

# ANNALES

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*Annali di Studi istriani e mediterraneei*  
*Annals for Istrian and Mediterranean Studies*  
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## GENDER REGIMES IN SLOVENIAN ACADEMIC FIELD: DEFINING SEXUAL HARASSMENT AND VIOLENCE IN INTERNAL REGULATIONS

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### ABSTRACT

*Sexual harassment and other forms of sexual violence are widespread social phenomena, and thus also present in academic field. To examine how the gender regimes of Slovenian academic institutions are reflected in their internal regulations regarding sexual harassment and other forms of sexual violence, we analyse them in this paper. We find that public higher education institutions, notably the University of Ljubljana and its Faculty of Arts, regulate this area more comprehensively than private higher education institutions and public research institutes. In general, our analysis reveals that while some Slovenian academic institutions maintain a male-dominated gender regime, others actively work to deconstruct it.*

**Keywords:** sexual harassment, sexual violence, gender regime, academic field, internal regulations, content analysis, Slovenia

## REGIMI DI GENERE NEL CAMPO ACCADEMICO SLOVENO: DEFINIRE LE MOLESTIE SESSUALI E LA VIOLENZA NEI REGOLAMENTI INTERNI

### SINTESI

*Le molestie sessuali e altre forme di violenza sessuale sono fenomeni sociali diffusi, e quindi presenti anche in ambito accademico. Per esaminare come i regimi di genere delle istituzioni accademiche slovene si riflettono nei loro regolamenti interni in materia di molestie sessuali e altre forme di violenza sessuale, li analizziamo in questo articolo. Risulta che le istituzioni pubbliche di istruzione superiore, in particolare l'Università di Lubiana e la sua Facoltà di Lettere, regolano questo settore in modo più completo rispetto alle istituzioni private di istruzione superiore e agli istituti di ricerca pubblici. In generale, la nostra analisi rivela che mentre alcune istituzioni accademiche slovene mantengono un regime di genere dominato dagli uomini, altre lavorano attivamente per decostruirlo.*

**Parole chiave:** molestie sessuali, violenza sessuale, regime di genere, campo accademico, regolamenti interni, analisi del contenuto, Slovenia

INTRODUCTION<sup>1</sup>

Sexual harassment and other forms of sexual violence are a pervasive and concerning social phenomenon (FRA, 2014). They are encountered in numerous professions and work environments, including academic field (e.g., Bizjak et al., 2020; Bondestam & Lundqvist, 2020; Brook, 2019; Johnson et al., 2018; Revolt Sexual Assault, 2018; Rosenthal et al., 2016). In academic field, both formal and informal social norms reflect and reinforce the existing gender order, social power structures, and gender socialization (Antić Gaber, 2018; Coate & Kandiko Howson, 2016; Fotaki, 2013), and thus as a result of the prevailing male-dominated nature of society, there are notably unequal gender relations and a predominance of men in positions of power (Antić Gaber, 2018; Jogan, 2007; Kruse, 2022; O'Connor, 2018; Podreka, 2019). Due to these prevalent male-dominated structures, sexual harassment and other forms of sexual violence in academic field, as in other areas of society, disproportionately harm women (Bondestam & Lundqvist, 2020; Hoebel, 2022; Podreka & Antić Gaber, 2019). This, however, does not imply that women never commit acts of violence. Nor does it imply that men are never victims. It does however indicate that the vast majority of perpetrators are men, and particularly men in positions of social power and influence, and that the majority of victims are women (Morgan & Long, 2018; Price, 2005).

The extent to which sexual harassment and other forms of sexual violence are accepted and even supported within academic field, or conversely, seen as a pressing societal issue necessitating sanctions and zero tolerance, is predominantly contingent upon the prevailing institutional culture. This culture, which reflects both the formal legal norms enshrined in the internal regulations<sup>2</sup> of academic institutions, and informal social norms, can either tolerate sexual harassment and other forms of sexual violence or foster a vigorous opposition to it. In other words, attitudes towards these issues and the institution's perception of their gravity have a direct impact on the treatment and protection of victims, as well as the efficacy of efforts to prevent these forms of violence (Gialopsos, 2017; Johnson et al., 2018). Specifically, institutions that perceive violence as undesirable, unacceptable, and reprehensible behaviour tend to have lower occurrences of sexual harassment and other forms of sexual violence (Moore & Mennicke, 2019).

Examining the characteristics of sexual harassment and other forms of sexual violence is particularly important in the context of the related policies of academic institutions, as accurate definitions of these play a pivotal role in fostering a secure environment in academic and research institutions. This is because clear definitions enable the identification and prevention of acts of violence, thereby protecting students, professors, staff, and researchers from physical, psychological, and emotional harm (Bull & Rye, 2018).

Given the significant differences in the structural organization of higher education across national contexts, it is more appropriate to examine the definitions of sexual harassment and other forms of sexual violence in the internal regulations that apply in each national context separately (Bondestam & Lundqvist, 2020; Joseph, 2015). The focal context of the current work is Slovenia, where the academic world is characterized by, on the one hand, the persistence of male-dominated structures (Jogan, 2007; Antić Gaber, 2018) and, on the other hand, by significant institutional shifts that are challenging these (cf. FA UL Guidelines, 2021). Due to these dynamics, we consider it a pertinent and interesting subject of analysis, which is why we devote our attention to it in this article. Specifically, we are interested in how sexual harassment and other forms of sexual violence are defined in the internal regulations (e.g., regulations, protocols, guidelines) of Slovenian public and private higher education institutions and public research institutes.

