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THE IMPLEMENTATION OF SEXUAL HARASSMENT POLICY IN TWO SOUTH AFRICAN NATIONAL DEFENCE FORCE UNITS

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2012-01-19
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THE IMPLEMENTATION OF SEXUAL HARASSMENT POLICY IN TWO SOUTH AFRICAN NATIONAL DEFENCE FORCE UNITS

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A research report submitted to the Faculty of Commerce, Law and Management, University of Wits, Johannesburg in partial fulfillment of the requirements for the degree of Master of Management in the field of Public and Development Management

MAY 2011

ABSTRACT

Sexual harassment is a problem characteristic of many workplaces in South Africa and abroad. The South African National Defence Force is not immune hence the Department of Defence has formulated a Policy on the Prevention and Elimination of Sexual Harassment.

This research sets out to explore the experiences that managers, victims or survivors and ultimately the organisation have in the implementation of the policy on the Prevention and Elimination of Sexual Harassment. A qualitative method of enquiry was employed to source information from the participants. This method involves a complex narrative which takes the researcher into multiple dimensions of a problem or issue and displays it in its complexity.

The essence of the findings of this study is that sexual harassment is a reality for the South African National Defence Force. However the policy on the prevention and elimination of sexual harassment is not known or applied across the board. The dissemination of the knowledge on this policy is done in an ad hoc and inconsistent manner.

DECLARATION

I declare that this research report is my own, unaided work, except in areas indicated in the text, where such assistance is acknowledged through referencing.

This research project is being submitted in partial fulfillment of the requirements for the Degree of Master of Management in Public and Development Management (MM, P&DM) at the University of the Witwatersrand, Johannesburg.

I further declare that this report has never been submitted before to any other university for degree purposes.

Signed……..

Theresa

Moletsane

DEDICATION

I wish to dedicate this research report and all my academic achievements thus far to the loving memory of my mother, Mathudi Florence Moletsane, who saw me through every challenge I confronted.

ACKNOWLEDGEMENTS

I would like to give thanks to God the Father, the Son and the Holy Spirit for giving me strength through and through.

My sincerest gratitude goes to my supervisor, Dr Ivor Sarakinsky for his patience and encouragement throughout this journey of discovery. I further thank him for the constructive feedback provided and guidance in writing this report.

I would also like to thank my husband, Joseph Tyhalisi, my sister Tebogo Carol Moletsane and my friends who provided me with support throughout my studies and this research. I am always indebted to each and every one of you.

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CHAPTER ONE
INTRODUCTION

1.1 INTRODUCTION

The SANDF exists to provide, manage, prepare and employ Defence capabilities commensurate with the needs of South Africa as regulated by the Constitution, National Legislation Parliamentary and Executive Direction. The Department of Defence (DOD) is constitutionally mandated to defend and protect South Africa, its territorial integrity and its people. This entails supporting Government's initiatives and priorities with a special focus towards combating poverty in order to ensure development, peace and stability nationally, regionally and continentally (DOD Business Plan, 2007).

The security sector has for many decades and traditionally been defined as a male preserve or realm. The past two decades have however seen substantial differences in the definition, nature and organization of security. There is currently an increase in the number of women working in the security sector and the defence in particular. This involvement of women in an arena that has been seen and defined as a male domain calls for an agenda that is sensitive to the emerging gender configurations. The democratisation of the South African society pushes for the full participation of all members of society, especially women. This further necessitates a need for gender equity and management.

1.2 BACKGROUND

Military life is characterized by factors, which place a tremendous amount of stress on the soldier. Firstly courses are very important in the military as they serve as a prerequisite for promotions and therefore better livelihoods. These can be both mentally and physically trying for the ordinary soldier. Soldiers

are therefore constantly under pressure to perform. Going through these courses create power relations. The instructors wield power as they render the courses; mark the test scripts, thereby deciding the fate of the soldier on course. There have been incidences reported about this relationship where instructors demand sexual favours from the female soldiers on training, in return for lighter exercise or physical training content, scope for exam, or even a pass. These requests are followed by threats of failing those who refuse to exchange such favours. Cases of sexual harassment are not only reported at training institutions of the military. There have also been cases in deployment areas and in the management echelons of the department. Women have been asked to exchange sexual favours for promotions. Sexual harassment is however not exclusively involving women as victims. There are also incidents where male soldiers are victims. Such cases do however go unreported

Despite the prevalence of sexual harassment in the Department of Defence, there seems to be a lack of commitment from those who are supposed to operationalise the policy on sexual harassment. Commanders are usually not involved in the seminars on transformation issues (where sexual harassment is also addressed) that are held in the country's various units. Furthermore, they commonly downplay sexual harassment report in their units as these are seen at tainting the image of the unit or as an indication of incompetence on their side. Conduct which constitutes sexual harassment is usually described as a norm and therefore trivialized, for instance there is a general belief that women are there to be appreciated by men and that they enjoy the attention given to them by their male colleagues. Many people, both the perpetrators and the victims seem to only define bahaviour as sexual harassment when it has crossed over into sexual assault or rape. This forms part of the reason why a lot of people allow sexual harassment to carry on unabated. (War on sexual harassment, 2006)

1.3 Problem statement

Sexual harassment is a reality that confronts a broader South African society. A study conducted by the Institute of Directors found that 76% of South African women have experienced harassment at work. The statistics of sexual harassment in the Department of Defence indicate that sexual harassment is prevalent (in the Department of Defence). These statistics are obtained from the cases, which have made their way to the Military Court. The statistics obtained from three different provinces point out that twenty three (23) cases, of sexual misconduct were handled by the Military Legal Prosecution Section in the month of June (2007) alone (statistics from other provinces were at the time still pending). Some of the cases of sexual harassment are referred (by the Officers Commanding and the Chiefs of Divisions) to the Chief Directorate Transformation Management for investigation. This means to some extent that the members or officers commanding rely largely on the channels of command to tackle the sexual harassment cases. This may imply that the commanding officers may be passing the buck or may not be familiar with the policy available to them. There are yet a lot of cases, which go unreported for various reasons.

The Department has a Policy on the Prevention and Elimination of Sexual Harassment. What is not known is how those accountable to execute this policy do indeed use it to help them identify and appropriately deal with reports or incidences of sexual harassment. A further concern is the sexual harassment prevalence in the Department of Defence in spite of the presence of the policy which does not only aim to eliminate sexual harassment but also intends preventing it. Some of the units of the SANDF seem to have experienced successes in the implementation of this policy and others seem

to be lagging behind. This raises concerns of inconsistencies in the implementation of the policy across various units.

1.4 PURPOSE OF THE STUDY

The purpose of this study is to explore the experiences that managers, victims or survivors have in the implementation of the policy on the Prevention and Elimination of Sexual Harassment. It is hoped that this research will help answer the fundamental questions raised by the study.

1 5 RESEARCH QUESTIONS

The research attempts to provide answers to the following questions:

What is being done about sexual harassment in the SANDF?
What is the level of awareness regarding: the contents and prescriptions of the department's policy on the prevention and elimination of sexual harassment?

1.6 SIGNIFICANCE OF THE RESEARCH

The research seeks to raise awareness among employers in the workplace regarding the impact and consequences of sexual harassment – especially in the South African national Defence Force. It will further help the managers afford the sexual harassment reports or complaints the seriousness that they deserve. The researcher will get an idea of how managers, supervisors and victims or survivors, throughout the Department of Defence, and particularly in the two units chosen for the study exercise their responsibility to prevent and eradicate sexual harassment and address the bahaviour that fail to acknowledge the dignity and respect to which every person is entitled. The

study will therefore provide answers to what is being done in the process of policy implementation and how the policy is implemented. The study will further help surface any areas in the policy that require further attention or amending.

The researcher initially planned to interview those people in the Department of Defence, in particular the South African National Defence Force who are expected to ensure that the policy on the prevention and elimination of sexual harassment is implemented. The victims of sexual harassment were also going to be interviewed in order to triangulate their responses to those of management.

It was however not easy to get responses from the victims or survivors due perhaps to the sensitivity of the topic itself. The victims were not comfortable to go back to the sexual harassment experience and talk about it. In the light of this reason the researcher resolved to interview the prosecutors who would then throw light into why the victims of sexual harassment would not come forth and give account of their experiences.

1.7 LIMITATIONS OF QUALITATIVE RESEARCH

Qualitative research poses a threat of biasness both on the part of the researcher and of the respondents. It presents many opportunities for the researcher's personal influences. Because the researcher gets to know the people being studied, his/her presence can affect the outcome of the research. Interviews as a method of data collection also pose a limitation. There is a possibility of an interviewer and respondent bias. The interviewer can bias the information by recording it inaccurately that is the idea may be distorted or understood differently. Only a summary or part of the answer may be recorded. This error will be circumvented by reading back hat the

interviewer has written to confirm if the meaning or understanding is common to both. The respondent may on the other hand be uncooperative. They may give false information due to mistrust or viewing sexual harassment as a sensitive issue. The researcher will use her interview skills to create rapport with the respondent and to probe to elicit views that can then be recorded on the notes.

1.8 THE STRUCTURE AND SEQUENCE OF THE RESEARCH REPORT

CHAPTER 1

INTRODUCTION

This chapter introduces the reader to the following: background of the research, problem statement, and purpose of the research, research questions as well as the importance of the research. The part provides a summary of the issues raised in this chapter.

CHAPTER 2

INTRODUCTION

This section interrogates the literature related to the area of study, to examine what others have done in the related area.

CHAPTER 3

INTRODUCTION

This section introduces the reader to the methods of research, which will be employed to collect data for the study. The chapter looks into the kinds of

data that the problem requires and the feasible means of collecting and interpreting data. The collection of data will help the researcher pick up any patterns that emerge. These will further give meaning to the data.

CHAPTER 4

INTRODUCTION

This chapter explains how data for the proposed research will be presented in accordance with the principles of qualitative research.

CHAPTER 5

INTRODUCTION

The chapter will provide an analysis of the data presented in the previous chapter and draw on the conclusions deduced from the study as well as outline the recommendations construed from the study.

1.9 CONCLUSION

The foregoing chapter has attempted to provide a background which has informed the research undertaken. The aim of the research is to explore the experiences that managers, victims or survivors of sexual harassment have in the implementation of the Policy on the Prevention and Elimination of Sexual Harassment. The next chapter deals with literature review

CHAPTER TWO
LITERATURE REVIEW

2.1 INTRODUCTION

The literature review is based on the assumption that knowledge accumulates and that we learn from and build on what others have done (Neuman 1997, 110-112). A section on literature review concerns itself with the discussions of the efforts of others that bear directly upon own effort. The literature on sexual harassment and policy on sexual harassment is considered to throw insight on the answer to the problem under consideration.

This phase in the process of research is conducted to show familiarity and establish credibility, to show the researcher's command over the field in which the research is conducted (Neuman 1997, 110-112). This section is done to create links to a developing body of knowledge. A background or context review will therefore be conducted. This will give an introduction to the rest of the report and help establish the importance and the relevance of the question (how is policy on Sexual Harassment implemented). The review places an emphasis not only on how sexual harassment has developed but also on what is currently been reported on the subject matter. A theoretical review of literature will be conducted to present different theories that purport to explain the same thing. Where appropriate this type of review will be used to extend a theory to new issues.

This literature review entails and considers the background of sexual harassment, the definition of the concept, the origin o sexual harassment, sexual harassment as discrimination, the complex nature of sexual harassment, forms of sexual harassment, the factors contributing to the problem and the impact o sexual harassment. It will further look into sexual harassment and the law, the duties of the employer and managers as well as

the South African National Defence Force (SANDF) Policy on sexual harassment.

2.2 BACKGROUND OF SEXUAL HARASSMENT

The Constitution of the Republic of South Africa serves as a supreme law of the country. It asserts in its founding provisions that the democratic state is founded on values of human dignity, achievement of equality and advancement of human rights and freedom, non-racism and non-sexism. In its Equality Clause The Constitution states that everybody is equal before the law and has the right to equal protection and benefit of the law (s9 (1)). The Constitution further protects against unfair discrimination, directly or indirectly on one or more grounds, including race; ***gender***; sex; pregnancy; marital status, ethnic or social origin; colour; sexual orientation; age; disability; religion; conscience; belief; culture; language and birth (s9 (3))

According to Stanko in Adkins (1995, 57-59) sexual harassment is defined as unwanted sexual attention, including behavior ranging from usual leering or grinning to rape. All forms of harassing behavior have a unified effect in that they all serve to transform women into sexual objects. Harassment is placed in the context of gendered power relations. Stanko explores the significant effect that sexual harassment has within the labour market. Women experience humiliation, self-blame, anger, loss of self-confidence and a drop in job performance levels as a result of unwanted and imposed sexual attention. Sexual harassment has economic consequences. Some women who experience it in the workplace resign, some are transferred or demoted and some lose their jobs if they do not cooperate with sexual advances. Sexual harassment is further seen as a strategy used by men to protect their territory or occupations and defend their material benefits over women. It constructs men's advantage over women in the labour market (Adkins 1995, 57-59).

2.3 MEANING OF THE CONCEPT

What is harassment? Harassment of an employee is a form of unfair discrimination and is prohibited on any of the grounds listed in the constitution i.e.: race, gender sex, pregnancy, sexual orientation etc (Employment Equity Act ch II)

Sexual harassment, therefore, refers to unwelcome or unwanted attention of a sexual nature from someone at work, that causes discomfort, humiliation, offence or distress, and or interferes with the job. This includes all such actions and practices of a sexual nature by a person or a group of people directed at one or more workers. Sexual harassment can consist of unwelcome sexual advances, request for sexual favours in return for employment benefits, pressure for sexual favours to clinch sales deals, the display of sexually offensive posters, cartoons or drawings or any other form of verbal or physical behavior that the recipient regards as unwelcome or embarrassing. In cases of sexual harassment, it is the consequences and not the intentions that count (Cape gateway).

Sexual harassment is unwanted conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behaviour that is welcome and mutual. A sexual attention becomes sexual harassment if:

- The behaviour is persisted in, although a single incident of harassment can constitute sexual harassment
- The recipient has made it clear that the behaviour is considered offensive
- The perpetrator should have known that the behaviour is regarded as unacceptable (Code of Good Practice 1998).

2.4 ORIGIN

The term sexual harassment was not used until in 1978. Sexual harassment (behaviour) was referred to as sexual misconduct, sexual advances or sexual molestation. As concerns for women's rights grew, government agencies, Human Rights Tribunals and courts attempted to define and describe sexual harassment. The British Columbia Human Rights Commission describes the term sexual harassment as:

"…harassment, intimidation, coercion or threats to suspend, impose a penalty, or discriminate against any person because of that person's refusal to engage in sexually related interaction while applying for work, during work or after work"(Aggarwal 1992,35)

The 'concept' of sexual harassment was coined by feminists in the United States in the 1970's. Catherine MacKinnon, a feminist activist conceptualized sexual harassment within a feminist understanding of gender dynamics in the workplace. MacKinnon defined sexual harassment as "the unwanted imposition of sexual requirements in the context of a relationship of unequal power" (Quenet 2001:1).

MacKinnon got involved with sexual harassment in 1974 when Carmita Wood, a laboratory worker in Ithaca New York sought unemployment benefits at the State Department of Labour. Wood was forced to leave her job after a scientist working with her made frequent sexual advances towards her, including simulating masturbation and reaching under Wood's jersey. To qualify for unemployment benefits, Wood had to establish that she had good cause for resigning. The Unemployment Insurance Board and the Department of Labour denied Wood's claim, arguing that resignation was not the only option open to her and that there must have been other personal reasons for leaving her job. MacKinnon and other feminist activists at Cornell University stepped in to assist Wood. MacKinnon did however not succeed

with Wood's case. Her crusade was only fully embraced by the U.S. Supreme Court in 1986(le Roux et al 2005, 2-3).

The courts in the USA persisted and struggled to locate sexual harassment as a form of discrimination. Discrimination as stipulated in Title VII of the Civil Rights Act formed the basis for judging sexual harassment cases. Section 2000e-2 [Section 703] of Title VII of the Civil Rights Act, 1964 prohibits employers from discriminating against individuals with respect to terms, conditions or privileges of employment such as an individual's race, colour, religion, sex or national origin. Gender is not specifically listed as a prohibited ground of sex discrimination, which created difficulties in judging cases of sexual harassment (Le Roux et al 2005, 3).

