occurrence. Here are some actions to increase knowledge and awareness in your place of work:

- train the organisation's leadership on gender, power abuse and sexual harassment
- hold training and information sessions across all levels of the organisation
- create and popularise an internal sexual-harassment policy so that everyone knows the organisation takes sexual harassment seriously and knows what to do if it occurs

- find out how people experience the workplace culture (e.g. through surveys and complaint/suggestion boxes), and respond to that feedback
- host public anti-harassment campaigns.

7. Offer support and empowerment

Employees, congregants and members of the community should be empowered to know their rights, and to know where to go when those rights are violated. Those who face abuse may need particular forms (psychological, legal, spiritual, etc.) of support.



What You Can Do /

Self-reflection and guiding questions to direct positive change

Other guiding questions can help identify gaps and opportunities in your organisation's response, concerning:

- **Policies and code of conduct**

- Does the organisation have a sexual harassment policy with a code of conduct? Does it apply equally to all employees, faith leaders, congregants and community members? Is the policy victim-centred?
- Does the organisation have processes to safeguard its members, beneficiaries and fieldworkers from abuses of power?

- **Leadership**

- What kind of leadership is needed to champion the issue of sexual harassment at all levels of the organisation?
- Which leaders in the organisation are already committed to acting against abuse?

it affects the victim and the people around them?

- If I am sexually harassed, do I know where to go and what to do?
- Do I feel comfortable talking about gender inequality, power abuse and sexual harassment? Why, or why not?
- Am I able to start a conversation about tackling sexual harassment in my organisation? What/who are the supports and barriers to having this conversation?
- What expertise and resources can I draw on to strengthen how my organisation attends to gender rights and sexual harassment?
- Who are the allies I can approach to address sexual harassment more proactively?
- What support do I need to be a role model on this issue?



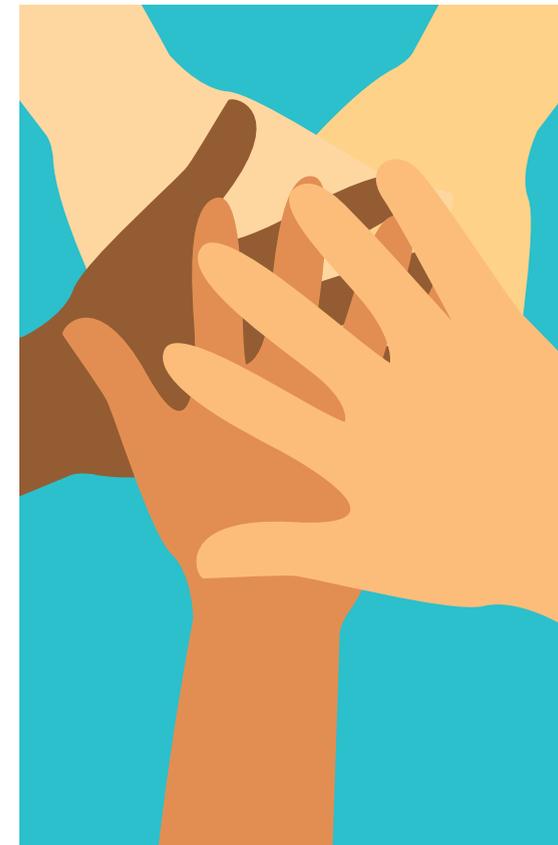
When acting against sexual harassment in an organisation, it is helpful to reflect on one's own experiences, behaviours and attitudes. Here are some questions that might assist.

- Do I understand what behaviours could be experienced as sexual harassment?
- Do I know what sexual harassment means, what it looks like, and how

- How can those in leadership protect those with less power from being abused or treated unfairly?
- Does your organisation hold powerful leaders accountable to certain standards of behaviour?
- **Organisational culture**
 - Describe your organisation's work culture. Is it strongly hierarchical? Can people speak freely? Is it a safe environment for women and for LGBTI people?
 - Are people able to openly discuss sexual harassment at your organisation?
 - Are there structures in place to respond to sexual harassment complaints? Are these structures working? Are they victim-centred?

- Is there space to challenge power abuse in your organisation? How can that space be created? What prevents that space?
- How can equality between men and women be promoted within your organisation?
- **Awareness**
 - Do people in the organisation understand what sexual harassment is?
 - What kind of training and awareness-building is needed on issues of gender and power abuse?
 - What experts and resources can you draw on for education and training about sexual harassment?

- **Support for victims**
 - Does your organisation provide support (legal, psychological, spiritual, etc.) to those who are victims of power abuse?
 - What are the barriers, particularly for women, to reporting sexual harassment? How can these barriers be addressed?



Where To Go For More Information/

Additional Resources



Sources used to develop this booklet

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Sexual Harassment in the Workplace, Women's Legal Centre, May/June Newsletter, 2018. Available at <http://www.wlce.co.za/may-june-newsletter/>

Subtle Sexual Harassment: "The Issue is Respect", Facilitator's Guide, Quality Media Resources, n.d. Available at http://qmr.com/products/subtle_harassment/docs/SSHGuide.pdf

Also, the sexual harassment policies of several civil society organisations.

Additional resources

A Simplified Guide to the Protection from Harassment Act, Women's Legal Centre, 2015. Available at <http://wlce.co.za/wp-content/uploads/2017/02/Protection-from-Harassment-Act-Booklet.pdf>

Church Resource Manual on Sexual Gender-based Violence: Contextual Bible Studies to Transform Our Response to Sexual Gender-based Violence, UNFPA, 2018. Available at <https://genderjustice.org.za/publication/church-resource-manual-sexual-gender-based-violence/>

Consent: It's as Simple as Tea (video), May, E., Blue Seat Studios, 2015. Available at <https://www.youtube.com/watch?v=oQbei5JGiT8>

SGBV [Sexual and Gender-based Violence] Prevention and Response: Training Package, UN Refugee Agency, 2016. Available at <https://www.unhcr.org/583577ed4.pdf>

Shukumisa Coalition, 60+ organisations across South Africa working against sexual violence, for resource materials on sexual violence. <https://shukumisa.org.za>

Tshisimani Centre for Activist Education, for resource materials on gender, power and consent. <http://tshisimani.org.za>

Ujamaa Centre (University of KwaZulu-Natal), biblical and theological resources on individual and social transformation. <http://ujamaa.ukzn.ac.za/homepage.aspx>

We Will Speak Out, a global coalition of Christian-based NGOs, churches and organisations working to end sexual violence, for factsheets on sexual violence. <http://www.wewillspeakout.org/resources/>



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