To answer this question, we will first introduce the concept of "gender regime" (Connell, 1995) as the fundamental theoretical framework that will underpin our examination of definitions of sexual harassment and other forms of sexual violence in the internal regulations of Slovenian academic institutions. We will also consider sociological definitions of sexual harassment and other forms of sexual violence in order to assess their alignment with the legal definitions found in the related documents of Slovenian academic institutions. The research questions, sample, and methods of data collection and analysis upon which the main body of the article's analysis are based are then explained. Finally, the discussion section of the article reflects on the main findings of our study.

1 The article was produced as part of the targeted research project "Institutional, legislative and awareness-raising solutions and activities in addressing sexual harassment and other forms of sexual violence in higher education and research organisations in Slovenia" (V5-2112, 2021–2023), funded by the Slovenian Research Agency and Ministry of Education, Science, and Sports, and as part of the research programme "Problems of Autonomy and Identities at the Time of Globalisation" (P6-0194, 2019–2027), funded by the Slovenian Research Agency. Moreover, one of the authors of this paper contributed to the FA UL Guidelines (2021). However, this prior involvement did not influence the objective and unbiased analysis of the internal regulations examined in this article.

2 In our text, we refer to "internal regulations" as encompassing all "official" documents (e.g., regulations, protocols) adopted by the institution and grounded in legal provisions. Furthermore, this term includes other documents used within academic institutions that are not legally binding, such as "guidelines", which serve as supplementary documents to the "official" ones.

## ACADEMIC INSTITUTIONS' GENDER REGIMES IN A MALE-DOMINATED SOCIETY

In building the theoretical framework for analysing the definitions of sexual harassment and other forms of sexual violence in Slovenian academic institutions' policies, it is essential to consider that our focus is on institutions that are characterized by "male dominance" (Bourdieu, 2001). In other words, institutions in society, including academic institutions, establish their own gender regimes that are consistent with the societal gender order. If society has a male-dominated gender order, it is likely that the gender regimes of the institutions in that society are also distinctly male-dominated (Connell, 1995). The institutions in society are thus not isolated entities, and do not operate independently, but are embedded in the prevailing social relations (Douglas, 1986).

In general, the concept of gender regime refers to the social, cultural, legal, and institutional structures that determine the established understanding of gender roles. It affects various aspects of individuals' lives, including access to opportunities, rights, and resources. It also encompasses the ways in which institutions either uphold traditional hierarchies and gender stereotypes or challenge them (Aaltio & Mills, 2002; Antić Gaber, 2012; Connell, 1995; Maharaj, 1995).

The gender regime present within a particular institution is reflected at both at the organizational level (who holds certain roles within the institution) and at the institutional culture level. The latter is determined by formal and informal social norms that influence communication patterns, decision-making processes, and the behaviours of individuals within a particular institution (Berger & Luckmann, 1991). Formal social norms are written rules established by institutions to govern behaviour. They usually have a legal basis and exist within a larger legal and policy framework. Informal social norms, on the other hand, are unwritten, implicit, and often unspoken rules. They evolve over time through interpersonal interactions and observations of how individuals conduct themselves in particular situations. Although informal social norms are not supported by explicitly written rules and regulations, they have a significant impact on behaviour because they reflect the shared values, beliefs, and customs of the people within a particular institution. Consequently, formal social norms can serve as the foundation for the development of informal social norms. When institutions establish formal rules and regulations, they also set informal expectations regarding behaviour and conduct within those institutions. Over time, these informal expectations can become embedded in institutional culture (Fiori, 2018). For instance, if an academic institution adopts a document to prevent sexual harassment and other forms of sexual violence, actively promotes a zero-tolerance policy, and takes appropriate preventive measures, its employees are also more likely to recognize, respond to, and prevent these

forms of violence at the informal level (Joubert *et al.*, 2011; Schulze & Budd, 2020; Suhovršnik, 2022).

The dynamics between formal and informal social norms within a social institution should be understood in the context of the gender regime present in that institution. We thus believe it is essential to grasp the relationship between formal and informal norms through Acker's theory of gendered institutions (1990; 1992), which highlights not only the institutional dimensions and structures but also the role of individuals in maintaining these gender norms. Gender is inherent to individuals, and through gender, power relations are established at the institutional level.

Moreover, due to the significant impact that formal social norms have on the informal relational dynamics between individuals within a certain institution, it is crucial to examine internal regulations that reflect these formal norms. By analysing the documents which reflect these policies, we gain direct insight into the institutional culture and can ascertain the institution's gender regime's unique characteristics. In our case, the way that sexual harassment and other forms of sexual violence are formally defined in particular academic institutions' documents reveals not only the formal stance, on these issues but also implies an informal understanding of these phenomena as well as gender power dynamics within this institution. As such, our assumption in this case is: if a particular academic institution addresses sexual harassment and other forms of sexual violence with special concern, comprehensively, and in accordance with existing sociological knowledge, we can presuppose that the institution is devoted to this area and approaches it seriously. Consequently, it can be assumed that the institution's male-dominated gender regime is being challenged, as addressing sexual harassment and violence invariably challenges unequal gender power relations, entrenched hierarchies, and power imbalances. In contrast, institutional blindness, neglect, inadequate regulation, and the presence of documents with incomplete and undeveloped definitions suggest that sexual harassment and violence are either not acknowledged or not recognized by decision-makers as significant problems. In this case, we can assume that male-dominated structures persist and remain unchallenged because reflection on unequal gender power relations and the problematization of male-centric structures are either absent, not prioritized, or applied inadequately.

To avoid potential conceptual misunderstandings, we emphasize that internal regulations related to sexual harassment and violence are just one of many dimensions reflecting the structure of gender regimes in academic institutions. We do not claim that these definitions alone constitute the gender regimes, as gender equality regimes are influenced by numerous factors. More specifically, the concept of a gender regime encompasses the entirety of gender structures, gender relations, and gender-defined institutions, representing a broad framework. Nevertheless, in this article we assert that examining the definitions of sexual harassment and violence is a significant indicator

of the structure of a given institution's gender regime, as addressing sexual harassment and violence invariably involves considering broader issues of unequal gender power relations. Whenever institutions define sexual harassment and violence or address this topic, they inevitably confront these broader gender power dynamics. Therefore, following the broader conceptual framework of a "gender regime" makes sense when addressing narrower issues such as the definitions of sexual harassment and violence in academic institutions' documents. As demonstrated in this study and many others, the scope and adequacy of these definitions have broader implications for the entire gender regime of a particular institution.