The difficulties of situating sexual harassment within discrimination were related to complications related to finding a suitable comparator. In other forms of discrimination it was easy to find a comparator, for example, in the case of racial discrimination the issue would be whether the employer treats a black employee less favourably than a white employee in the same position. In the case of sexual harassment it is not clear whether a female employee complaining of sexual harassment by a male colleague should be compared to a male employee harassed by a male employee or to another female employee who is not harassed. MacKinnon reacted to this narrow minded view, which further entrenched the societal inferiority of women. She attempted to illustrate that when sexual harassment is used to deny access to privileges of employment or to shape a working environment, it becomes a discriminatory condition of employment. Working conditions that differ by sex are sex discriminatory (Le Roux et al 2005, 3-4).

The first milestone with regard to locating sexual harassment as discrimination was reached only after 1976 when the lower courts regularly ruled that sexual harassment constituted sex discrimination, provided that it

was followed by job-related consequences such as dismissal or a failure to promote (quid pro quo harassment) (le Roux et al 2005, 3-7).

During the 1980's, the Equal Employment Opportunities Commission (EEOC) introduced guidelines on employer's obligation to create a working environment free of sexual harassment. These guidelines then influenced the judgments of the lower courts. The guidelines held that sexual harassment which results in a hostile environment constituted sex discrimination even when there are no job-related consequences. This guideline got finally endorsed by the US Supreme Court in 1986 in the *Meritor Savings Bank v Vinson* case. This development was based on the recognition that the creation of a hostile environment alters the conditions of employment. Further insight into the meaning of a hostile environment was provided by the US Supreme Court in the 1993 judgment of *Harris v Forklift Systems Inc*. It was emphasized here that the victim does not need to suffer psychological harm, but that the conduct must subjectively and objectively create a hostile environment (le Roux et al 2005, 4). MacKinnon's work thus received judicial endorsement from the highest court in the USA, only a decade after it began.

In the South African context the Constitution was passed by parliament in 1996 and the Employment Equity Act (EEA) in 1998. By this time the difficulties of explaining the nature of sexual harassment had already been overcome in all the major common law jurisdictions. The EEA could then include the benefits of the battles in the explanation. It emphatically states in section 6(3) that harassment is a form of unfair discrimination and prohibited on any one or combination of the grounds listed in section 6(1), including **sex**, ***gender*** and sexual orientation. This therefore removes two of the major evidentiary burdens normally associated with unfair discrimination, that is whether it is unfair or finding a suitable comparator (le Roux et al 2005, 6-7).

2.5 SEXUAL HARASSMENT AS DISCRIMINATION

Discrimination in this context is defined as practices or attitudes that have the effect of limiting an individual's or group's right to the opportunities generally available because of attributed rather than actual characteristics. What impedes the individual's development is therefore not his or her capacity but an external barrier that artificially inhibits growth (Le Roux et al 2005, 4-7). Discrimination does not necessarily require that all members of a particular group be subjected to the same conduct.

Sexual Harassment makes women's job immensely difficult. It adds burdensome demands and distractions. It inhibits job performance by placing women under pressure to tolerate or fulfill sexual conditions or even leave work. Men often do not labour under such constraints. Female victims of sexual harassment feel pressured to escape the hostile environment. This discourages them from remaining in the same job long enough to acquire seniority and experience. Women therefore leave their work in order to enforce their right to work free from sex discriminatory conditions. Employers are obliged to eradicate such discriminatory conditions from the working environment (Le Roux et al 2005, 4-7).

Sexual harassment as introduced to the workplace reflects the pattern of expression in the rest of society. As a result of this the US courts were reluctant initially to include sexual harassment under legal protection against sexual discrimination. This move was based on the argument that sexual harassment was a personal matter between two individuals involved, that sexual advances are a normal part of the relations between males and females (Le Roux et al 2005, 4-7).

According to McKinnon (Hearn et al 1993, 25) the image of sexual harassment is usually if not always, of a subordinate woman in a typical helping role being placed in a compromising position by a male boss or senior. She argues that women's financial dependence on men undermines their (women's) autonomy outside and inside the home. "Men in the workplace engage in a type of a power play by which they use sexuality to put women in their 'proper' subordinate role in relation to men". It is under the circumstances described above that women become aware of sexual discrimination and recognize its manifestation in the various forms of sexual harassment.

Sexual harassment scope may cover a wide range of behaviour which range from patting women's bottoms when they walk passed, to pinching; to repeated, intrusive, insistent arm around the shoulder, couched in friendliness but with a hidden agenda underneath; to an atmosphere characterized by degrading comments; jokes, indirect talks, reference to a woman's body, to male prowess; to the requirement that women dress in costumes that render them targets of sexual comments, to propositions that require women to engage in sexual relations or lose deserved promotions. Sexual harassment in this context is tantamount to employment discrimination by means of sexual blackmail being a comprehensive pattern of hostile behaviour, which is meant to underscore women's difference from and by implication, inferior to the dominant male group. It is an arbitrary abuse of male power and authority used to extract sexual favours, remind women of their inferior ascribed status and deprive them of employment opportunities and equality (Aggrawal 1992, 33-35).

Aggrawal further contends that this form of sexual harassment is an infringement of a woman's or employee's right to work in an environment free from sexual pressure of any kind.

2.6 THE COMPLEX NATURE OF SEXUAL HARASSMENT

Sexual harassment is complex. Various authors agree that there is a wide divergence of perceptions as to what actions constitute sexual harassment.

People's perception of sexual harassment differs and what constitute sexual harassment for one person may not necessarily be experienced similarly by the other (Haultzhausen 2004, 1).

According to Aggarwal (1992, 35-41) the complexity of human behaviour makes it difficult to pinpoint the exact behavior, which can universally be perceived as harassment. He further argues that sexist attitudes and behaviour are prevalent in the society and often render it difficult to draw a line between what is acceptable and what is unacceptable behaviour in the workplace (e.g. to one person a hand around the shoulder may be perceived as a gesture of affection while the other person may take offense and find it harassing). Sexual behaviour that a person finds offensive may be considered sexual harassment.

There is therefore uncertainty regarding what legally constitute sexual harassment. Individuals' own definitions therefore assume considerable importance in determining the sexually oriented behaviours that they feel entitled to initiate and their responses to behaviours initiated by others (Koen in Powell 1994, 13-15).

The complex nature of sexual harassment is perhaps fuelled by the existence of organizational romance in the workplace. This is defined by Powell (1994, 15) as relationships between individuals working together that are characterized by mutual sexual attraction and made known to others through participants' actions.

Wherever men and women are involved or are together, sexual attraction and relationships are likely to occur.

Sexual harassment is controversial. It is critical even in the South African context to prove that sexual harassment did actually take place.

2.7 FORMS OF SEXUAL HARASSMENT

Sexual harassment can manifest itself physically and psychologically. It may include unwelcome physical, verbal or non-verbal conduct, but is not limited to the examples listed below:

Physical conduct of a sexual nature. This includes all kinds of unwanted physical conduct ranging from touching, other less directly physical acts, to sexual assault and rape. This includes a strip search in front of the opposite sex. Peeping on a person in the toilet or change-room is a form of passive conduct, which can constitute sexual harassment. Touching the sexual parts of the body, the breasts, the genitals and the bottoms bring physical touching into an arena of harassment. Kissing which is a non-sexual greeting in many cultures can also fall into a zone of harassment, depending on the context. Rape and physical assault are the extreme forms of physical sexual harassment (le Roux et al 2005, 39-40).

Verbal forms of sexual harassment. These include innuendoes, suggestions and hints, sexual advances, comments with sexual overtones, sex-related jokes or insults or unwelcome graphic comments about a person's body made in the presence of the person or directed toward them, unwelcome and inappropriate enquiries about a person's sex life and unwelcome whistling directed at a person or group of persons. It can also take a form of a blatant demand for sex.

Non-verbal forms of sexual harassment include unwelcome gestures, incident exposure, and the unwelcome display of sexually explicit pictures and objects. This conduct does not necessarily require the existence of sexual attraction to qualify it as conduct of a sexual nature. The conduct can be designed to belittle and humiliate (le Roux et al 2005, 39-40).

Quid pro quo harassment. This form of sexual harassment occurs where an employer, supervisor, member of management or co-worker undertakes to influence the process of employment, promotion or training, discipline, dismissal, salary increment or other benefit of an employee or job applicant, in an exchange for sexual favours (le Roux et al 2005, 39-40).

According to the U.S. Equal Employment Opportunity Commission (EEOC) this form of sexual harassment occurs when sexual activity is requested as a condition for gaining a job, promotion, increment or another form of a job benefit. The EEOC ruled that sexual harassment would be considered an unlawful employment practice under Title VII of the 1964 Civil Rights Act

According to Aggarwal sexual harassment can be classified into two categories: sexual coercion and sexual annoyance. Sexual coercion is sexual harassment that results in a worker's change in employment status or some gain or loss of a tangible job benefits. This form of sexual harassment is similar to quid pro quo. The element of coercion is inherent in situations where sexual advances are made by a person with authority to hire and fire. Coercion implies that the conduct was pressed against the will of the other; it was carried out even though the other party resisted. It was imposed by force and the other person was compelled to cooperate or perform an act against his or her will by either a threat or a promise (Aggarwal 1992, 35-40).

Hostile environment. This happens where one employee makes sexual requests, comments, looks toward another employee, thereby creating a hostile environment in which the concerned employee has to work (Koen

1990 in Powell 1994, 13). This amounts to the psychological form of sexual harassment. *Brown v. City of Guthrie* was the first case in which the quality of the working environment was a major basis for the cause of action. The plaintiff was able to establish that the sexually harassing acts of her supervisor substantially affected her emotional and psychological stability. She argued that the harassment contributed to a work environment, which was unbearable to an extent that she had to resign (Aggarwal 1992, 35-40).

Aggarwal (1992, 35-40) refers to this form of sexual harassment as sexual annoyance. This is a form of sexual harassment, which is sexually related conduct that is hostile, intimidating, or offensive to the employee but nonetheless has no direct link to any tangible job benefit or harm. This annoying conduct creates a bothersome work environment and effectively makes the worker's willingness to endure that environment a condition of employment.

Sexual favouritism. This form exists where a person who is in a position of authority rewards only those who respond to his /her sexual advances, whilst other deserving employees who do not submit themselves to any sexual advances are denied promotions, merit ratings or salary increases (LRA 1995: Code of Good Practice). This happens even though those who are not approached for sexual favours are not harassed. They are discriminated because an employee who is available for sexual favours is being rewarded for nothing other than sexual availability (le Roux et al 2005).

2.8 FACTORS CONTRIBUTING TO THE PROBLEM

Factor contributing to sexual harassment vary from person to person and from situation to situation. Most of the factors contributing to sexual harassment are usually linked to culture and values in the society and in the

workplace, and to the roles relative to power and status of the men and women concerned.

Socialisation: A culture in which it is, or was recently ok to discriminate against people because they are different will usually display behavior typical of sexual harassment. Harassment is often closely linked to prejudice in general and to sexist attitudes. An example here is men brought up to believe that girls are there to hug and kiss, that the more there are the merrier. These values are easily carried out in the workplace. Such men usually think that the women take their harassment as a compliment.

Many women have been brought up to believe that they were made to please men, that popularity with men leads to success or that real men look sexy. This usually gives an impression that they invite sexual advances at work. Women who see sexuality as their power base often go along.
There are cultures where kissing, touching or hugging are part of daily human interactions. There is however a borderline where kissing becomes more than just a peck on the cheek or lips, where a touch lingers too long, where a hug or holding can be maintained too tightly and closely. It is in this borderline that the conduct becomes sexual harassment. (Le Roux et al 2005, 34). Some people maintain that sexual harassment is nothing more than male-female courtship behaviour gone awry. They argue that the conduct is part of a chemistry of sexual relationships initiated to gauge if feelings are reciprocated

Power games: Power relations have recently changed due to social and political changes. Some men feel threatened by the career advancement of women or are discomforted by women's newfound independence and assertiveness at home and at work. Men who have recently gained position of power after being discriminated against after a long time may try to affirm

or prove themselves by harassing women subordinates. Some men may consider this as a fringe benefit to which they are entitled. There is real danger that sexual harassment and the trade off of sexual favours will form part of the power games in times of uncertainty, e.g. where there is limited promotions opportunities, retrenchments, personal stress and pressure on performance.

Moral values, divorce and cultural differences: In times of laxity, when extramarital affairs and "one night stands" are broadly accepted, when some people equate monogamy with monotony, it is relatively easy for people to indulge in office flirtations, whether one sided or mutual. The person, who tries and does not accept rejection or sees the unwilling colleague as a challenge, easily becomes a harasser, or may victimize the reluctant colleague. The prevalence of marital stress and divorce weighs heavily on men and women and bring them to work in a state of emotional distress. This makes them vulnerable to sexual harassment.

There is a stereotypical belief regarding sexual matters that "No" does not mean "no".

Credibility and victim blaming: The victim's credibility is always questionable as it is her word against the harasser's. The majority of decent men who do not harass find it difficult to believe that their colleagues can actually abuse their situation in this particular way. The complaint from the victim is therefore downplayed. Management may take the word of a senior person than that of the subordinate. The harasser may be highly skilled and difficult to replace, while the victim is lower down and expendable. The tendency of victim blaming often causes the complainant to end up being virtually as the accused. An example here is cases (such as in rape or sexual assault cases) where the dress and lifestyle of the accused seem to become more important than the behaviour, which is being investigated.

Aggressiveness or bravado: Men in groups have a tendency to behave differently to when they are alone. This explains gang harassment which often happens when a woman goes past or is in company of a group of male colleagues.

Lack of company policy: Many South African companies either do not have a policy on the prevention and handling of sexual harassment or where they exist, they do not implement them.

2.9 PERSONALITY CHARACTERISTICS OF HARASSERS

According to Foote et al (2005:29) the Likelihood to sexually harass (LSH) scale was used to identify the characteristics of men who harass women. Three kinds of harassing men were illuminated as: men who are naïve about heterosexual relationships, men who are exploitative in their relationships with women and men who dislike or despise women

Misperceiving Harassers: Men may be positively oriented to women and may seek a social or sexual relationship with them. Men may however misconstrue the dress or behaviour of women as sexually provocative. Abbey et al in Foote et al (200:30) argue that the extent, to which a woman sits, stands close to or touches a man often causes observers to conclude that the woman is interested in a romantic relationship. Men are more likely than women to think that such cues are tantamount to sexual intentions.

Misperceiving harassers are seen to mistake the workplace as a location where sexual relationships are appropriate. These harassers often ask women for dates or engage in discussions concerning sexual matters. This type of a harasser's misconception may be based on beliefs that relationships with women are adversarial and aggressive and that women who are friendly

are expressing sexual desires. This type of a harasser display cognitive distortions in his perception of women, themselves and how people signal; sexual or romantic.

Exploitive Harassers: Exploitative harassers tend to view sexual relationships as involving a power differential wherein a man is more powerful. Such harassers are more likely to express stereotyped attitudes towards women and male and female relationships. They are also more likely to believe that women accept and even enjoy male domination, even when it means physical domination. They are more likely to reason that women enjoy to be harassed and even to be raped.

Misogynistic Harassers: The harasser may not express desire to have sex with someone in the workplace but may express hostile or negative feelings towards members of the other gender. A misogynistic harasser shows a hatred of women as a sexually defined group. This type of a harasser creates a hostile environment by displaying pornographic material in the workplace, using negative sexually based terms for women and deriding women's abilities (Foote et al 2005:31).

2.10 HARASSMENT CONTEXTS

Environments which were formally exclusively male preserves such as the military and police departments present with significantly higher rates of sexual harassment of all types than more gender neutral contexts.

2.11 ORGANIZATIONAL RESPONSES TO SEXUAL HARASSMENT

The organisation can deal proactively with the problem of sexual harassment by using educational interventions with supervisory and line staff, developing clear policies concerning harassment, developing and publicizing mechanisms for targets to report harassment and establishing a system for dealing with those complaints in a way that protects the target and sanctions the harasser. Foote et al (2005) argues that how an organization addresses harassment issues is a very important determinant of whether employees are harassed at work. Although the presence of a policy prohibiting harassment and a complaint procedure are critical, they only inhibit the occurrence of sexual harassment. If harassers know that they can get away with sexual harassment they will do it (Foote et al 2005, 33).