Moreover, when examining academic institutions' gender regimes, it is essential to consider that gender regimes and gender order are not static entities. As previously explained by Acker (1990; 1992), these continuously evolve and change as a result of the individuals' agency in both maintaining and challenging male-dominated social structures. In this concrete situation it should be noted that these institutions were for centuries male dominated, as it was men who established them, structured them, and provided their internal legislation, which thus primarily served men, their interests and expectations. These institutions naturally evolved over time, although even after the development of mass education and women's greater presence in academic field their internal (power) structures and regulations were slow to change. As such, although the proportion of women in academic field has increased over time and women have overcome numerous challenges and broken through the "glass ceiling" to gain access to crucial positions in many institutions, the majority of these powerful roles continue to be occupied by men (Kruse, 2022; O'Connor, 2018).

It is important to highlight in this context that the individual's position in society (and in a particular institution) is undeniably determined by the prevailing social structures. However, an individual (or group of individuals) is not merely a passive entity within these structures, but can also be an active agent with the capacity to influence these structures through social activism. Therefore, particularly significant changes in gender regimes and gender orders have taken place as a result of social struggles aimed at gender equality and the dismantling of male-dominated structures (Antić Gaber, 2012; 2018). Notwithstanding the strength and rigidity of these institutions, and thus how slow such changes can be, we must not underestimate the potential and power of the agents of change that exist both inside and outside them. Accordingly, Connell (1995) emphasizes the significance of efforts to alter institutions' male-dominated structures. When one institution undergoes change, it can potentially disrupt the gender regime not only within that institution but also in others, especially when these institutions shape the same social field, such as academic field. And this is especially the case in terms of relatively newly recognized social phenomena, such as sexual harassment and sexual violence.

Finally, it is essential to recognize that academic institutions are not organizationally and operationally uniform when studying their gender regimes through the policies regulating sexual harassment and violence. They vary based on whether they are higher education institutions or research institutes, and whether they are public or private. These specifics must be considered when examining how sexual harassment and violence are defined in the documents of academic institutions, as each type has its own unique characteristics and operational frameworks. For instance, higher education institutions often encompass a diverse population, including undergraduate and graduate students, faculty, and administrative staff. This diversity can create complex power dynamics and varied experiences with regard to sexual harassment and violence. Therefore, policies in these institutions need to address the vulnerabilities and interactions among students and staff, requiring comprehensive and specific regulations. Conversely, research institutes are primarily composed of professional researchers and support staff, which can result in peer-to-peer sexual harassment and violence. Moreover, public institutions, whether higher education or research institutes, operate under governmental regulations and public scrutiny, influencing the development and implementation of their policies. Due to regulatory requirements and public accountability, they may have more robust policies. In contrast, private institutions might have greater flexibility in policy-making but could face different pressures, such as financial constraints or organizational culture, impacting their approach to addressing sexual harassment and violence. Additionally, they are less subject to public scrutiny in Slovenia. Given these differences, we are convinced that the type of academic institution significantly affects the nature of its internal regulations on sexual harassment and violence. Therefore, we have considered the organizational specifics of academic institutions in both data collection, as outlined in the methodological section, and in the presentation of results, which we have categorized according to the type of institution.

#### SOCIOLOGICAL DEFINITIONS OF SEXUAL HARASSMENT AND OTHER FORMS OF SEXUAL VIOLENCE IN ACADEMIC FIELD

To conduct a comprehensive analysis of internal regulations addressing sexual harassment and other forms of sexual violence, it is essential to establish adequate sociological definitions of these phenomena. Therefore, in this section we introduce the concepts of "sexual violence" and "sexual harassment". We consider them in the context of the workplace, not only in terms of the relationships between the employees of academic institutions, but also with respect to students, who constitute a substantial share of those present at such organizations. In addition to "sexual violence" and "sexual harassment", we also explain the more general terms of "violence" and "harassment", as well as more specific concepts like "gender-based violence" and "gender-based harassment".

Before turning to a comprehensive account of these concepts, let us first clarify the relationship between “harassment” and “violence” in legal terms. Harassment is generally defined as a non-criminal form of violence, as it is included in the Slovenian Criminal Code (2008) under offences against sexual integrity. However, even though harassment is considered in the Criminal Code (2008) as less “serious” in terms of legal offences, it can be equally detrimental to the victim’s well-being. In our study, we comprehend all forms of violence and harassment as problematic and acknowledge that they can have devastating consequences for individuals. Moreover, since perpetrators and victims may occupy unequal social positions, we also emphasize that all forms of violence entail the power abuse. Due to highly hierarchical academic field, it is of paramount importance to consider unequal social relations when examining sexual harassment and other forms of sexual violence (Antić Gaber, 2018; Podreka, 2017).

Drawing from these two sociological assumptions, we proceed to expound upon the notions of “violence”, “sexual violence”, “gender-based violence”, “harassment”, “sexual harassment”, and “gender-based harassment”.

#### **“Violence”, “Sexual Violence”, and “Gender-Based Violence”**

“Violence” encompasses one-time or repeated, deliberate, controlled, and premeditated acts that typically manifest as multiple forms of aggressive and manipulative behaviour, such as psychological, physical, sexual, economic, and other forms of abuse or harassment that are frequently intertwined. Additionally, violence embraces the propensity of an individual or group to abuse their position of power and control over others (Podreka, 2017).