A study conducted in the US Military showed that units in which officers commanding were neutral or lenient about sexual harassment women experienced harassment than those where the Officer Commanders were less tolerant (Foote et al 2005, 34).

2.12 THEORETICAL FORMULATIONS

2.12.1 Biological Theories

This theory explains sexual harassment in terms of the biological processes that cause people to harass each other in the workplace. Biological theorists argue that hormonal drives predispose men to harassment. According to this theory men are driven by hormones to dominate and control women in all situations including in the workplace (Foote et al 2005, 39).

2.12.2 Power-Based Theories

These theories base their argument on the observation that men have traditionally exercised more power than women in a wide range of settings. Because men are usually in the majority in the workplace, their patriarchal power is incited by their superior place in the hierarchy of the workplace. This patriarchal power is used in exercising power over women in the workplace. This theory is seen as reflecting the cultural patterns that mandate that men rule and women passively acquiesce to that rule. This theory contends that sexual harassment serves to manage ongoing male-female interactions according to accepted sex status norms and to maintain male dominance occupationally and subsequently economically, by intimidating, discouraging or precipitating the removal of women from work (Foote et al 2005, 40).

2.12.3 Organizational Models

The sex role spillover theory is a prominent organizational model and is similar to the power theories. It is centered on culturally defined sex roles. According to Gutek in Foote et al (2005, 41), men and women in the workplace are supposed to fill roles defined by the needs of the organization and preferences of the worker. Outside the environment of work men have traditionally been considered to be sexually aggressive and assertive and to assume leadership positions. Women on the other hand have been viewed as sex objects and expected to behave in generally helpful, nurturing and unassertive ways. The spillover occurs when the traditional roles are assumed to be appropriate in the workplace. According to Foote et al this usually takes place which were traditionally male dominated.

2.13 WORKPLACE SEXUAL HARASSMENT

Various factors combine to produce underreporting and underestimates. Levy et al (2002) allude to studies which suggest that sexual harassment in the workplace is widespread. However for men, the incidence is substantially less.

Gender Stereotypes: "Gender stereotypes are the structured beliefs people hold about personal attributes of men and women as well as their physical characteristics" (Foote et al 2005:67). These gender stereotypes are carried along when going to work. Gender stereotypes imply that men should be sexually aggressive and women on the other hand should be willing to be sex objects. Sexual harassment may result when the stereotypes spillover into the workplace. This may happen when individuals act on their thoughts about women and men; they may engage in behaviour that is discriminatory (Levy and Paludi 2002, 67).

2.14 PSYCHOLOGICAL ANALYSIS OF WHY SEXUAL HARASSMENT OCCURS

Paludi (Levy and Paludi 2002: 69) focused on men's attitudes towards men. Those whom she discussed with about sexual harassment reported that they often act out of extreme competitiveness and concern with ego or out of fear of losing their positions of power. Because they do not want to appear weak or less masculine, they engage in rating women's bodies, pinching women, making implied or overt threats, or spying on women. Women are then used as the game to impress other men.

2.15 IMPACT OF SEXUAL HARASSMENT

Sexual harassment brings about many adverse effects on the employees and organisations. These include inter-personal and inappropriate behaviours that block effective relationships with other people. Sexual harassment impacts on the physical and emotional wellbeing of the victim. According to Le Roux et al (2005, 7-9) there is evidence suggesting that there is a link between sexual harassment and Post Traumatic Stress Disorder (PTSD). An employer's failure to recognize the health implications of sexual harassment can translate into a financial cost more difficult to calculate than the costs linked to litigation. These implications translate into undeterminable financial costs, which manifest as absenteeism, reduction in productivity and quality of work, low staff morale and high staff turnover. (Le Roux et al 2005, 7-9).

A 1988 survey conducted by the U.S. Merit System Protection Board suggests that approximately 34,600 employees in the U.S. federal government quit their jobs because of sexual harassment on the job during the period between 1985 and 1987. The same survey found that sexual harassment cost the U.S. federal government $267 million in turnover, sick leave and lost productivity (Aggarwal 1992, 35)
Employers can face litigation as they are charged with the responsibility of providing an environment free of sexual harassment.

If it can be established that an employer is liable for sexual harassment committed by one of employees, the financial implications could be severe. In a *Grobler v Nasper Bpk en 'n ander*, the employer was required to pay to pay almost R800 000 to the victim of sexual harassment perpetrated by one of its employees. This happened because although sexual harassment policy was in place, it was not effectively managed. In the *Ntsabo v Real Security* CC case, the employer was required to pay almost R82 000 to one of its

former employees who earned R1000 a month. This was due to the fact that there was no sexual harassment policy in place. The University of South Africa (UNISA) academic Margaret Orr settled her sexual harassment claim against the perpetrator (the chairperson of Unisia's Council) in the High Court by accepting an amount of R150 000 plus legal costs and settled her case against UNISA in the Labour Court by accepting a commitment by UNISA to donate R500 000 to a bursary fund and a contribution of R430 00 to her legal costs (le Roux et al 2005, 7-9).

The implementation of sexual harassment policies by an employer will therefore serve multiple functions in the context of harassment. It will create an awareness of sexual harassment, which may result in its prevention. It may also eliminate the employer's vicarious liability, which results from ineffective implementation of existing policies or the non-existence of the policy. An effective sexual harassment policy will provide a strong defence against claims in terms of employment discrimination laws and will provide grievance procedures which can prevent the health consequences of sexual harassment as well as the concomitant financial losses associated with health problems. It is therefore cheaper to institute preventative measures. On the other hand the costs of correcting the effects of sexual harassment are high because the problem requires multidisciplinary intervention.

2.16 SEXUAL HARASSMENT AND THE LAW

Sexual harassment has become a global issue. The legal and the legislative responses to it are however not universal. Some jurisdictions have introduced dedicated legislation to deal with sex discrimination, including sexual harassment. Others use the general body of discrimination to regulate sexual harassment. In South Africa the basis of sexual harassment in the

workplace is founded upon a number of statutes, which address discrimination in general. These include:

- The Constitution of the Republic of South Africa Act, 108 of 1986
- The Labour Relations Act
- The Employment Equity Act and
- The Promotion of Equality and Prevention of Unfair Discrimination Act

The workplace need functional policies, which are the most, appropriate means of addressing the issue of sexual harassment. Policy creates awareness and alleviates employer liability in terms of the EEA. In section 60 of the EEA, an employer is liable for sexual harassment perpetrated by one employee against another employee if the employer fails to take steps to eliminate sexual harassment duly reported in terms of the EEA. The employer would therefore have to show that she or he did all that was reasonably practical to ensure that the employee would not perpetrate sexual harassment while at work. The workplace need not only adopt a functional policy, but also communicate the contents of the policy to employees. This is taken into consideration when determining if the employer has discharged her or his obligations in accordance with the provisions of the Employment Equity Act (le Roux et al 2005, 42-44).

Employers and managers need to play a leading role in creating and maintaining a working environment in which sexual harassment is unacceptable. Employees also have a duty to refrain from sexual harassment.

2.17 GENERAL DUTIES OF EMPLOYERS AND MANAGERS

Sexual harassment, in all its forms, constitutes grave disrespect for another human being and is therefore a very serious form of misconduct. An

employer should therefore eradicate sexual harassment and create a working environment that is conducive to healthy relations where all employees treat one another with respect and recognize one another is integrity and dignity (le Roux et al 2005,44-45).

Employers are urged by the NEDLAC 2005 Code of Good Practice to create and maintain a working environment in which the dignity of employees is respected and to sustain a working climate in which complaints of sexual harassment are not ignored or trivialized and where complainants do not fear reprisals. Employers can therefore adopt a statement of intent, to adopt policies and procedures relating to the treatment of sexual harassment cases and to put in place continuous training and sensitization programmes. These programmes can create a culture, which makes sexual harassment disfavoured, and encourage employees to utilize the reporting procedure and give management the opportunity to promptly stop and correct the behavior. The programmes further help the employer prove that the harasser and later disciplined employee were given prior notice of the probable consequences of engaging in the prohibited conduct (le Roux et al 2005, 44-45).

The NEDLAC 2005 Code requires that the sexual harassment policy should include a statement that sexual harassment constitutes a from of unfair discrimination on the basis of sex, gender, sexual orientation, and that it constitutes a barrier to equity, that sexual harassment in the workplace will not be permitted or condoned, that the complainants of sexual harassment have a right to follow the procedures in the policy, that the employer must take appropriate action and that victimization of a complainant who lodges a complaint in good faith will be prevented.

2.18 THE DOD POLICY ON SEXUAL HARASSMENT

A requirement exists for a departmental level policy (DODI- Department of Defence Instruction) dealing with the prevention and elimination of sexual harassment in the Department of Defence. The aim of this document is therefore, to provide a policy on sexual harassment that will ensure a working environment free from sexual harassment. This Instruction will guide Services' Divisions and Formations down to the lowest levels on the complex and sensitive issue of sexual harassment and provide the methodology on how to recognize and deal with sexual harassment. Its prescriptions include an unambiguous policy statement by the Department of Defence on its non-sexist stance and give an explanation of important terms and forms of sexual harassment, and the negative effects of sexual harassment, on individuals and the organization.

The Department of Defence has drawn a policy on sexual harassment to show its commitment to eliminate and prevent all forms of sexual harassment from occurring. The policy on the Prevention and the Elimination of Sexual Harassment describes behaviour which is regarded as sexual harassment and which is punishable in the military court. The policy further points out to the effects or costs carried by sexual harassment.

In its policy statement the policy states that the issue of sexual harassment must be included in the orientation, induction, education and training courses of the Department of Defence. It further mandates all uniform members of the SANDF and Public Service Act employees to undergo such training and to receive follow-up training during the course of their careers. The question that comes to bear is whether the policy is being implemented as it is intended.

A survey was conducted in the United Kingdom Armed Forces. The survey found that sexual harassment exists in the Armed Forces. This led to the preparedness to deal with the issue of sexual harassment. This has been done by first understanding what the issue involves. They are also continuously embarking on amending processes as well as discouraging sexual harassment in the first place. A policy on Equality and Diversity incident recording has been introduced whereby units have to record incidences of bullying and harassment and report to the Service Chains of Command every six months. The Chief of the Defence Staff has taken a personal interest in these matters (UK National Report 2006). This type of commitment is lacking in the South African National Defence Force. The policy is not monitored or evaluated to obtain an idea of whether it is perceived to be working by the employees.

The definition of sexual harassment used here is similar to the one, which is adopted under Title VII of the 1964 Civil Rights Act. Sexual harassment is defined as "unwelcome sexual advances, requests for favours and other verbal or physical conduct of a sexual nature.

2.19 CONCLUSION

The literature review has provided a context which assisted the researcher to better comprehend the problem of sexual harassment.

The literature that was reviewed revealed that sexual harassment is complex. There is a wide divergence of perceptions as to what actions constitute sexual harassment. People's perception of sexual harassment differs and what constitute sexual harassment for one person may not necessarily be experienced similarly by the other.

It is therefore imperative that organisations deal proactively with the problem of sexual harassment by using educational interventions such as developing

clear policies. The literature further revealed that the implementation of sexual harassment policies by an employer serve multiple functions in the context of harassment. It creates an awareness of sexual harassment, which may result in its prevention. It further eliminates the employer's vicarious liability, which results from ineffective implementation of policies or the non-existence of the policy.

CHAPTER 3

RESEARCH METHODOLOGY

3.1 INTRODUCTION

This section introduces the reader to the methods of research, which were employed to collect data for the study. This stage in the process of research concerns itself with sampling and data collection methods. Methodology refers to a general approach of studying research topics. A researcher's choice of a methodology should therefore reflect an overall research strategy (Blaxter 2004, 88).

3.2 RESEARCH APPROACH

In order to discover answers to the research question, a qualitative study was undertaken. This research paradigm is premised on the view that reality is constructed by individuals interacting with their social worlds. The researcher here is interested in understanding the meaning people have constructed and how they make sense of their world and the experiences they have of that world.

Creswell defines qualitative research as an enquiry process of understanding based on distinct methodological traditions of inquiry that explore a social or human problem. The researcher builds a complex, holistic picture, analyzes words, reports detailed views of informants and conducts the study in a natural setting. Qualitative research involves a complex narrative, which takes the reader into multiple dimensions of a problem or issue and displays it in its complexity (Creswell 1998, 17-18).

Creswell (1998, 17-18) contends that a researcher chooses a qualitative research approach when the research question is asking a why or how

question, so that a description of what is going on can be obtained. Qualitative research is chosen because the researcher wants to explore the topic (implementation of the policy on the elimination and prevention of sexual harassment in the South African Defence Force), as there is no research that has been conducted on the subject matter. A qualitative approach is further chosen to allow the researcher to assume a role of an active learner who can tell the story from the participants' view.

A need exists to know more about the experiences of individuals about the phenomenon of sexual harassment and the meaning they attach to these experiences as well as how the policy on the elimination and prevention of sexual harassment is being implemented.

3.3 DATA COLLECTION

Data collection is visualized by Creswell (1998, 110) as a series of interrelated activities aimed at gathering good information to answer the research questions. As a first step to data collection, the researcher starts by finding people (the unit of analysis) or places to study, gain access and establish a relationship so that they can provide a good data.

An important thought that needs to occupy the researcher involves determining how the respondents will be sampled. A sample is a subset of the whole population which is actually investigated by a researcher and whose characteristics will or may be generalized to the entire population (Bless and Higson-Smith 1995, 20). Sampling in qualitative research is not done to yield representivity but so that one can best study the problem under examination. The type of sampling used in qualitative research is therefore non-probability sampling. This type of sampling is used where the probability of including each element of the population is not known. The researcher used a purposive sampling. This type of non-statistical sampling means that

the researcher selects groups or category to study on the basis of their relevance to the research questions (Mason in Blaxter 2004:105).

Two units were chosen for the purposes of this study. One of these units was the South African Military Health Services unit in Pretoria. This is a training unit, which has in the past experienced a number of sexual harassment cases but is reportedly not experiencing sexual harassment reports anymore. The cases were reported to the unit social worker (whom the student/researcher supervised). The other unit will be an Army unit in Bloemfontein. The Free State province is one of the provinces, which often do not submit sexual misconduct statistics through to the Military Legal Prosecution Section at the Defence Head Quarters. This therefore gives an impression that sexual harassment is not prevalent in the province.

The respondents for the study were selected from the units mentioned above and were distributed as follows:

- Officers commanding (2)
- Unit Para-legal officers/ adjutant (2)
- Regimental Sergeant Majors (2)
- Section heads (2)
- Victims and survivors (4)

The auxiliary members of staff whom the victims consult with after exposure to sexual harassment will also be interviewed. The composition of these professionals is as follows:

- Social workers and/or Chaplains (2)
- Military legal prosecutors (2)

People who are designated as accountable for the execution of the policy were chosen for the study. The majority of the respondents in the study were men as they still occupy most managerial positions. Few women who have been exposed to sexual harassment (from lower echelons of the

organisation) were also be approached for the study to find out if the policy does or has offer(ed) protection for them. The researcher has supervised a social worker that is placed in the chosen unit in Pretoria. She was therefore utilized as a point of entry to the respondents who were previously sexually harassed. The researcher further has links with the Chaplain of the unit in Bloemfontein, which has members who are currently being sexually harassed. The respondents were identified and requested to participate in the study.

The participants in the study were informed about the nature of the study in which they would be involved. Proper respect for human freedom must also be exercised. The participants were not physically or psychologically coerced to participate. Their participation was therefore based on full and open information. The anonymity of victims and survivors was ensured throughout the study and beyond. Measures were taken to protect the participants' identities. All the data obtained through the research was safeguarded against unwanted exposure. The data is made public or known behind the shield of anonymity. Respondents are identified by numbers (Denzin et al 2000, 138-140).

Although the victims were approached and indicated their willingness to participate in the study, they were subsequently reluctant. This was respected by the researcher who then used prosecutors to triangulate data and the findings.