“Sexual violence” is defined as any non-consensual sexual act perceived as coercive within a relationship, encompassing behaviors that interfere with an individual’s bodily integrity or restrict their autonomy over their own body. Coercion may include not only physical violence, but also psychological intimidation, blackmail, and other threats such as threats of physical injury, job loss, or restriction of desired employment. It can also occur when the victim or threatened individual is incapable of consenting, such as when they are under the influence of alcohol or narcotics, asleep, or mentally unable to comprehend the situation (Jansen, 2016; Podreka, 2017; Lesjak & Štirn, 2021). “Sexual violence” typically occurs in private and is frequently concealed and “invisible”, with just the perpetrator and victim present (Podreka, 2018).

The term “gender-based violence” refers to any violence directed at a person on the basis of their gender, gender identity, or gender expression (e.g., LGBTIQ+ individuals), or violence that disproportionately affects

persons of a particular gender and manifests in severe forms of harassment, torment, intimidation, and similar negative behaviours (EIGE, 2020; Leskinen *et al.*, 2015).

#### **“Harassment”, “Sexual Harassment”, and “Gender-Based Harassment”**

“Harassment” is a form of discrimination in which an individual is subjected to intrusive conduct because of their gender, sexual orientation, nationality, ethnicity, national origin, social background, skin colour, religious beliefs, etc. (Robnik *et al.*, 2019).

“Sexual harassment” is a specific form of violence that comprises at least three types of harassing behaviour: “gender-based harassment” (verbal and nonverbal behaviour that expresses hostility, objectification, exclusion, or second-class status based on gender, gender identity, or gender expression), “unwanted sexual attention” (unwanted verbal or physical advances that may include sexual assault), and “sexual coercion conditioning” (when job or academic performance is made contingent on gender-based demands) (Johnson *et al.*, 2018). A self-assessment of one’s position is one of the most essential criteria for determining whether a person is a victim of sexual harassment. Unwantedness is thus a crucial factor in determining whether certain conduct constitutes sexual harassment and where the line between acceptable and unacceptable behaviour is individually defined (Jogan, 2001). “Sexual harassment” and “gender-based harassment” involve not only sexual conduct directed at an individual, but also publicly expressed negative remarks about women (or men) as a social group (Robnik *et al.*, 2019).

#### **METHODS FOR DATA COLLECTION AND ANALYSIS**

Based on the theoretical foundations detailed in the preceding sections, our analysis of Slovenian academic institutions’ policies aims to answer the following two research questions:

RQ1: Which forms of sexual harassment and other forms of sexual violence are addressed in these documents?

RQ2: How do these documents define sexual harassment and other forms of sexual violence?

To address these research questions, we reached out to Slovenian public and private higher education institutions, public and private post-secondary tertiary education institutions, and public research institutes, requesting their internal regulations on the focal topic.<sup>3</sup> We also checked the accessibility of the documents on the official websites of these institutions.

<sup>3</sup> The list of public and private higher education institutions and public and private post-secondary education institutions was obtained from the website of the Slovenian Quality Assurance Agency for Higher Education (SQAA, 2021). The list of public research institutes was obtained from the website of the Ministry of Education, Science, and Sports (GOV.SI, 2021).

On October 21, 2021, we sent an email request for documents to the email addresses of 69 Slovenian academic institutions, allowing a two-week deadline for submission. After the initial two weeks, we resent the same request to those institutions that had not yet responded. As our analysis commenced at the beginning of the 2022 calendar year, we accepted additional submissions that arrived later. Ultimately, we received a total of 30 responses, representing nearly 50 percent response rate. We requested documents from: three public universities and 31 members of these universities (with 17 responses), 16 private higher education institutions (universities and post-secondary education institutions, with seven responses), three public short-cycle vocational education institutions (with two responses), and 16 public research institutes (with 4 responses). In total, we received 20 documents.<sup>4</sup> Based on the type of document, we received 15 regulations,<sup>5</sup> two guidelines,<sup>6</sup> and three ethical codes.<sup>7</sup> Based on the type of institution, we obtained 11 documents from public higher education institutions,<sup>8</sup> five documents from private higher education institutions,<sup>9</sup> and four documents from public research institutes.<sup>10</sup> All documents collected were included in the analysis, with the exception of the SFU Ethical Code (n.d.) and UM Ethical Code (2021), as they do not define sexual harassment and other forms of sexual violence. The total number of documents analysed was thus 18.<sup>11</sup>

The collected documents were analysed using content analysis (Krippendorff, 1980), an established method for systematically examining the content of different types of texts, including internal regulations. The primary objective of content analysis is to obtain insight into the construction of meaning in the texts being analysed.

Following our two research questions, the analysis of the academic institutions' policies was conducted in two stages. First, we examined which forms of violence and harassment appear in the analysed documents. The purpose of this level of analysis was to determine which forms of violence and harassment are prevalent and which are underrepresented and/or absent. Second, we examined in greater depth the definitions of identified forms of sexual harassment and sexual violence. In doing so, we were interested in how clearly the definitions were stated, as well as how narrowly

or widely they were specified. As explained above, we are interested in analysing the definitions of sexual harassment and other forms of sexual violence because if an academic institution addresses these issues comprehensively then we can assume that it is concerned about and approaches them seriously. Consequently, it can be assumed that addressing sexual harassment and violence challenges the institution's male-dominated gender regime by questioning unequal power relations and entrenched hierarchies. In contrast, institutional blindness, neglect, inadequate regulation, and incomplete documents suggest that sexual harassment and violence are not acknowledged or recognized as significant problems. As such, we can assume that male-dominated structures persist and remain unchallenged due to a lack of priority or inadequate reflection on unequal gender power relations.