3.3.1 PRIMARY DATA

In-depth individual interviews were used as a primary method of collecting data for this research. These interviews were more like conversations which afforded participants latitude to choose how they structure their responses. The respondent's perspective would therefore unfold as they themselves view it, and not as the researcher views it (Marshal et al 2006, 101-103). The

researcher therefore conveyed an attitude that the respondent's views were valuable and useful. Appointments were scheduled with the respondents and interviews conducted. The interviews were semi-structured in that the researcher formulated an interview protocol, which would guide the interviews. A room was however provided for informal, open ended, unstructured type questions, tailored to the interviewees (Neuman1997: 32-33). The protocol provided an ample space for answering the questions, and afforded respondents an opportunity to formulate the answers in their own way

The researcher also took interview notes to help capture aspects of the interview, which were not provided for in the answer sheet. These will be used to complement what the respondents write up as answers to the questions posed. The researcher visited the respondents in their offices or units to conduct one-on-one interviews. In cases where the respondents do not have an office or share an office, an alternative office was requested. These practicalities were established before the day of the appointment.

Where a direct access to the respondents could be obtained, a telephone interview was opted for. This was however be done as a last resort. This form of interview was however cost effective, as it cut the traveling cost. Phoning members of the Defence Force using landlines is subsidized. The shortcoming here was the inability of the researcher to see the respondents. The researcher requested the respondents to give 45 to 60 minutes of their time for the interview. The respondents were also informed that the researcher would not go beyond the time agreed upon.

Two further issues that are likely to confront t he researcher at this stage in the research process are access and ethics. Gaining access to the people the researcher wishes to study is not a once off exercise which is conducted at the beginning of data collection but a continuous process. Data collection is

not automatically smooth and trouble free. This necessitates a constant renegotiation of access. The researcher must also think of the effect the research is going to have on others.

Furthermore research ethics are about being clear about the nature of agreement the researcher enters into with the researched, about getting the informed consent of those being interviewed, about reaching agreements on how data will be used and how analysis will be reported and disseminated. The researcher should display ethically informed conduct and keep to the agreements. This becomes more important in the case of qualitative research where a closer relationship exists between the researcher and the researched. Ethical issues to be considered revolve around privacy, informed consent, anonymity etc. The researcher should therefore Exercise responsibility in the process of data collection, analysis and dissemination (Blaxter et al 2004:154-160). As mentioned above, the researcher visited the respondents in their units and an office, which was more likely to provide a reasonable amount of confidentiality, was chosen as a venue for the interview. The respondents were involved in every decision taken around practicalities and the actual interview. A letter was obtained from ADU at the school of Public and Development Management for credibility for the study.

3.3.2 SECONDARY SOURCES OF DATA

Secondary data were obtained from departmental documents on sexual harassment in the SANDF. A historical analysis, which is a method of discovering what, has happened using records and accounts will therefore be used. This will helped the researcher establish a baseline or background prior to interviewing (Marshal et al 2006, 113-114). Confidential reports, military reports, public reports and interviews with military legal prosecutors all formed part of secondary sources of data.

3.4 RELIABILITY AND VALIDITY

Reliability and validity are central issues in all measurement. Reliability refers to the consistency and dependability of measurement. It suggests that the same thing recurs under identical or very similar conditions. Validity on the other hand suggests truthfulness. It refers to how well an idea fits actual reality i.e. it addresses the question of how well the social reality being measured through research matches with the constructs researchers use to understand it (Neuman 2006,188-189).

Perfect reliability and validity are virtually impossible to achieve. They are ideals that the researchers strive for. Qualitative researchers using alternative measures will yield distinctive results because data collection is an interactive process where particular researchers operate in an evolving setting. This is made more complex by the fact that the context of a setting dictates using a unique mix of measures that cannot be repeated. Actions and statements are also shaped by the context in which they appear. The advantage of these diverse measures and interactions with different researchers is that they can illuminate different dimensions of a subject matter. It surfaces aspects of diversity that exist in the social world (Neuman 2006, 188-189).

This study did not intend to find a single version of the truth but was interested in authenticity. Authenticity means giving a fair, honest and balanced account of social life from the viewpoint of someone (respondents) who lives it on a daily basis. The study therefore concerned itself with obtaining a candid portrayal of social life that is true to the experiences of the respondents. This was obtained through building rapport with the respondents.

3.5 TRIANGULATION

Triangulation refers to viewing a phenomenon from different angles or viewpoints. This helps researchers get a fix on a phenomenon's true location. This study triangulated by using two units which have different characteristics to try and understand why the one unit seems to have moved and implemented the policy and the other one not. (Neuman 2006, 149-151).
The study will build theory by making comparisons of two units. Similarities and differences will therefore be looked at. Similar questions were posed to different categories of respondents to help validate the responses.

3.6 DATA PRESENTATION

Data is usually presented by a way of writing a research report. This report has a relatively simple format and seeks in general to achieve three objectives. The following are the objectives a research report seeks to archive:

- It acquaints the reader to the problem that has been researched and explains the implications thereof adequately so that the reader may have a clear orientation of the problem.
- Data should be presented fully and adequately. The data in the report should substantiate all the interpretations and conclusions, which the report contains.
- It should interpret the data for the reader and demonstrate how the data solves the problem, which was researched. The data presented in the report should necessarily be interpreted to help the reader in providing meaning from those data. This is important as the information helps with the resolution of the problem, which is being

researched. It also helps present the usefulness of the study (Leedy 1980:180).

The research report creates the meeting of minds between the writer of the report and the reader of the report. The report should on its own enable the reader to understand what the problem was and the ramifications thereof. The report must be adequately reconstructed and set forth the problem and it's setting (Leedy 1980, 180).

Data is presented in terms of a problem. The problem is sectionalized, that is it is organized and expressed according to the research questions to facilitate the management of the problem as a whole. The sections are presented or exhibited in a logical sequence. Each question is therefore restated in its exact wording at the beginning of the discussion. The data germane to each question is then presented. The data is interpreted and the conclusions warranted by the data are presented in the resolution of the problem. This is done to keep the reader oriented to the progress of the research as it is being reported (Leedy 1980, 185).

Data is defined by Leedy as a manifestation of the truth and not the truth itself. Through data the researcher seeks what is absolutely true. Leedy refers to primary data, which he defines as the data, which is closest to the source. This type of data reflects the light and qualities of truth faithfully as compared to other avenues to the truth. Data are recorded measures of certain phenomena while information refers to a body of facts that are in a format suitable for decision-making. The raw data collected in the field needs to be transformed into an information that can answer questions and can be used in decision making (Zikmund 2003, 453).

3.7 DATA ANALYSIS

Data analysis involves getting data into shape. Qualitative data are in the form of text, written words, phrases, or symbols describing or representing people, actions and events in social life (Neuman 1997:418). Data analysis involves making inferences, which translates into passing a judgment, using reasoning and reaching conclusion based on evidence. In analyzing data, researchers examine patterns and differences across cases and try to come to terms with their diversity. Researchers using qualitative style rarely enjoy an ability to predict their own analytic processes. Data analysis in qualitative research starts while the researcher is busy carrying out data collection. This helps guide further subsequent data collection.

Creswell (1998:140) emphasizes the importance of "reading through all collected information in order to obtain a sense of the overall data". The researcher can then, at this stage also consider the types of words the participants used, whether metaphors were used. The process of reducing data begins. This is then followed by displaying or visualizing the data. Data in a qualitative study can also be reduced by developing codes or categories and to sort text into categories. This category formation represents the heart of qualitative data analysis. The researcher describes in detail what they see. This detail is provided within the context of the setting of the person. They develop themes or dimensions through some classification system and provide an interpretation in light of their own views or views of the perspectives in the literature. This classifying involves taking data apart, looking for categories of information. The classification may entail identifying five or six general themes. These may further be divided into families of themes containing sub-themes as it is difficult to reduce data into five or six themes only (Blaxter et al 2004, 140-146).

The researcher took time to go through the responses soon after each interview to consolidate the interviewee's answers and interviewer's notes. She also looked for similarities in the responses that the respective respondents provided. Similar themes or categories are put together for coherence and logic. Different possible meanings of data are explored. This circumvents the fallacy of influencing the interpretation of the data and ensures that the data speaks for itself. Data is reduced to decide which data chunks provide the initial focus. Data is then displayed in the form of graphs and charts to clarify the direction of the analysis. In this way quantitative methods of data analysis are also utilised to aid the analysis. This also helped the researcher draw conclusions on what the information presented means. Patterns, configurations and propositions were noted

3.8 CONCLUSION AND RECOMMENDATIONS

This encompasses an executive summary of main points noted in each chapter in the study – including the need for further research – if applicable and integration of the various theories and perspectives discussed in the literature review process.

3.9 CONCLUSION

The research methodology informed the reader on how the researcher went about the research process. The areas covered included among others data collection, presentation and analysis. The chapter further enlightened the reader around how and why the respondents were selected.

CHAPTER FOUR

PRESENTATION OF DATA

4.1 INTRODUCTION

This part of the report seeks to acquaint the reader to the problem that has been researched and to explain the implications thereof, so that he or she may have a clear orientation to the problem. The researcher endevours to present data fully and adequately. The data presented substantiates all the interpretations and conclusions contained in the report. This data is further interpreted to demonstrate how it solves the problem which was researched, that is the Implementation of the Policy on the Prevention and Elimination of Sexual Harassment in the SANDF.

Data is defined by Leedy (1980, 185) as a manifestation of the truth and not the truth itself. Through data the researcher seeks what is absolutely true. Leedy refers to primary data, which he defines as the data, which is closest to the source. This type of data reflects the light and qualities of truth faithfully as compared to other avenues to the truth. Data are recorded measures of certain phenomena while information refers to a body of facts that are in a format suitable for decision-making. The raw data collected in the field needs to be transformed into an information that can answer questions and can be used in decision making (Zikmund 2003, 453).

Data will be presented in terms of a problem. The problem is sectionalized, that is it is be organized and expressed according to the research questions to facilitate the management of the problem as a whole. The sections are presented or exhibited in a logical sequence. Each question will therefore be restated in its exact wording at the beginning of the discussion. The data

germane to each question will then be presented. The data will be interpreted and the conclusions warranted by the data will be presented in resolution of the problem. This will be done to keep the reader oriented to the progress of the research as it is being reported (Leedy 1980, 185).

This chapter will present an empirical perspective of the experiences of the people interviewed regarding the implementation of the Policy on the Prevention and Elimination of Sexual Harassment in the Department of Defence. The chapter will present the data collected from the targeted respondents. The data will be presented separately for management and for prosecutors who were interviewed as an alternative to obtaining the views of victims and ex-victims. Questions which were to both the management group and prosecutors will be presented together in one theme. The data will further indicate where the respondents were drawn from, that is whether they are from Gauteng or the Frees State province. It will be organized around the following themes.

- Policy knowledge.
- The prevalence of sexual harassment.
- Strategies for raising awareness.
- Policy implementation
- Effects of sexual harassment
- Management role

Separate themes for the prosecutors

- Policy adequacy
- Policy compliance
- The victims of sexual harassment

- Reporting of sexual harassment incidents by victims
- Organizational effectiveness in dealing with sexual harassment
- Definition of sexual harassment

4.2 RESPONDENT DISTRIBUTION

TABLE 1: Geographical Distribution of respondents

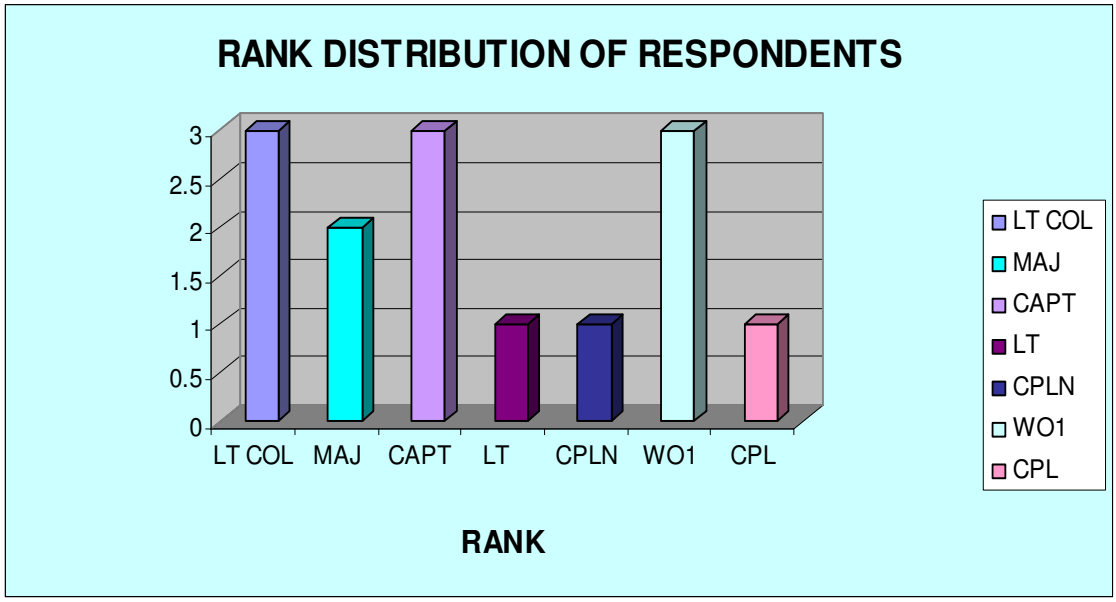
S/No	Province	Appointment	Rank	Sex
1	Free State	2IC	Lt Col	Male
2	Gauteng	2IC	Lt Col	Male
3	Free State	Adjutant	Capt	Male
4	Gauteng	Adjutant	Lt	Female
5	Free State	Wing Commander	Lt Col	Male
6	Gauteng	Instructor	Warrant Officer	Female
7	Free State	Wing Commander	Maj	Male
8	Gauteng	Instructor	Cpl	Male
9	Free State	RSM	WO1	Male
10	Gauteng	RSM	WO1	Male
11	Free State	Social Worker	Capt	Female
12	Gauteng	Chaplain	Chaplain	Male
13	Gauteng	Prosecutor	Maj	Male
14	Gauteng	Prosecutor	Capt	Male

Two prosecutors were interviewed instead of victims who had reservations regarding participation in the study. Part of the researcher declaration was

that respondents were not coerced to participate in the study and that they were free to withdraw from the study at any stage when they felt like it. Victims and ex-victims responses could therefore not be solicited.

4.3 RANK DISTRIBUTION OF RESPONDENTS

FIGURE 1: RANK DISTRIBUTION OF RESPONDENTS

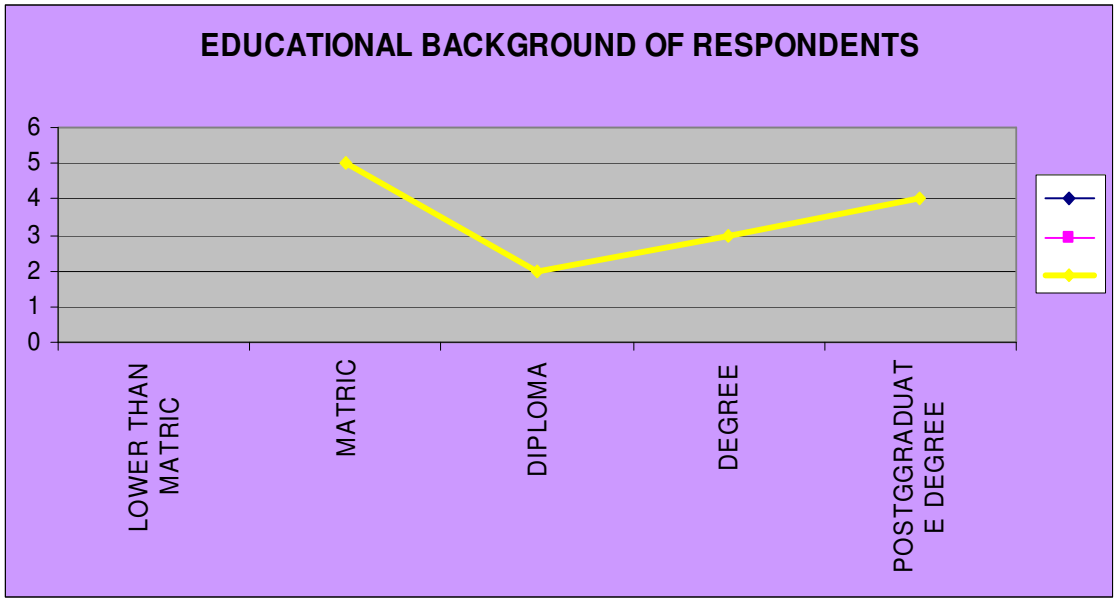


The rank of the respondents ranged between the Lieutenant Colonel to Corporal. The respondent group comprised of three Lieutenant Colonels, two Majors, three Captains, one Lieutenant, one Chaplain, three Warrant Officers and one Corporal. Most of the respondents are senior in rank, that i.e. commissioned officers. Their responses may affect the quality of data in that they may not base their responses on the experience they have but on reported cases. As it is indicated in the literature review section, many victims or survivors of sexual harassment do not report due to a number of factors which include inter alia fear of victimization. The experiences and observations made by these senior officers (most of whom are males) is therefore crucial not only to enrich the data gathered but also to support the victims who are usually silent about the problem.