The subsequent section presents the results of the analysis, categorized into two parts. Within each part, the findings are presented based on the institution type (public higher education institutions, private higher education institutions, public research institutes). We collected documents and present the analysis results by institution type, rather than by different definitions of key concepts or organizational methods (e.g., specific to sexual harassment or covering a range of issues such as ethical codes), because we are primarily interested in differences by institution type. As explained in the second section, distinctions between public vs. private and higher education institutions vs. research institutes suggest differences in funding, organization, and operational logic, which can influence their approach to sexual harassment and violence. Therefore, we present the results based on the type of institution and interpret the findings in the discussion with this context in mind.

## RESULTS OF ANALYSIS

### Occurrence of Sexual Harassment and Other Forms of Sexual Violence in Documents

All 11 documents obtained from public higher education institutions incorporate the terminologies "harassment",

4 The difference between the number of responses and the overall number of documents received is primarily attributable to members of the University of Ljubljana, who mostly use the UL Regulations (2022).

5 The regulations were sent by DOBA Business School (DOBA), Environmental Protection College (EPC), Faculty of Natural Sciences and Engineering (NTF), Faculty of Polymer Technology (FTPO), Institute of Contemporary History (INZ), International School for Social and Business Studies (ISSBS), National Institute of Biology (NIB), New University (NU), Regional Study Centre (RSC), School of Advanced Social Studies (SASS), Jožef Stefan Institute (JSI), University of Ljubljana (UL), University of Maribor (UM), University of Novo mesto (UNM), and University of Primorska (UPR).

6 The guidelines were sent by the Faculty of Arts (FA UL) and Sigmund Freud University Vienna – Ljubljana branch (SFU).

7 The ethical codes were sent by SFU, the Science and Research Centre Koper (ZRS Koper), and UM.

8 EPC Regulations (2013); FA UL Guidelines (2021); NTF Regulations (2012); NU Regulations (2012); RSC Regulations (2013); SASS Regulations (2013); UL Regulations (2022); UM Ethical Code (2021); UM Regulations (2015); UNM Regulations (2021); UPR Regulations (2009).

9 DOBA Regulations (2012); FTPO Regulations (2016); ISSBS Regulations (2013); SFU Ethical code (n.d.); SFU Guidelines and Protocol (n.d.).

10 INZ Regulations (2018); JSI Regulations (2021); NIB Regulations (2012); ZRS Koper Ethical Code (2020).

11 The data collection method and sample description are summarized on the research report by Antić Gaber *et al.* (2023), which provides a comprehensive analysis of various aspects of internal regulations of academic institutions on the topic of sexual harassment and other forms of sexual violence.

“sexual harassment”, and “mobbing”.<sup>12</sup> Notably, four of the 10 documents (EPC Regulations, 2013; FA UL Guidelines, 2021; SASS Regulations, 2013; UL Regulations, 2022) also include the term “violence”, while only the FA UL Guidelines (2021) define “sexual violence”. The UL Regulations (2022) additionally mention “discrimination”. Of these documents, the FA UL Guidelines (2021) encompass the most extensive range of violence-related terms, including “sexual violence”, “gender-based harassment”, “gender-based violence”, and “violence and harassment based on other identity characteristics”, in addition to the previously mentioned forms of violence. In contrast, the UM Regulations (2015) use the term “conflict situation” to cover various forms of violence and harassment, such as “sexual harassment”, “harassment”, “workplace harassment”, and “discrimination”.

In the context of private higher education institutions, “harassment” and “sexual harassment” are mentioned in two of the four documents (DOBA Regulations, 2012; ISSBS Regulations, 2013). The SFU Guidelines and Protocol (n.d.) address “harassment” and “sexual harassment” within the broader framework of “sexual integrity” rather than as separate issues. “Mobbing” is referenced in three out of four documents (DOBA Regulations, 2012; FTPO Regulations, 2016; ISSBS Regulations, 2013), while the terms “violence” and “sexual violence” are absent from all four documents of private higher education institutions.

Regarding public research institutes, “harassment” and “sexual harassment” appear in three of the four documents (INZ Regulations, 2018; JSI Regulations, 2021; ZRS Koper Ethical code, 2020). All four documents mention “mobbing”. Furthermore, the JSI Regulations (2021) highlight “third-party violence”, defined as workplace violence perpetrated by individuals other than co-workers. As with the documents from private higher education institutions, the terms “violence” and “sexual violence” are not found in those from public research institutes.

## Exploring Definitions of Sexual Harassment and Other Forms of Sexual Violence in Documents

### *Public Higher Education Institutions*

Public higher education institution documents typically define “harassment” as any recurring or systematic unwanted conduct based on various identity characteristics (e.g., gender, nationality, race, ethnicity, religion, disability, age, sexual orientation) that violates a person’s dignity or creates a hostile, intimidating, humiliating and/or offensive environment. Among these documents, the UL Regulations (2022) are particularly notable for their precise definition of “harassment” as “any unwanted intrusion into another person’s personal space without the use of force”

(2–3). Several documents also provide specific examples of “harassment”, including ridicule, humiliation, intimidation, slander, and blackmail, among other things (e.g., EPC Regulations, 2013; FA UL Guidelines, 2021; NTF Regulations, 2012; RSC Regulations, 2013; SASS Regulations, 2013; UL Regulations, 2022; UPR Regulations, 2009).

“Sexual harassment” is generally defined in public higher education institution documents as any unwanted verbal, nonverbal, or physical conduct or behaviour of a sexual nature that violates a person’s dignity, particularly when it involves the creation of an intimidating, hostile, degrading, humiliating, embarrassing, or offensive environment. The same public higher education institution documents that provide examples of “harassment” also include instances of “sexual harassment”, such as groping, unnecessary touching or shaking, rubbing against a person’s body, touching a person’s garments, hair, and so on. Moreover, FA UL Guidelines (2021) define “gender-based harassment” as the public expression of negative remarks about women or men as a social group.

In addition to “harassment” and “sexual harassment”, certain public higher education institution documents also define “violence” (EPC Regulations, 2013; FA UL Guidelines, 2021; SASS Regulations, 2013; UL Regulations, 2022) and “sexual violence” (FA UL Guidelines, 2021). The EPC Regulations (2013) and SASS Regulations (2013) define “violence” in broad terms, encompassing physical, sexual, psychological, and economic forms. In contrast to these two documents, the UL Regulations (2022) provide a more specific definition of “violence”, characterizing it as “any unacceptable intrusion upon the integrity of another through the use of physical or psychological force” (2). The UL Regulations (2022) define “violence” as the use of force, whereas “harassment” is the undesirable intrusion into the personal space of another person without the use of force. The latter document differentiates between sexual intercourse and other sexual acts involving coercion (and thus falling under the category “violence”) and sexual intercourse and other sexual acts involving neither coercion nor consent. In this manner, the UL Regulations (2022) reflect the “yes means yes” model, which is based on the principle that sexual intercourse and other sexual acts are only permissible with consent. However, the division of sexual acts into coercive acts and acts without consent, as outlined in the UL Regulations (2022), has no effect on the sanctioning of such acts, as they are treated according to their severity regardless of whether they were committed forcibly and/or without consent. The “yes means yes” model is also reflected in the NTF Regulations (2012), which states that the absence of consent is crucial for determining whether sexual harassment has occurred or not.

In contrast to the three aforementioned documents, the FA UL Guidelines (2021) define “violence” through the

12 As we are interested in various forms of violence and harassment, “mobbing” is also mentioned at this stage. As we are specifically concerned with sexual harassment and other forms of sexual violence, the next stage of our analysis does not include workplace mobbing. The same applies to the term “discrimination”, which refers to exclusion based on identity characteristics (such as gender, race, ethnicity, religion, nationality) and is not limited solely to sexual harassment and other forms of sexual violence.

sociological lens of the abuse of power: “We speak of violence when there is a conscious intention of an individual or group to abuse established power and control over others, involving deliberate, controlled, and premeditated acts, as well as when the abuse of established power and control is the outcome of actions, regardless of intentions or motives” (FA UL Guidelines, 2021, 6). Furthermore, the FA UL Guidelines (2021) define “sexual violence” as “different forms of sexual behaviour or practices to which a person is compelled against their will through the use of physical force, threats, coercion, or psychological manipulation” (FA UL Guidelines, 2021, 8).

The FA UL Guidelines (2021) stand out in the analysis of public higher education institution documents not only due to their comprehensive coverage of various forms of sexual violence and harassment in comparison to the other documents, but also by explicitly stating that instances of sexual harassment are generally not classified as criminal offences, whereas different forms of sexual assault, physical assault, and violence are indeed classified as criminal offences. In addition, the NTF Regulations (2012) are the sole internal regulation among UL members, while the rest refer to the UL Regulations (2022), underscoring NTF UL’s recognition of the importance of addressing this area with its own distinct set of regulations.

#### ***Private Higher Education Institutions***

The definitions of “harassment” and “sexual harassment” in the DOBA Regulations (2012) and ISSBS Regulations (2013) align with the standard definitions that are found in public higher education institution documents. Both documents also provide specific instances exemplifying these forms of violence. Moreover, in SFU Guidelines and Protocol (n.d.) “sexual harassment” is defined within the broader context of the criminal offences of “sexual integrity”, which involve acts of sexual, physical, and/or psychological violence and “encompass various forms of unwanted verbal, non-verbal, and physical attention with sexual content, such as unwanted sexual innuendo, persuasion for sexual activities, demands for sexual services, and all other forms of verbal, non-verbal, or physical harassment with sexual content” (SFU Guidelines and Protocol, n.d., 2). Specific examples of sexual harassment are also highlighted, including sending messages, photographs and videos with sexual content, coercing or forcibly engaging in sexual activity, demanding sexual services, and so on. In contrast, the FTPO Regulations (2016) solely address the issue of “mobbing”, and consequently do not provide an analysis of sexual harassment or violence.

#### ***Public Research Institutes***

Similar to private higher education institutions, the definitions of “harassment” and “sexual harassment” in the INZ Regulations (2018), JSI Regulations (2021), and ZRS Koper Ethical Code (2020) align with those found in public

higher education institution documents. Notably, none of these documents explicitly refer to specific instances of “harassment” or “sexual harassment”. As with the FTPO Regulations (2016), the analysis of the NIB Regulations (2012) was not conducted, as it solely addresses the issue of “mobbing”.

Among the documents pertaining to private higher education institutions, the INZ Regulations (2018) and JSI Regulations (2021) are particularly noteworthy. The INZ Regulations (2018) uniquely state that in the case of “sexual harassment” it is up to the individual to determine whether the act is offensive and constitutes sexual or other harassment or mistreatment in the workplace. The key factor is the individual’s perception of the behaviour as undesirable and unacceptable.

In addition to “harassment”, “sexual harassment”, and “mobbing”, the JSI Regulations (2021) include the category of “third-party violence”. This document is distinct in its inclusion of this form of violence, defined in the document as “any type of action against an employee that creates a hostile or threatening work environment and negatively affects the employee, either physically or psychologically. Perpetrators of violence can include visitors, clients, guests, and others, as well as external collaborators” (JSI Regulations, 2021, 5). This category encompasses both psychological and physical violence, as well as sexual violence.