4.4 LEVEL OF EDUCATION

The respondent level of education was another demographic characteristic which was used to determine if it had any bearing on how they responded to the questions.

FIGURE 2: LEVEL OF EDUCATION OF THE RESPONDENTS

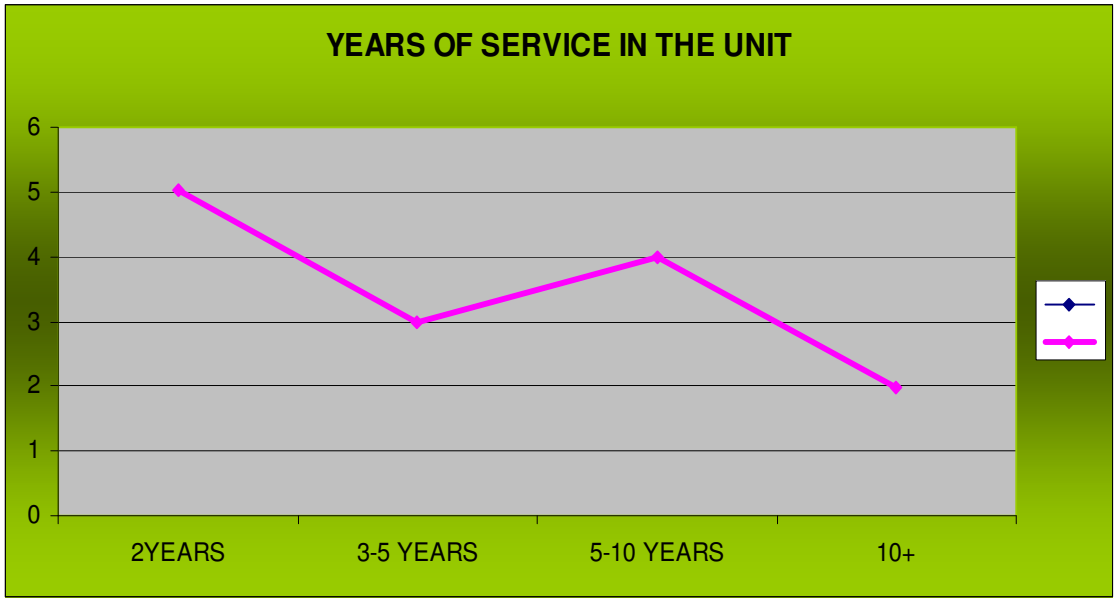


The educational qualifications of all respondents ranged from matriculation to a degree. Most of the respondents (36%) ended up at a matriculation level. Four of the respondents (29%) had postgraduate qualifications, while three (21%) had degrees. Only two of the respondents (14%) had diplomas. The possible effect which the respondents' level of education may have for this research is the varying degrees of comprehension of the questions. Looking at the respondents' qualifications from another ankle, sixty four percent (64%) had post matric qualifications. This may imply that they may be familiar with the quality of data gathered is of a higher standard.

4.5 THE NUMBER OF YEARS WHICH THE MEMBER SERVED AT A GIVEN UNITS

The number of years which the member served at the unit under study was another important measure as the members would then know how the unit has faired over time in terms of governance and particularly in terms of dealing with sexual harassment issues.

FIGURE 3: DISTRIBUTION FOR YEARS OF SERVICE AT A UNIT



Most of the respondents, thirty six percent served in the unit for less than two years. Twenty nine percent served over a period ranging from five to ten years while twenty one percent served between three to five years. Only fourteen percent (14%) had over ten years of service at a given unit.

Most of the respondents (50%) have therefore only been working in their respective units for less than five years. The study therefore documents

experience which is mainly, relatively new. New in service necessarily means that the respondents have less exposure and this may therefore impact on levels of knowledge of issues, laws and reported cases. This threatens to pose limits on the data obtained. One of the units was chosen because of its history of having many reported cases of sexual harassment. In this case it would therefore be beneficial to have respondents who were there when there was prevalence of sexual harassment, who can therefore contribute significantly to this research.

4.6 DESCRIPTION OF THE RESPONDENTS' POST

2IC. A person holding this role is a second in charge or in command. The person is responsible for the administration of the unit. The 2IC ensures that the relevant section heads draft and submit the Short Term and Medium Term Strategic Business Plan. He then puts in place a process to monitor and control activities to ensure the sustainment and achievement of objectives. He or she will also take over the command and control of the unit in the absence of the officer commanding.

Adjutant. This position is held by a person who is responsible for the discipline of members. Any punishable behaviour of members is brought to his or her attention for further management.

Wing commander. Training units are divided into sections. These may be called sections or by another name. This unit (in the Free State) is divided into wings. Two wing commanders were interviewed, one from training and the other one from the Evaluation section. The two wing commanders have people working under them and may therefore be used as the first point of contact if any of their members was either harassed or they (members) themselves harassed somebody else.

Instructor. This is a person who presents or facilitates courses in a training unit. The person works with the learners on a daily basis and may observe or pick up behavior or attitude that requires attention.

RSM. The Regimental Sergeant Major is also responsible for the general discipline of unit members. He or she ensures that members pay the necessary salutations and compliments that they are dressed properly for duty that the regimental duties are carried out appropriately. He or she is the first contact for the warrant officers and the Non Commissioned Officers (NCO's)

Social worker. The social worker attends to the person to person, person to organisation or organisation to person interface and is there to ensure that the relationships are mutually beneficial.

Chaplain. The chaplain is responsible for the spiritual wellbeing of members.

The Chaplain and the Social worker may be seen without necessarily requesting permission to do so. They may therefore be consulted about any problem. Members can go to these professionals even in cases where they have problems with their supervisor or their officer commanders.

Prosecutor. Prosecutors are responsible for determining whether a sexual harassment case merits going to court or not. They conduct investigations with the help of the Military Police or adjutants. Where critical elements of information are not readily available in the information presented to them, they may also carry out investigations themselves. They are prosecutors in the military courts only, not in civilian courts.

Victim and Ex-victim. Victim is used in the context of this study to refer to a person who has experienced sexual harassment and who was still undergoing a process of recourse during the study. Ex-victim refers to a person who has been harassed and whose case has been dealt with by the unit and/or by the court.

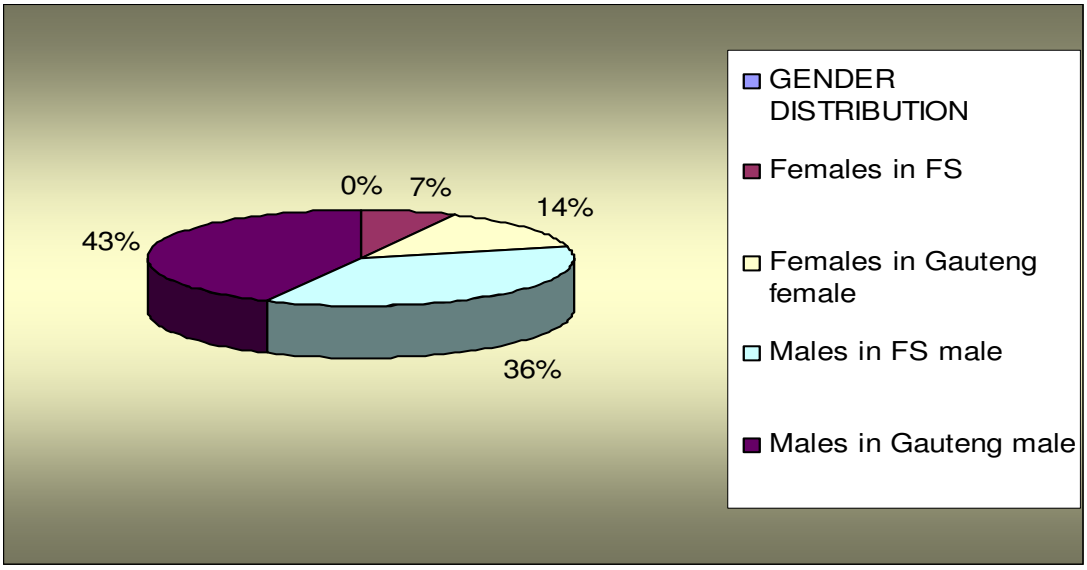
The respondents were drawn from two provinces and the numbers were evenly distributed between the provinces. Prosecutors were only drawn from the Gauteng province. The two prosecutors have however worked in few provinces, including those under study, i.e. Gauteng and Free State. Of all the respondents, only three were female.

Respondents' biographical information. They were categorized into two groups, management and prosecutors.

TABLE 2: DEMOGRAPHIC FEATURES OF RESPONDENTS

	GAUTENG PROVINCE	FREE STATE PROVINCE
Women	**2**	**1**
Men	**4**	**7**

FIGURE 4: GENDER DISTRIBUTION



All of the respondents (except one) of the management part at the Free State unit were male. Only the social worker was female. The Pretoria unit had only two females among the management respondents. The rest were male, including the member of the professional (Chaplain). The prosecutors were both male. Having more female respondents for this research would have aided this research tremendously. The question on the prevalence of sexual harassment was looking for opinion and not reported cases as such. Having female respondents would have yielded more on this question in that they would have reported not only on their experiences but on those of their friends and colleagues.

4.7 THEMES

4.7.1 POLICY KNOWLEDGE

This theme addresses the extent of knowledge the respondent have of the departmental policy on the prevention and elimination of sexual harassment.

The question which was posed here was: How much do you know about the policy on the prevention and elimination of sexual harassment?

4.7.1.1 EXTENT OF THE MEMBER'S KNOWLEDGE OF SEXUAL HARASSMENT POLICY

Responses from the Gauteng Province

The first respondent in the Gauteng Province was an instructor who works with students for the most part of the time he spends at the unit. The respondent has not seen the policy on the prevention and elimination of sexual harassment. However, he indicated that he had a general knowledge of what sexual harassment is all about as well as the steps which need to be taken when a person is being sexually harassed.

The second respondent was an adjutant who deals with offences committed within unit lines. She indicated that she has seen the policy and that she knows that it exists. She however does not know what its contents are.

The third respondent, a female instructor, indicated that her supervisor has in the past called all her subordinates in her department and discussed some document on sexual harassment. This happened after the unit experienced an incident of sexual harassment. She believes that this document which formed the basis of the discussion was the policy on the prevention and elimination of sexual harassment.

The fourth respondent has not seen the sexual harassment policy but has read documents which were sourced from the policy. He indicated that his unit has a Standard Working Procedure (SWP) which was adapted from the policy. He also said that before the learners can proceed with various

courses, they are given a document to sign. This is some kind of a declaration which the learners make that they understand the contents of the policy. This is a step in the right direction but not enough, it is imperative that the contents of the policy are discussed to ensure that everybody has the same understanding of the contents and of punishable behaviour under the policy.

The fifth respondent got exposed to the policy ever since it was promulgated. He indicated that a shorter version of the policy has been developed in his unit. The learners are given this version to read and sign as a declaration or acknowledgement that they have read it and understand the contents thereof.

The sixth respondent, the Regimental Sergeant Major (RSM) said that he was at some stage forced to read the policy after he was falsely accused of sexually harassing a student from another military school. He is of the opinion that the policy only concentrates on protecting females and not males. "The policy protects women but says nothing about men. It is not helpful". The policy is therefore according to him very vague. The respondent is in a very good position to use the knowledge that he has about the policy as all the Non Commissioned Officers (NCO's) report to him on any issues or problems they experience in the workplace. He could take on a role of an educator and lesson the amount of complaints that can potentially be brought to his office. He can further sensitise subordinates around behaviour which is defined by the policy as offensive.

Most of the Gauteng respondents 67 %(four) indicated that they did not know much or anything about the policy. Of the four who do not know about the policy, one indicated that her supervisor once addressed the issue and that she believes that the document that she used was the policy. One indicated that he has only seen documents which were sourced from the policy. Only two indicated that they know the policy and its contents. One of the two who

knew was a professional, a chaplain who has to know the policy and interpret it for members who come to him for help. The other respondent got to know about the policy after being accused of sexual harassment. He was charged and got demoted to a lower rank as a result. He was therefore forced by circumstances to read the policy which he feels is inclined more towards females and silent towards males.

Only two of the respondents reported having knowledge of the policy. Although all of the Gauteng respondents reported that they have some knowledge of the Policy on the Prevention and Elimination of Sexual Harassment, none of them could say that they have read the policy and interpreted it for their own understanding as well as to share it with the learners who become their responsibility once they come to the unit for training. It could be assumed that the fact that there has been prevalence in the past has not really woken the unit up. Some of the respondents highlighted resources which could be used to enhance the knowledge of policy for members in the unit. An example here is the adjusted or abridged version of the policy which the Gauteng unit has developed. It can be deduced that some of the respondents (who are key people whom the learners depend on to impart knowledge which they do not have) are not aware of the shorter version and this might be the case with many other members of and learners in the unit. This abridged version of the policy could be further developed and made more conspicuous to all the members.

Responses from the Free State Province

The first respondent, a member of the Multi Professional Team (MPT) indicated that she is still new and has not familiarised herself with the policies of the South African National Defence Force. “I am still new in the SANDF and I think I know a little about the organisational policy, I mean I am not sure

if it differs very much from the policy outside the SANDF. I am still learning most of the policies in the DOD".

The second respondent, a wing commander indicated that he knows about the existence of the policy but is not aware of its contents.

The third respondent, the RSM reported that he knows a lot about sexual harassment and the policy on sexual harassment. He indicated that he has attended a week long seminar in 2001 which was conducted by officers from the Chief Directorate Transformation Management. This Directorate is responsible for the formulation of the policy on the Prevention and Elimination of Sexual Harassment in the DOD. The respondent has also attended a workshop on sexual harassment, which was offered by the South African Police Service. This was done for the unit members' personal development which is done on a weekly basis as part of the unit routine. This session covers many areas and policies and is geared towards empowering unit members with essential knowledge.

The fourth respondent, the adjutant indicated that he never went through the policy but he knows that sexual harassment entails behaviour such as but not limited to touching, that makes the next person feel uncomfortable. "I never went through the policy but I know that sexual harassment is when one uses language that makes the next person uncomfortable as well as touching which is not appropriate". A cause for concern is that the two adjutants could not confidently say anything substantive about the policy, yet they are supposed to help charge people whose behaviour constitute misconduct according to the policy.

The fifth respondent, second in command (2IC) indicated that he has participated in a week long seminar on transformation issues which was

conducted by the Transformation Management Chief Directorate. Sexual Harassment and the Policy on the Prevention and Elimination of sexual harassment formed part of the areas covered in the seminar. He indicated that he knows a lot about sexual harassment

The sixth respondent, a wing commander reported that he did his diploma in Human Resources and that one of the requirements for the experimental learning assessment was to write on a policy on sexual harassment. He therefore became familiar with the policy through his private studies (which he had to analyse as part of his assignment). He indicated that he knows what is seen by the policy as sexual harassment, how it can be handled, the process which needs to be followed in reporting it and what commanders should do to prevent it (sexual harassment). He explained that sexual harassment does not only occur where women are victims but can also occur from female to male.

The responses of the Free State Province do not indicate that the unit has done much to ensure that their members know that there is a Policy on the Elimination and Prevention of Sexual Harassment. The knowledge is limited to only three people (50%) from the sample that was selected. Of the three respondents who reported having knowledge of the policy, only two (33%) got their exposure from higher levels of the organisation and not from the unit as such and one member got exposure from his own private studies. The existing knowledge can however be utilized to benefit the unit at large.

Most of the respondents reported that they had not seen the policy, but had heard of it. One of the respondents was particularly, somewhat disconcerted during the interview. It occurred that he is knowledgeable of the policy. The reason for this is that he has in the past been accused of sexually harassing a

female colleague. His case was heard in a court of Military Judge and he was demoted in rank.