#### **DISCUSSION**

For the first research question (RQ 1), we investigated the forms of sexual harassment and other sexual violence addressed in the internal regulations of academic institutions in Slovenia. Our analysis revealed that all public higher education institution documents address “harassment” and “sexual harassment”, but this is not the case for “violence” and “sexual violence”. The terms “harassment” and “sexual harassment” also appear in the documents of certain private higher education institutions and public research institutes; however, the terms “violence” and “sexual violence” are not explicitly defined as separate categories in these documents. Notably, the FA UL Guidelines (2021) stand out as encompassing the most comprehensive range of forms of sexual harassment and other forms of sexual violence among the documents analysed.

The second research question (RQ 2) focused on the definitions of sexual harassment and other forms of sexual violence in documents. In the majority of the documents analysed, “harassment” and “sexual harassment” are defined as repeated or systematic unwanted verbal, non-verbal, or physical behaviours, based on different identity characteristics, with the intent to violate a person’s dignity and create a hostile environment. Among the internal regulations analysed, the UL Regulations (2022) and FA UL Guidelines (2021) stand out for providing broader and more precise definitions of terms related to sexual harassment and other forms of sexual violence.

Comparing the definitions of sexual harassment and other forms of sexual violence with the sociological definitions presented in the third section of this article, we first observe that public higher education institution documents include both “violence” and “harassment”, indicating an awareness that all forms of violence are problematic. However, this distinction is not present in the case of documents from private higher education institutions and public research institutes. Notably, the FA UL Guidelines (2021) stand out among the examined documents for their exhaustive coverage of various forms of sexual violence and harassment, for instance “sexual violence”, “gender-based harassment”, “gender-based violence”, and “violence and harassment based on other identity characteristics”. In addition to these forms of harassment and violence, the documents analysed include terms such as “sexual integrity”, (SFU Guidelines and Protocol, n.d.) “third-party violence”, (JSI Regulations, 2021) and an emphasis on individual’s judgement in determining whether or not a particular act constitutes a sexual harassment (INZ Regulations, 2018).

In addition to providing comprehensive definitions of sexual harassment and other forms of sexual violence, it is crucial to offer additional explanations and examples of these acts to facilitate their identification. Furthermore, by having sufficient knowledge about these behaviours individuals are able to openly discuss their personal experiences with sexual violence or harassment, and to promptly report or respond appropriately upon witnessing such incidents (Podreka, 2017; Robnik, 2009). Some public and private higher education institution documents adopt this approach by providing specific examples of “harassment” and “sexual harassment” to illustrate these phenomena more vividly. In contrast, the regulations of public research institutes do not include such examples.

For a comprehensive understanding of sexual harassment and other forms of sexual violence, it is essential to consider the unequal power relations between the perpetrators and victims of such acts. In this context, the FA UL Guidelines (2021) are notable, as they explicitly acknowledge such unequal power dynamics, unlike many of the other documents analysed in this study. Conversely, some documents employ terms that overlook these power imbalances entirely. For instance, the UM Regulations (2015) use the term “conflict situation” to refer to all forms of violence and harassment, a categorization that deviates from sociological accuracy, as conflict can involve two individuals occupying equal social positions, whereas violence and harassment entail an imbalance of power. Consequently, the resolution of situations involving sexual harassment and other forms of sexual violence necessitates approaches that differ from those typically employed in regular conflict situations (such as mediation, compromise, and assertive communication).

The sociological definition of sexual violence and harassment also emphasizes the importance of the individual’s assessment of whether a particular behaviour constitutes sexual harassment (Jogan, 2001). Among the documents

examined, only the INZ Regulations (2018) adhere to this sociological assumption.

The area of sexual harassment and other forms of sexual violence is most comprehensively regulated in public higher education institutions, particularly the UL and one of its members, the FA, which together define the most forms of sexual violence and harassment compared to any of the other Slovenian academic institutions that provided us with their internal regulations. They also offer the most precise definitions of these phenomena. In contrast, the documents from other academic institutions, particularly private higher education institutions and public research institutes, are less well regulated and less comprehensive in this area. They address fewer forms of sexual harassment and violence, and their definitions are not as comprehensive as those in the documents of public higher education institutions, indicating that less importance is attached to this issue.

What do the results of our analysis of internal regulations reveal about the gender regimes of Slovenian academic institutions? Overall, they suggest that certain academic institutions in Slovenia have made progress in addressing the issue of sexual harassment and other forms of sexual violence, challenging the male-dominated gender regimes that may have previously been indifferent to or paid little attention to this issue. On the other hand, there are still many Slovenian institutions in academic field where a male-dominated gender regime persists, as evident in the inadequate regulation in this area or the absence of specific documents addressing this issue. The persistence of a male-centric gender regime in Slovenian academic institutions is also reflected in the fact that only half of the institutions to which we sent requests for the documents for our analysis responded to our research initiative, with an especially low response rate from the public research institutes. Regardless of whether the institutions ignored our request due to a lack of relevant documents on this topic, missed our email request, or perceived our request and project as “left-wing” (which may particularly apply to some private higher education institutions known for openly supporting right-wing political positions in Slovenia, and thus likely to view this project as part of the “leftist agenda”), the non-response indicates the potential persistence of a male-dominated gender regime in these institutions that do not prioritize this issue.

The findings from our analysis prompt an exploration into the reasons behind the notable differences in the regulation of sexual harassment between public and private higher education institutions in Slovenia. Presumably, public higher education institutions in Slovenia are subject to greater public scrutiny compared to private higher education institutions. Consequently, private higher education institutions may feel less compelled to address and control issues related to sexual harassment and violence. Furthermore, private higher education institutions might lack the same level of professional staff equipped with expertise in handling cases

of sexual harassment and violence compared to public higher education institutions. This staffing difference could contribute to a potential gap in comprehensively addressing and regulating incidents of sexual violence and harassment in private higher education institutions. Additionally, the size of the student body could play a role, with public higher education institutions typically having larger student populations compared to private institutions, which may offer fewer degree courses and consequently enrol fewer students. This could impact the awareness and prioritization of addressing sexual harassment and violence in private higher education institutions. Another important reason why internal regulations are more comprehensively regulated at public higher education institutions, particularly at the University of Ljubljana, is the disclosure of several high-profile cases of sexual harassment. These cases, which received significant media attention in the first half of 2021, likely created pressure to address and regulate this area in a more serious manner. However, it is essential to note that these considerations are preliminary and speculative. Further research, such as conducting interviews with representatives, students and staff of private higher education institutions, is crucial to validate these potential reasons.