He reported having a clear knowledge of what the policy contains as well as how it is implemented. He indicated that the policy is biased and does not protect men. This had an influence on how he responded to the questions posed. This further raises concern of how objective he is or he will be in handling the cases that are or will in future be brought to him for further management. He believes that he was framed and that his supervisor wanted to destroy him. He further showed signs of bitterness towards complainants of sexual harassment. He is of the opinion that women lie about being sexually harassed.

TABLE 3: POLICY KNOWLEDGE

RESPONDENT	GAUTENG PROVINCE	FREE STATE PROVINCE
1	The respondent has not seen the policy but has a general knowledge what steps should be taken if one is sexually harassed	The respondent is not familiar with the policy
2	The respondent has seen the policy but has no knowledge of the contents thereof	The respondent has no knowledge of the policy
3	Although the respondent has not seen the policy, her section head once discussed a document on sexual harassment with them (the section)	The respondent has a vast knowledge of the policy as he attended a seminar where sexual harassment was discussed
4	The respondent has not seen the policy, but documents which were sourced from it	The respondent has no knowledge of the policy
5	The respondent has seen the policy which has been condensed into a working document in his unit	The respondent has a vast knowledge of the policy as he attended a seminar where sexual harassment was discussed.
6	The respondent read the policy when he was accused of sexual harassment	The respondent has a vast knowledge of the policy which he gained through personal or private studies

4.7.2 THE PREVALENCE OF SEXUAL HARASSMENT

This theme enquired about the extent of prevalence of sexual harassment in the unit. The respondents were not only requested to give account of formal cases but were encouraged to use their knowledge of what sexual harassment is and input on the casual transactions between colleagues. They were asked if they have noticed unreported cases of possible sexual harassment. The question that was posed here was: In your opinion, what is the prevalence of sexual harassment in your unit?

IN YOUR OPINION, WHAT IS THE PREVALENCE OF SEXUAL HARASSMENT IN YOUR UNIT?

Responses from the Gauteng Province

The question enquired about the opinion of respondents in relation to the prevalence of sexual harassment in their units. The question did not so much look into reported cases of sexual harassment but looked for observations that the respondents might have made during their interactions with their fellow unit members.

In responding to this question, the first respondent reported that he is not aware of any cases which were formally reported in his unit. He however indicated that he usually observe behaviour which is somewhat indecent, particularly in the barracks or dormitories. He said that a many people engage in behavior equal to sexual harassment without necessarily being aware that the behavior composite a serious offence.

The second respondent said that she went through the unit's files and realized that there were cases reported before she came to work in the unit.

She has however not handled any reports while she was in the post, in which she has served for less than a year. She said that she even observed the behavior of past perpetrators, particularly around people coming to join the unit as members of staff. She said that in her opinion they have been behaving in an acceptable manner. “I have observed the behaviour of people who are newly staffed in the unit and those who were previously charged with sexual harassment but in my opinion they behave themselves professionally. They have thus far not done anything that could lead me to conclude that they were behaving inappropriately”.

The third respondent indicated that through her casual discussion which she normally engages in, it has become evident that people act in ways that they are not aware that they are either being sexually harassed or sexually harassing. She made an example of a male colleague who once gave female colleague a stroke on the buttocks. The female colleague just laughed, as though it was acceptable to her.

The fourth respondent indicated that he has been in the unit for some time and is not aware of any recent reports of sexual harassment. He further reported that he has not picked up any demeanor relating to sexual harassment

The fifth respondent, a member of the MPT, indicated that sexual harassment does occur in the unit and that there are certain cases which are sometimes brought to his attention. However some of the cases are left unreported. The cases which have been reported have been from both instructors and learners. He has received reports that instructors do sexually harass learners on the one hand, and on the other hand that learners seduce male instructors. There have been instances where learners have entered into some form of a competition to see who in a certain circle of friends would

sleep with the highest rank in the unit, faster than the rest of the peer group members.

The sixth respondent indicated that he has not observed any actions which can be labeled as sexual harassment in the unit.

Fifty percent (50%) of the Gauteng respondents believe that there is no prevalence while the other fifty percent (50%) are of the opinion that there is prevalence. Of the fifty percent who indicated that there is or might be prevalence, one is the member of the Multi Professional Team. The respondent was therefore reporting from the actual or from an informed position.

A premature conclusion may be drawn that the level of policy knowledge is low as the people who are supposed to filter it down do not have it. The people who were sampled for the study form part of the command structure and it is critical that they possess the knowledge so that they can help impart it on other unit members.

Responses from the Free State Province

The first respondent stated that sexual harassment exist even though it is not reported. She said that there are rumours going around that there are leaders who ask for sexual favours from members of the Military Skills Development Service (MSDS). They are alleged to promise them permanent posts in return. The MSDS members are contracted on a two year basis, while they undergo training. At the end of the two years those who are not absorbed into the department or elsewhere, do not get their contracts renewed. Their names are then put down as Reserve Force members. They will then get called up for a period not exceeding ninety days at a time, except

under exceptional circumstances such as deployment to a peace mission, which lasts over a period of six months to a year.

The second respondent reported that he never heard of any reports of sexual harassment in his wing or in the unit in the form of office bearing or in any other form.

The third respondent reported that the chaplain of the unit has referred a case of sexual harassment to him for further action. The perpetrator was charged but the case was then referred for legal action.

The fourth respondent reported that he has done one board of enquiry where a unit member sexually harassed a member from another unit.

This fifth respondent reported that the unit has not experienced sexual harassment cases as it does not have too many female members particularly new ones.

The sixth respondent is exposed to the people working in his section only. According to him the people in his section act professionally. The respondent holds a myth that sexual harassment happens to people who have not been long in the unit. This is an officer who holds the reign when the officer commanding is absent. The respondent may therefore necessarily feel a need to protect the command cadre.

One can perhaps conclude that sexual harassment exists in the unit but the responses provided to this question do not indicate that it might be prevalent. Similar to the case in the Gauteng province, the one respondent who indicated that sexual harassment is rife in the unit is a member of the MPT and interacts with a lot of members. She also does not have any reason to

protect the unit's image by hiding information. She might therefore not necessarily react to the research. As the social worker of the unit she is reporting from an informed position.

Reactivity is a phenomenon that occurs when individuals alter their performance or behavior due to the awareness that they are being observed. The change may be positive or negative, and depends on the situation. It poses a significant threat to a research study's internal validity.

Responses from the Prosecutors

The two Prosecutors concur that sexual harassment is rife in the South African National Defence Force generally and particularly in training units. This is seen more among MSDS members and those of the Reserve Force. According to the first Prosecutor the new recruits (or the MSDS members) are not familiar with the military system and are therefore manipulated into believing whatever they are told by those who deal with them. They report that those who are responsible for recruitment and induction trick them into believing that they hold significant power or authority positions to help them move upward. He cited an example of the members of the Naval MSDS who go through a year long training programme. During this year they also go through a driving and maintenance course. Female members find themselves having to sleep with the instructors so that they can get their driving licenses the easier way. The reserve force members are normally requested sexual favours in return for call ups.

The second prosecutor respondent believes that sexual harassment is prevalent in the SANDF, particularly in training units. However, victims may choose not to report it for various reasons. The respondent pointed out to the fact that some women have indicated that they have not reported because

they demanded that the perpetrator asks for an apology which they then accept. They however report sexual harassment if the perpetrator persists or refuses to apologise. Some cases are reported but never taken to court. This happens where the evidence is not enough to take the case to the next level.

TABLE 4: THE PREVALENCE OF SEXUAL HARASSMENT

RESPONDENT	GAUTENG PROVINCE	FREE STATE PROVINCE
1	Not aware of formally reported cases, but has observed indecent behaviour by members	There is prevalence but cases go unreported
2	No observation of unacceptable behaviour has been made and not aware of any formal reports	The respondent has not heard of any cases
3	The respondent believes that there is prevalence as people unknowingly, sexually harass others	There has been reported cases in the unit
4	The respondent has not picked up any Misdemeanors	A board of inquiry has been conducted with regard to a sexual harassment case
5	The respondent believes that there is prevalence, some cases are reported and there are those which go unreported	The is no prevalence as there is few females in the unit
6	No observations have been made	The people in the respondent's section behave professionally
PROSECUTORS		
1	Sexual harassment is very rife in the SANDF	
2	Sexual harassment is prevalent in the SANDF, particularly in training units	

4.7.3 STRATEGIES FOR RAISING AWARENESS

The theme focuses on the unit's ability to raise members' awareness to sexual harassment as a problem, to the policy available and to the recourse that can be taken in case sexual harassment is experienced. The question posed was: What strategies does your unit employ to raise awareness of sexual harassment in the unit?

WHAT STRATEGIES DOES YOUR UNIT EMPLOY TO RAISE AWARENESS OF SEXUAL HARASSMENT IN THE UNIT?

Responses from the Gauteng Province

The first respondent reported that students are often given time to discuss issues that concern them. They are encouraged through such sessions, to report any acts from anyone which make them feel uncomfortable. These sessions concentrate only on the learners and the instructors are often not invited. Further than this the instructors do not get opportunities to discuss such issues

The second respondent indicated that there are forums (the Officers, the Warrant Officers and the Non Commissioned Officers forums) which provide a platform through which members can raise problems that are experienced in the unit. If sexual harassment is a problem, then it may be discussed through such channels, among their peers or people in the same rank. "Perhaps people can be free to speak about whatever makes their workplace uncomfortable to work in".

The third respondent spoke about her section head who has in the past, when there were allegations of sexual harassment prevalence in the unit, called her section and sensitised them about it. She also indicated that she engages with new recruits on an informal basis to raise their awareness to the possibility of male colleagues harassing females. She said that she is not aware of anything done at unit level.

The fourth respondents said that the unit has a standard operating procedure (SOP) which is given to all the learners coming on courses to read and sign. This SOP sensitises them to sexual harassment. "The unit has taken the

contents of the policy and summarised them into a standard working procedure (SWP) to sensitise the learners about behaviour deemed inappropriate".

The fifth respondent pointed out that learners are given a document which they read and sign upon their arrival in the unit before the course commences. The Chaplain chats with the instructors on a regular basis. The General Officer Commanding has invited members to come to her office without appointments, if they have sexual harassment related issues. The Military Community Development Committee (MCDC) and the Multi-disciplinary Team (MPT) meeting raise awareness of sexual harassment issues to the unit. "Although we are currently not doing anything to promote the awareness of sexual harassment in the unit per se, the unit issues part one order which is put on the notice boards for members to read. I see this as an opportunity which can be used to raise awareness on sexual harassment".

According to the sixth respondent, the unit does not do anything. The unit has been constantly changing officers commanding who have not had a chance to give the matter much attention. There is however a unit part one order which is put on the notice board for everyone to read. The respondent saw this as an opportunity which could be exploited to filter the message down to unit members.

The responses to this question were varied but showed that there is a range of potential resources which can be used to raise members' awareness to sexual harassment in the unit. A deduction can further be made from the responses although such resources are available; they are not fully exploited to the benefit of the unit.

The respondents were often discordant with their responses. In the researcher's opinion, an SWP is a document which should be prominent as it forms part of the documents which need to be perused or completed whenever learners report in the unit. It should therefore be obvious in everybody's mind that this document exists and what it entails. It is therefore perplexing that only one respondent would remember or think about such an important piece of information or document. Even those in the higher echelons of the unit could not point out to this.

Responses from the Free State Province

The first respondent could not give any substantive answer to the question as she indicated that she is still new but that she plans to include sexual harassment issues in her presentations to the new recruits. The respondent is not conscious of the fact that she is actually putting herself forward as a resource for the unit.

The second respondent alluded that Sexual Harassment is discussed during the personnel development sessions by the unit Social Work Officer and the chaplain. During these sessions the members of the unit are informed about the importance of averting sexual harassment. A discrepancy which exists in this particular member's response is that he indicated (in responding to the question on policy knowledge) that he does not have knowledge of what sexual harassment is. His response to this question is that the members of the MPT have dealt with the issue. If this is really the case then perhaps he needed to claim possession of some knowledge. The only knowledge he claims was that of the existence of the policy in the DOD. The respondent has been in the unit for two years.

The third respondent indicated that they, as the unit's management place tabs on the unit, on an informal basis and discourage sexual harassment. He said that there is however, no formal session which has been conducted in the unit. This respondent has been in the unit for approximately five years.

The fourth respondent indicated that nothing is being done about sexual harassment in the unit. He said that MCDC meetings are used to discuss any tendencies in the unit and that through this forum, the officer commanding has hinted on the importance of respecting people's human rights.

The fifth respondent said that people from the Equal Opportunities Chief Directorate (currently called Transformation Management Chief Directorate (CDTM)) have come to the unit to deliver a seminar on transformation issues. Sexual harassment formed part of the package which was included in the seminar. He also said that the unit's personnel development sessions are also used to promote awareness of sexual harassment in the unit. The unit has formulated its own policy on racism and covers harassment, which encompasses sexual harassment.

This sixth respondent indicated that he is not sure what other professionals, working in the unit present to the learners during their periods on the various courses. "However they are in a better position to raise the unit's awareness of sexual harassment".

The Free State responses to this question were varied. Although one respondent indicated that sexual harassment is discussed in the personnel development sessions, the response from the respondent who forms part of the core of the unit's management team indicated that they have not embarked on any formal strategies to raise awareness. The respondent has been in the unit for five years and nothing has been done to raise awareness

during the time that he has served in the unit. One can however not rule out the fact that the discussion might have taken place when he was not present in the unit due to leave, course, deployment or any other reason.

TABLE 5: STRATEGIES FOR RAISING AWARENESS

RESPONDENT	GAUTENG PROVINCE	FREE STATE PROVINCE
1	Sessions held with the chaplain where learners can raise acts by others which make them uncomfortable	Social worker and the Multi Professional Team
2	There are forums where people can raise problems they experience	Personnel Development Sessions and the Multi Professional Team.
3	Sensitization by the section head or by seniors to subordinates	Unit management on an informal Basis
4	Sensitization by means of a Standard Operating Procedure	The Military Community Development Committee
5	Documents such as an abridged policy and the Military Community Development Committee and the Multi Professional Team	Level 2 (Transformation Management Chief Directorate, Personnel Development Sessions and unit policy
6	Documents such as a unit part one order	Professionals available in the unit

4.7.4. POLICY IMPLEMENTATION

Resources for policy implementation

Steps followed in implementation

This theme looks into how the units go about policy implementation. It sought to find out if the units engage in deliberate and planned strategies to address sexual harassment. The questions asked were: What resources does your unit employ to implement policy on the prevention and elimination of sexual harassment?

The second question was: What steps are followed in the implementation of the policy? The questions sought to establish if policy is actually being utilized to deal with sexual harassment and related matters or if the units engaged in trial and error ways which could be adopted from how they deal

with other normal, perhaps trivial offences. The first question sought to determine the strategies which are currently being used to promote awareness programmes which are put in place to implement the policy. It further sought to ascertain if there are specific people, professionals or means whom or which the unit advises its members to utilize when they are sexually harassed. The second question aimed to establish the potential resources which can be utilized to implement the policy

WHAT RESOURCES ARE AT YOUR DISPOSAL FOR THE IMPLEMENTATION OF THE POLICY ON TH PREVENTION AND ELIMINATION OF SEXUAL HARASSMENT?

Responses from the Gauteng Province

The first respondent stated that students are regularly given a chance to express any complaints which they may have in a communication period with the Chaplain. The Chaplain then refers relevant complaints to the unit Social Worker. The Chaplain's period provides a platform which can be used to implement the policy.

The second respondent reported that the unit follows the chain of command. The members must report their problems to the section head, the Regimental Sergeant Major or Adjutant. The matter is then referred to the unit Officer Commanding for further analysis.

The third respondent asserted that the legal professionals are available, so when sexual harassment is reported, the perpetrator is charged. The unit Social Worker presents life skills to learners and trainers. During these sessions sexual harassment is also addressed.

The fourth respondent said that the policy on sexual harassment is the first resource for the unit. "The fact that the SANDF has a policy on the Prevention and Elimination of Sexual Harassment is first and foremost an important resource in itself". He said that the professionals who have been placed in the unit to help with the wellbeing of members (e.g. social worker and chaplain) can also be used as a resource for the implementation of the policy.