Last but not least, when interpreting our findings, it is crucial to consider several significant limitations. The first is the non-representative sample, as only half of the institutions responded to our request. Consequently, we must exercise caution when comparing findings between different types of academic institutions. For example, we collected more regulations from public higher education institutions than from research institutes, which must be considered when comparing these two types of organizations. Furthermore, we cannot generalize the findings for each type of institution due to the non-representative sample. For instance, we obtained only four regulations from the 16 public research institutes, meaning these findings apply only to the collected regulations and do not represent the overall situation for public research institutes, and this must be considered when discussing the findings in the context of public research institutes.

Another important limitation is that, given the current urgency of regulating sexual harassment, many institutions are likely in the process of revising these documents, a process that is also being undertaken as part of the activities related to the Gender Equality Plan (GEP) activities. Therefore, it should be acknowledged that since the data was collected for this study some of the internal regulations may have been changed, substituted, or reformed due to both internal pressure as well as that from the public and media. As such, in

order to further confirm the validity of our findings and their interpretation, it would be necessary to conduct an analysis of a representative sample of the institutions' current internal regulations, possibly acquired through other means (e.g., by visiting the institution's headquarters in person, applying qualitative methods, etc.).

In the light of the recent encouragement for the development of such internal regulations, it would be advisable to request these documents again for further research. Moreover, given the dynamic and evolving nature of gender regimes, as well as the potential for changes in one institution's gender regime to influence changes in the others, it would be interesting to investigate whether changes at the University of Ljubljana, specifically at its Faculty of Arts, might trigger a "chain reaction", resulting in gender regime transformations across other academic institutions in Slovenia, both public and private. As such, it would be prudent to conduct periodic checks on the ongoing updates and revisions to the policies of these institutions.

#### CONCLUDING REMARKS

In this article, we sought to examine the definitions of sexual harassment and other forms of sexual violence within the internal regulations of higher education and research institutions in Slovenia. Based on our content analysis of these documents, we found that public higher education institutions, notably the University of Ljubljana and its Faculty of Arts, regulate this area more comprehensively than private higher education institutions and public research institutes. In general, our analysis reveals that while some Slovenian academic institutions maintain a male-dominated gender regime, others are actively working to deconstruct it.

In further research on this subject, we recommend addressing the methodological shortcomings highlighted in the discussion. Moreover, it would be beneficial to employ other research methods, such as conducting interviews with representatives, students and staff of Slovenian academic institutions, to expand the scope of the analysis and gain a more in-depth understanding of the current state of affairs. While content analysis of internal regulations reveals formal social norms regarding sexual harassment and other forms of sexual violence, interviews with key stakeholders within academic institutions could provide additional "informal" insights into their views on the issues at hand. By utilizing both research methods, we could simultaneously get insights into both the formal and informal elements of institutional culture that shape the gender regimes of Slovenian academic institutions.

## SPOLNI REŽIMI V SLOVENSKEM AKADEMSKEM POLJU: OPREDELITEV SPOLNEGA NADLEGOVANJA IN NASILJA V INTERNIH AKTIH

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## POVZETEK

*Spolno nadlegovanje in druge oblike spolnega nasilja predstavljajo razširjen in zaskrbljujoč in družbeni pojav. Prisoten je v številnih poklicih in delovnih okoljih, med katere sodi tudi akademsko polje. Z namenom, da preverimo, kako se obstoječi spolni režimi slovenskih akademskih institucij odražajo v odnosu do problematike spolnega nadlegovanja in drugih oblik spolnega nasilja, se v prispevku posvetimo analizi internih aktov, ki urejajo to področje. Še posebej nas zanima, katere oblike spolnega nadlegovanja in nasilja so zajete v dokumentih akademskih institucij in kako obravnavajo ta pojav. Na podlagi analize vsebine dokumentov ugotavljamo, da vsi analizirani dokumenti javnih visokošolskih institucij tematizirajo »nadlegovanje« in »spolno nadlegovanje«, medtem ko se »nasilje« in »spolno nasilje« pojavita v manj dokumentih. Opredeljevanje »nadlegovanja« in »spolnega nadlegovanja« se pojavi tudi v nekaterih dokumentih zasebnih visokošolskih institucij in javnih raziskovalnih zavodov, medtem ko »nasilje« in »spolno nasilje« v teh dokumentih nista eksplicitno opredeljeni kot samostojni kategoriji. V analizi izstopata dokumenta Univerze v Ljubljani in njene članice Filozofske fakultete, ki v primerjavi z ostalimi proučevanimi dokumenti podajata širše in natančnejše opredelitve pojmov, povezanih s spolnim nadlegovanjem in drugimi oblikami spolnega nasilja. Ugotovitve naše analize kažejo, da so nekatere akademske institucije naredile premike na področju urejanja problematike spolnega nadlegovanja in drugih oblik spolnega nasilja ter tako zamajale moškocentrične strukture spolnih režimov v svojih okoljih. Na drugi strani pa je v nekaterih drugih slovenskih akademskih institucijah to področje slabše urejeno, iz česar sklepamo, da v njih še vedno vztrajajo moškocentrični spolni režimi.*

**Ključne besede:** spolno nadlegovanje, spolno nasilje, spolni režim, akademsko polje, interni akti, analiza vsebine, Slovenija

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