Respondent five declared that he adopts an open door policy to allow learners an opportunity to speak out anonymously and without fear of intimidation. This can also be done with the General Officer Commanding (GOC) who can then take direct action against offenders. "The GOC deems sexual harassment very seriously and she invites members who fall victim to sexual harassment to come into her office without making an appointment".

The sixth respondent painted a picture that nothing is really being done with sexual harassment in the unit. The RSM holds communication periods with the warrant officers and the non commissioned officers and this is an appropriate platform to raise awareness on sexual harassment. The RSM sees himself as a potential resource but did not necessarily commit himself to help enlighten those who serve under his leadership

The respondents raised creative suggestions of potential resources which can be utilised to implement programmes geared towards the implementation of the policy on the Prevention and Elimination of Sexual Harassment Policy in the unit.

Responses from the Free State Province

The first respondent asserted that she, as the member of the MPT who is specifically placed in the unit to deal with members' problems, serves as a

resource for the unit and is aided by her supervisor who served in the unit for few years before she took over.

According to the second respondent, the unit chaplain and the officer commanding discuss issues around sexual harassment with unit members.

The third respondent iterated that the unit has a chaplain who is a resource. He has dealt with HIV/AIDS and Sexual Harassment is planned in his calendar of unit's activities. The Regimental Sergeant Major has gone through a transformation seminar where sexual harassment was addressed. He is therefore knowledgeable on the subject and can be resourceful for the unit.

The fourth respondent declared that the MCDC, comprising the adjutant, the unit Chaplain, Social Worker, Psychologist and wing commanders form part of the resources at the unit's disposal. He said that the unit further has personnel development sessions on every Wednesday, where information is shared on how the unit can be developed. The session is used to address gaps or lack in members' knowledge.

The fifth respondent pointed to the Level 2 interventions, peer education. The unit has people who have been trained around sexual harassment issues. Social workers and the Chaplain as well as members of the MCDC form part of a team which can be resourceful in heightening the awareness and dealing with sexual harassment. He indicated that the case that has been reported is an indicator of how serious the unit is about sexual harassment. The department conducts morale surveys and feedback and recommendations are given on a quarterly basis. "Information obtained through such surveys can be used to improve the unit's response to sexual harassment either as a problem or as a potential problem".

The sixth respondent asserted that the policy on the Elimination and Prevention of sexual harassment is detailed and resourceful in dealing with sexual harassment. "We also have a range of resources which can assist the unit in the implementation of the policy". The Area Military Health Unit Free State has experienced and qualified personnel who can deal with sexual harassment issues. Level three advises on labour relations matters and can be called in to help with putting programmes in place to implement the policy. The SANDF legal officers are also a resource which is used when sexual harassment cases are encountered.

People and processes have been identified as resources which can assist in the implementation of the policy. What did not come out of the responses is how these resources can be mobilised for action.

TABLE 6: POLICY IMPLEMENTATION: RESOURCES FOR POLICY IMPLEMENTATION

RESPONDENT	GAUTENG PROVINCE	FREE STATE PROVINCE
1	Communication periods with the chaplain and the social worker	Multi Professional Team and the social worker
2	Chain of command	Unit management(officer commanding, the chaplain and the Multi Professional Team
3	Legal professionals and the social worker	Multi Professional Team(Chaplain) and Management (Regimental Sergeant Major)
4	Policy on the Prevention and Elimination of Sexual Harassment	Military Community Development Committee and Personnel Development Sessions
5	The chaplain, professionals and unit Management	Level 2 (Transformation Management Chief Directorate, Multi Professional Team and the Military Community Development Committee
6	Forums and communication periods	The policy, Area Military Health Unit Free State, Level 3 (Labour Relations Advisors)

WHAT STEPS DO YOU FOLLOW IN IMPLEMENTING THE POLICY OR IN HELPING THE COMPLAINANTS?

Responses from the Gauteng Province

The first respondent declared that discussions are held with the party being harassed and confidentiality is stressed. The party is made aware that he or she is protected and will not be harmed or intimidated. Then he or she is taken to the Chaplain who will take them to the Social Worker for counseling. The matter is then taken further.

The second respondent reiterated that the unit has not had any complaints of sexual harassment. However members' forums are utilized to voice out any concerns as well as to raise awareness. "The chain of command should be used for the implementation of the policy, that is the member, then the section head and then the officer commanding. Sexual harassment is a very private and sensitive matter, confidentiality must be kept at all times when this matter has been reported".

The third respondent stated that the same process that is followed with other reports is followed. The person concerned will report the matter to the section head who will then take it to the RSM or the adjutant and then the officer commanding.

The fourth respondent said that when a report of sexual harassment is lodged, the social worker or the chaplain may be involved. He said that such a case is handled with caution. The officer commanding is also involved and the complainant is given an option of taking the issue further with the legal officers if they so wish.

The fifth respondent reported that due to the open door policy, people have access to the unit Chaplain at any time, even after hours. People are free to talk to the Chaplain regarding any form of harassment. The cases are then discussed with the General Officer Commanding. Complaints have further been received with or without the name of the offenders involved

The sixth respondent declared that it is important for those who are accused to be allowed to tell their story as well. They should be given a listening ear as well.

Responses from the Free State Province

The first respondent cited a case which she once handled, where the unit's response was to remove the female victim of sexual harassment from the unit. The Social Work Officer facilitated a process which resulted in all parties achieving an amicable resolution. The unit's response attests to the theory that usually the victim is the one who gets removed while the perpetrator is left to continue with his work.

The second respondent said that the policy on sexual harassment is used when dealing with cases of sexual harassment. He said that the perpetrator is usually called in and asked why he harassed the other party. The unit establishes if there were any witnesses, evidence is then gathered. The perpetrator is informed about the policy and they are told why they are not supposed to behave in such a way.

The third respondent asserted that the unit discourages sexual harassment at all cost. Cases are handled immediately. Office orders are conducted and the matter is not just brushed under the carpet. Office orders are a

mechanism used in the Department of Defence to issue a formal warning to members who have violated the rules and regulations.

The fourth respondents declared that the guilty parties are severely dealt with. “The case cannot be dealt with in the unit. It requires legal experts. It is important to be unbiased. A neutral or an impartial person should therefore be involved”.

The fifth respondent stated that the person violated with sexual harassment reports the matter to the supervisor who then take it to the unit’s Officer Commanding. The Officer Commanding then ensures that the matter is handled in an impartial manner

According to the sixth respondent, the policy on the elimination and prevention of sexual harassment is studied in detail and clarity on areas of uncertainty is then sought. Experts are invited to help and to train people. The policy is then implemented

TABLE 7: STEPS FOLLOWED IN IMPLEMENTING THE POLICY OR IN HELPING THE COMPLAINANTS

RESPONDENT	GAUTENG PROVINCE	FREE STATE PROVINCE
1	Discussions are held with the complainant, and then referred to the chaplain who then refers to the social worker. The matter is then taken further. Confidentiality should be maintained	In handling a case which was reported to the unit, the victim was removed from the unit.
2	Chain of command is followed i.e. section head and then the officer commanding. Confidentiality is important	Policy is used to deal with the cases. The perpetrator is also called in to give an explanation. Witnesses are sought and evidence gathered. The perpetrator is then reprimanded.
3	Chain of command i.e. the section head, Regimental Sergeant Major, Adjutant and then the officer commanding	Office orders are conducted
4	The complainant talks to the chaplain and social worker then the officer commanding. Legal officers can be involved if the victim wishes.	Guilty parties are severely dealt with. Cases require legal expertise and it is important to involve an impartial professional. person
5	Cases are reported to the chaplain who then Takes them to the General Officer Commanding	Victim reports to their supervisor who takes the case to the officer commanding who handles the case impartially
6	The accused may be allowed to tell their story	Policy is studied and the experts are invited to clarify areas of uncertainty. Expert are also invited to train people

WHAT STEPS ARE FOLLOWED IN REPORTING SEXUAL HARASSMENT?

Responses from the Gauteng Province

The first respondent stated that the Chaplain makes it known to students that should they feel that they are being harassed, they must report immediately, and then the Chaplain communicates to the Officer Commander and then the General Officer Commander.

The second respondent said that the member who is harassed will report the matter to the section head, then to the Officer Commanding. The Officer

Commanding will then refer the member for medical help, that is to a Psychologist, a Social Worker or the Chaplain.

According to the third respondent, serious offences are dealt with legally, like any other offence. Members are advised to report to their supervisors. However if they feel uncomfortable to report to the supervisor they have a choice of reporting to the Social Worker or the Chaplain. The member can also report to the military police, the Officer Commanding or the RSM. The perpetrator is then charged, the case is investigated and then taken to court

The fourth respondent said that the person who is harassed may report to the Social Worker or the Chaplain. He said that it is imperative that these professionals report the matter to the Officer Commanding who must know what is happening in his unit. The complainant may however also report to the section head and follow the normal procedure of reporting.

The fifth respondent declared that reported incidents of sexual harassment are treated differently. Sometimes the names of individuals are mentioned and sometimes not. Where the names are mentioned, the individual concerned is called to give his or her side of the story. Corrective action or punishment is taken e.g. to return the guilty member back to their home unit. The chaplain informs victims that they can lay charges against the perpetrators. Where instructors are implicated without names being mentioned the entire group of instructors is addressed.

The sixth respondent said that there are no steps followed and the policy is also not clear on this.

Responses from the Free State Province

The first respondent alleged that she is not aware of what procedures are followed in reporting sexual harassment.

The second respondent stated that when a case of sexual harassment occurs, the complainant reports to supervisor, who then takes the matter to the Officer Commanding.

The third respondent argued that when a person has been sexually harassed, the first line of report is a person's supervisor. The unit's Adjutant is then informed and he or she reports the matter to the Officer Commanding. The Officer Commanding would then talk to the members involved. An Officer Commander's investigation is then convened. If the person is found guilty through the investigation, the legal department is then involved. A record is then kept in the unit.

The fourth respondent explained that the immediate supervisor serves as the first line of contact. The Social Worker may also be used as the first channel. The Officer Commander of the unit then convenes an investigation. Findings and recommendations made through the investigation are then considered. The legal officers are then informed. This is done irrespective of what the Officer Commander's investigation has found.

The fifth respondent said that when sexual harassment occurs, an incident report is sent. The Officer Commanding the unit convenes a Commander's Investigation. The perpetrator is charged based on evidence. The perpetrator is called on office orders and then banned from seeing the victim. The victim is also banned from coming close to the perpetrator.

The sixth respondent said that the cases are reported to the Officer Commanding who keeps the matter confidential. The Wing Commander will also know but other people do not have to know.

TABLE 8: STEPS FOLLOWED IN REPORTING SEXUAL HARASSMENT

RESPONDENT	GAUTENG PROVINCE	FREE STATE PROVINCE
1	Member reports to the chaplain then officer commanding and the General Officer Commanding	The respondent is not aware of procedures followed
2	Member reports to section head then the officer commanding then she is referred for medical help to professionals such as psychologist, social worker or the chaplain	The complainant refers the matter to the supervisor and then to the unit officer commanding
3	Member reports to the supervisor or social worker or chaplain and then military police or officer commanding or the Regimental Sergeant Major and then to court	The complainant reports to the supervisor then the adjutant and the officer commanding talks to the members involved and then convene an officer commanding investigation. If the member is found guilty the matter is referred to the legal department
4	The case can be reported to the social worker or chaplain and then to the officer commanding. Alternatively the victim can take the matter to the section head and then follow the normal procedure of reporting	The complainant speaks to the social worker or section head and the matter is then taken to the officer commanding. An officer commanding investigation. The matter is referred to the legal officer irrespective of the findings of the officer commanding's investigation.
5	Sexual harassment cases are treated differently. The people concerned are called in and corrective measures are applied, for instance returning the guilty party to their home unit	The incident report is taken to the officer commanding then the officer commanding investigation is conducted, the perpetrator is charged. Office orders are conducted and the victim and perpetrator are banned from making contact
6	There are no steps followed as the policy is not clear	The member takes the matter to the officer commanding and the wing Commander is informed.

4.7.5 EFFECTS OF SEXUAL HARASSMENT

This theme sought to gain an understanding of whether the respondents are aware of or know of the effects that sexual harassment can have on the people who fall victim. The question asked here was: In your opinion what effects does sexual harassment have?

WHAT IN YOUR OPINION ARE THE EFFECTS OF SEXUAL HARASSMENT?

Responses from the Gauteng Province

The first respondent's view is that sexual harassment destroys the image of the whole organisation, which portrays itself as disciplined. "The DOD is equated to discipline. Sexual harassment destroys this image which people have about the organisation". It destroys the victims' urge/morale to wake up everyday and go to work. It can also contribute to the spread of HIV/AIDS and violence against the victims.

The second respondent believes that sexual harassment affects the performance of the victim as they lose concentration at work. "Absenteeism will result, as the victim may want to avoid confrontation or even contact with the perpetrator. Personal health may be affected as this can result in the victim spending time crying and blaming themselves for what happened. The member may develop further relationship problems with colleagues due to fear of becoming someone else's target for sexual harassment. Post Traumatic Stress Disorder may result from being sexually harassed when the member relives the experience and is constantly occupied by it".

The third respondent argued that sexual harassment can result in a loss for the organisation, especially where a member did not realize that the act was sexual harassment and it was their first offence. The person might be an asset to the organisation. The offence might lead to a member's dismissal from the organisation.

The fourth respondent reported that sexual harassment has a potential to turn relationships sour. "Good working relationships can be destroyed by sexual harassment". It may contribute to the victim absenting themselves from work. It may also lead to depression for those who have been sexually harassed.

The fifth respondent stated that sexual harassment can result in a negative self image of the victim. Low self esteem, fear of victimization may result subsequent to being sexually harassed, fear of speaking out, because other people might not believe it, or may even ridicule the person who has been harassed.

The sixth respondent maintained that people are scared to interact with the opposite sex and that the whole issue of sexual harassment is overrated. The respondent trivialise cases because of past experience.

Responses from the Free State Province

The first respondent said that sexual harassment can alienate victims from the work place due to the hostility of the environment. They may absent themselves as a result of fear of getting exposed to the perpetrator. "This may further affect productivity which suffers whenever a victim is not able to come to work". A victim may present with psychological problems such as depression.

The second respondent believes that sexual harassment infringes on people's human rights. Although he has not come across someone who has been sexually harassed, the respondent believes that it can lead to serious emotional consequences.

The third respondent believes that sexual harassment is very dangerous, demoralising and brings about ill discipline. "It breaks down the organisational moral fiber. It influences performance negatively and perpetuates disrespect for women. It further fuels inequality between men and women as it has a potential of making men think that women can be used as an object of sexual abuse".

The fourth respondent argued that sexual harassment may lead to a loss of skill for a particular unit. "Most of the time when sexual harassment occurs, commanders tends to transfer one of the parties in an attempt to separate them or to solve the problem. It may lead to a hostile working environment. Cliques or the victim's friends may victimize the offender. It leads to embarrassment, the victim might have guilt feelings, that they led the offender on, that the victim's friendliness is misread. If sexual harassment is not addressed, it might be seen as a norm and therefore compromises values such as professionalism and dignity. These are two of the shared values of the DOD and are also found among the values of the various arms of service".

The fifth respondent asserted that sexual harassment sabotages command and control. It compromises effectiveness. Systems fall down. It can also lead to fraternization

According to the sixth respondent sexual harassment can affect an individual as well as the organization. It carries both social and psychological effect for

the individual. It influences output and effectiveness. It shifts attention from what is important and into the case at hand. If sexual harassment is not dealt with, it can pose a serious problem. People might feel that it is ok and normal. It affects the organisation's discipline. The direct supervisor who needs to deal with two conflicting people is influenced and put into a predicament.

Responses from the Prosecutors

The two Prosecutors agreed about the effects which sexual harassment seem to have on the victims. The victims of sexual harassment usually appear distressed. They cry a lot and may withdraw. They become preoccupied with the incident of sexual harassment they experienced. The victims have reported that they think a lot about the incident and at times are not able to fully concentrate on aspects of their job. The victims often feel resentment for the male and this may be generalised to all males. They may experience flash backs due to the traumatic nature of sexual harassment.

TABLE 9: EFFECTS OF SEXUAL HARASSMENT

RESPONDENT	GAUTENG PROVINCE	FREE STATE PROVINCE
1	Sexual harassment destroys organisational image and the victim's urge or morale. It contributes to spread of HIV/AIDS and violence against victims	Sexual harassment leads to alienation from the workplace, hostile environment, absenteeism, it affects productivity and results in psychological problems such as depression
2	It affects victim's performance and concentration, leads to absenteeism, the victim avoids the perpetrator. It affects personal health, relationships and can lead to post traumatic stress disorder	It infringes on people's human rights and has emotional consequences
3	It results in a loss for the organisation, where the perpetrator is dismissed	It is demoralizing, it leads ill-discipline and perpetuates disrespect for women and further affects performance negatively
4	It adversely affect relationships, leads to absenteeism and depression	It leads to loss of skill for the unit where one party is transferred, cliques, victimisation of the offender, victim guilt. It compromises organisational values such as professionalism and dignity
5	It leads to a negative self image of the victim, low self esteem, fear of victimization and of speaking out	It sabotages command and control, compromises effectiveness and leads to fraternisation
6	It leads to inter-relational problems, especially with the opposite sex	It has social and psychological effects for the individual. It influences output and effectiveness and affects organisational discipline
PROSECUTORS		
1.The two prosecutors argued that victims of sexual harassment are usually distressed, withdraw, are preoccupied with the experience, they lose concentration on the job and may resent the opposite sex		

4.7.6 MANAGEMENT ROLE

The theme addresses the efforts that management put in dealing with the problem of sexual harassment. The focus here was all the levels of management, from the level which developed the policy (level two, just below Chief SANDF/Secretary of Defence) down to the one (level four) which implements it.

WHAT ROLE DOES THE SANDF MANAGEMENT PLAY REGARDING THE IMPLEMENTATION OF THE POLICY IN YOUR UNIT?

Responses from the Gauteng Province

The first respondent said that he knows that the General Officer Commanding gets reports if there is a case of sexual harassment in any of the units she is commanding. He also indicated the he is however not aware what the levels above her are doing.

The second respondent explained that the various units in their formation get a chance to get feedback from the General Officer Commanding the formation. She has however not heard anything about sexual harassment issues. Level three has also not sent any representative to address the unit on the policy.

The third respondent declared that he is not aware of the role that the management is playing.

The fourth respondent said that the management of the unit has tried to translate policy in a form that they can use it for themselves. He said that is also incorporated into the duty sheets of the members. A duty sheet is a document detailing a member's job description. This means that they are compelled to read it when they sign their duty sheets at the beginning of each year. They are also supposed to know what is contained in these duty sheets as they provide a guide as to what they are supposed to be doing. He said that he is not aware of what the senior management is doing because the unit does not get a thorough feedback from the meetings held at higher levels.

The fifth respondent stated that the management supports the implementation of the policy in the unit. The General Officer Commanding wants to know about such incidents and reports are also submitted to the Surgeon General. Corrective action is taken and instructors know that their careers are in danger when they involve themselves with sexual harassment.

The sixth respondent provided an emotional response to this question and declared that management does nothing.

Responses from the Free State Province

The first respondent explained that she has not been exposed to what the broader management of the SANDF does regarding sexual harassment in the department.

The second respondent stated that management of the SANDF plays an important role by supporting the policy. "They ensure that there is a zero tolerance to sexual harassment and charge those who are found guilty".

The third respondent explained that Level 2 (Chief Directorate Transformation Management) of the Department of Defence conducts seminars. A level above the unit, level three advises the unit on labour related matters and a briefing has been given to the unit around sexual harassment.

The fourth respondent explained that he is not aware of anything that the management of the organisation is doing with regards to sexual harassment.

The fifth respondent stated that Level 2, Chief Directorate Transformation Management intervenes by conducting week long seminars which also address sexual harassment issues.

The sixth respondent said that Level three gives presentations and information bulletins are distributed from level 2.

TABLE 10: MANAGEMENT ROLE

RESPONDENT	GAUTENG PROVINCE	FREE STATE PROVINCE
1	The General Officer Commanding is given reports	No idea what the broader management does
2	The General Officer Commanding gives feedback, although nothing has been heard on sexual harassment	Management supports policy by ensuring a zero tolerance and charging perpetrators.
3	Not aware of management's role	Level 2 (Transformation Management Chief Directorate) conducts seminars. Level 3 advises the unit on labour related matters.
4	The unit has translated the policy into a user friendly format by incorporating it into members' duty sheet or job specification	Not aware what management does
5	Management supports policy implementation in the unit The General Officer Commanding takes the incidents to the Surgeon General	Level 2 (Transformation Management Chief Directorate) conducts seminars in which sexual harassment is addressed.
6	Management does nothing	Level 2 distributes bulletins and level 3 gives presentations.

INTERVIEW WITH THE PROSECUTORS

Victims of sexual harassment may be unwilling to come forward for fear of retaliation or fear of losing privacy. Victims may feel that nothing may come of their complaints. They may further fear being blamed for the harassment. Some feel concern for the harasser and the verdict which may be taken subsequent to the hearing of the case.

According to Petrocelli and Repa (1995) several feelings interact to keep victims from speaking up. These are guilt, shame, and embarrassment, fear of being labeled a troublemaker, too sensitive, bossy or humourless. They argue that traditional, cultural programming also explain the silence, with women being socialised to be responsible for setting the boundaries of

closeness in their relationship with men. The question they then ask themselves when they are harassed is “what have I done wrong?”

4.7.7 THEMES SPECIFIC TO PROSECUTORS

4.7.7.1 POLICY ADEQUACY

The theme aimed at establishing whether the departmental policy on the Elimination and Prevention of Sexual Harassment is adequate in addressing and dealing with the problem of sexual harassment in the Department of Defence. The question asked here was: Is the policy on sexual harassment adequate for dealing with sexual harassment complaints?

IS THE POLICY ON SEXUAL HARASSMENT ADEQUATE FOR DEALING WITH SEXUAL HARASSMENT COMPLAINTS?

The first Prosecutor reported that there is a tendency of the organisation to be flawed in dealing with sexual harassment. He cited a case of some Colonel who some junior lady complained about. This Colonel engaged in some sexual misconduct. He is also believed to have some strong, protective connections within the department. This he said presented prosecution with difficulties to charge the Colonel. Prosecution had to finally take the avenue of using the member’s service chief to finally charge him for the offence. He continued to state that the military court does not recognise sexual harassment as a criminal or statutory offence per se. Sexual harassment is rather seen as misconduct. People who present with behaviour which can be labeled sexual harassment can therefore be charged with one of the following charges:

- Indecent assault
- Crimean Injuria

Furthermore, the military court does not put on trial any rape cases as they have no jurisdiction to do so. Such cases have to follow the civilian route. The military only have jurisdiction if the rape took place outside the boarders of the RSA because in such circumstances, the civilian court will then have no jurisdiction.

Sexual harassment can also be charged according to the following sections of the MDC (Military Discipline Code)

- Section 45: Riotous or unseemly behavior
- Section 16: ill treating a subordinate
- Section 105 of the new Defence Act of 2002: offensive behavior

The policy on sexual harassment is therefore not used as a basis when charges are made. It is however used as a guide to see which behaviour is allowed. It only helps to identify which behaviour is acceptable and which is unacceptable. Section 19 (5), disobeying of a lawful command can be used as a basis for the policy.
Section 45 of the Military discipline Code (Unseemly behaviour) is usually regarded as adequate to deal with sexual harassment cases.

The second Prosecutor stated that the policy on the prevention and elimination of sexual harassment is adequate in spelling the do's and don'ts regarding behaviour classified as sexual harassment. Ladies seem to be aware of the policy but have a tendency of not reporting timeously. An example was made of a lady who was harassed in 2007 but who only brought the case forward for legal attention in 2009.

4.7.7.2 POLICY COMPLIANCE

The theme sought out to determine whether the Department of Defence as an organisation complies with the precepts of the policy on the prevention and elimination of sexual harassment. The question posed here was: How compliant is the system with the policy on the prevention and elimination of sexual harassment?

HOW COMPLIANT IS THE SYSTEM WITH THE POLICY ON THE PREVENTION AND ELIMINATION OF SEXUAL HARASSMENT?

The two Prosecutors stated that the military police (MP) are lacking in capacity to investigate sexual harassment cases. They require to be trained so that the time it takes to investigate is lessened. According to the two Prosecutors, the military police's incompetence results in prosecutors having to redo the investigations that they have done due to the MP's failure or inability to cover all critical elements of information. These flaws influence the time it takes to complete the cases.

Another challenge which the prosecutors highlighted, which generally characterise cases, including those of sexual harassment is that due to the nature of the SANDF mandate, witnesses might not be readily available. There is constant movement resulting from courses, deployment and transfers, which then move witnesses across the country or outside the borders of the country. In the case where a witness has moved from where sexual harassment took place, the military police cannot travel to access such a witness due to budgetary reasons. The task of questioning the witness is then given to the military police in the area where the witness is. When this happens, the case might not receive the same priority it did where it

originated. It might also take more time than it would originally have been envisaged.

4.7.7.3 THE VICTIMS OF SEXUAL HARASSMENT

The theme intended to establish the characteristics of people who fall victim to sexual harassment. The question asked here was: "Who are the victims of sexual harassment?

WHO ARE THE VICTIMS OF SEXUAL HARASSMENT?

According to the Prosecutors the victims of sexual harassment are generally female. The second Prosecutor further reported that sexual harassment occurs between people of different cultures and different personalities. He indicated that these dynamics are fuelled by people's need to affirm themselves.

4.7.7.4 REPORTING SEXUAL HARASSMENT INCIDENTS BY VICTIMS

How are the incidents of sexual harassment reported by the victims?

Reasons why victims would not report sexual harassment

REPORTING SEXUAL HARASSMENT INCIDENTS BY VICTIMS

The theme set out to determine how sexual harassment cases are reported, as seen through the prosecutor lens. The theme also tapped on the factors which contribute to a failure to report sexual harassment by the victims. Two questions were asked to attempt to solicit the answers. The questions posed

here were: "How are the incidents of sexual harassment reported by the survivors or victims?" and "What would you say are the reasons why victims would not report sexual harassment?

According to the two Prosecutors, the process of reporting starts at the unit level, where the case is reported to the unit Adjutant, and then the military police or legal practitioners are informed.

According to the second respondent, it is important for the officer commanding to know about the sexual harassment case as it affects the governance of the unit. The case may then be referred to the military police who do their investigations before they refer it to court or to the prosecutors.

According to the respondent, it is not uncommon for a given officer commanding to deal with the issue and finalise it in the unit. He reckons that this happens because the officer commander wants to keep the matter as some kind of a 'family secret'. This resonates with the responses which some of the respondents provided in answering the question on the steps followed in reporting sexual harassment.

The officer commander might feel that if they report such cases or if the unit is known for such cases then they might be perceived as poor or incompetent leader. They may feel that the unit's image might be tainted if such cases are out in the open. The respondent is further of an opinion that if the officer commander handles sexual harassment matters in this way, then it communicates that he/she favours one member over the other, that he denies the victim the right to decide what 'she' wants to see happen with the complaint that she has lodged. When such cases occur, then the officer commanding will normally detach the victim, normally to far flung areas. This might be interpreted by the victim as punishment. 'This is done to get rid of the problem'.

The two Prosecutors agree that the victims of sexual harassment usually do not report cases because they tend to think of the repercussions for the perpetrator. They do not want to be associated with the fate which may befall the perpetrator if the matter is taken to court. They may also not report for fear of being stigmatised. They might think that people will think of them in a negative light.

4.3.5 ORGANIZATIONAL EFFECTIVENESS IN DEALING WITH SEXUAL HARASSMENT

The theme endeavoured to establish the effectiveness and efficiency of the Department of Defence in dealing with the reported cases of sexual harassment. The question which was posed was: "In your opinion how timeous is the organisation in dealing with sexual harassment cases?

The first Prosecutor reported that women normally engage in relationships and file for charges sometime down the line. Close examination reveal that such relationships, even though they might seem consensual, they are not. Women might be coerced into such relationship, that if they had a choice they would not have agreed or succumbed. This has potential to affect the efficiency with which the case is handled because of the complexity inherent in the matter. The effectiveness of the military police in handling such cases was once more brought up as an area which affects the efficiency with which cases are handled.

The second Prosecutor respondent argued that the organization is quick to react when a case of sexual harassment is filed. However investigations tend to take a long time because of the personnel that is ill-equipped to carry them out. The respondent adds up that the process would probably work better if it was uniform, as it happens in the civilian context that is where all cases are

reported to the police and then referred to the courts. He reckons that reporting to the unit first adds to the problems of handling sexual harassment timeously. When the unit gathers information, they may not ask questions in a way that will ensure that comprehensive facts are collected. Critical elements of information might be left behind. After the unit has done the investigation, the military police might find loopholes in the information gathered. This will then require them to continue with the investigation. The same problem is normally also experienced upon the assumption of the case by the prosecutor who might feel that the information gathered does not help them to make a case for the victim. A lack of resources in the SANDF generally also affects the time it takes for the case to be completed in time. A common problem is experienced with vehicles. This is also evident as mentioned above in cases where either witnesses or victims have moved to another area for any given reason.

4.7.7.6 DEFINITION OF SEXUAL HARASSMENT

The theme looks into the definition that the military court uses in dealing with sexual harassment offences. According to literature on sexual harassment the intention of the perpetrator cannot be used as a defence in court and the feelings that the act or behaviour evoke in a victim should then become paramount.

The first Prosecutor reiterated that the definition of sexual harassment as spelled out in the policy is not applied and that the Military Discipline Code is the primary document used to define sexual harassment in court.

According to the second Prosecutor, when a case of sexual harassment lands in court, the elements which determine if sexual harassment did indeed

take place are looked at. The conduct of the perpetrator towards the victim will determine whether there was an offence.

4.8 CONCLUSION

This chapter focused on the presentation of the raw data that was collected. The process which will help the analysis of data was also addressed to form some foundation for the next chapter. The chapter focused on the following themes:

- Extent of knowledge of Policy. (Knowledge of the Policy on the prevention and the elimination of sexual harassment policy in the Department of Defence).
- The prevalence of sexual harassment
- Strategies employed for the promotion of awareness
- Resources at unit's disposal for policy implementation
- Effects and consequences of sexual harassment
- Steps followed in implementing policy and in reporting sexual harassment
- SANDF management role
- Policy adequacy
- Police compliance
- The victims of sexual harassment
- Reporting of sexual harassment incidents by victims
- Organisational effectiveness in dealing with sexual harassment
- Definition of sexual harassment

CHAPTER FIVE
DATA ANALYSIS

5.1 INTRODUCTION

This chapter will focus on analysing the raw data which was presented in the foregoing chapter. Data analysis involves making inferences, which translate into passing a judgment, using reasoning and reaching conclusion based on evidence. In analysing data, researchers examine patterns and differences across cases and try to come to terms with their diversity. The data will be analysed according to the themes which were introduced in chapter four. The researcher will attempt to describe what she sees in detail. The themes developed will be interpreted in the light of the researcher's own views as well as the perspectives in the literature.

5.2 POLICY KNOWLEDGE

It is imperative that organisations put sexual harassment policies in place. These policies should be made known to employees to prevent ignorance and to ensure that they are adhered to. The organisation is further expected to ensure that its members understand the contents of the policy, the behavior which is considered sexual harassment and punishable as well as what action needs to be taken in case a person is sexually harassed.

The study revealed that not a lot of people actually know about the one policy which can lead into detrimental effects if breached.

Most of the Gauteng respondents 67 %(four) indicated that they did not know much or anything about the policy. Of the four who do not know about the

policy, one indicated that her supervisor once addressed the issue and that she believes that the document that she used was the policy. One indicated that he has only seen documents which were sourced from the policy. Only two indicated that they know the policy and its content. One of the two who knew was a professional, a chaplain who has to know the policy and interpret it for members who come to him for help. The other respondent got to know about the policy after being accused of sexual harassment. He was charged and got demoted to a lower rank as a result. He was therefore forced by circumstances to read the policy which he feels is tilted towards the females and silent towards males.

Of the six Free State respondents, three indicated that they know about the policy. Two of the three who know indicated that they attended a seminar which was run by the Equal Opportunities Department in the Department of Defence (Transformation Management Chief Directorate). One of the three who know said that he knows about the policy because he had to study it as a requirement for the private studies that he undertook. Two respondents indicated that they do not know about the policy. What can be deducted here is that the units themselves have not done much to ensure that the members are familiarised with the policy because those who know got the exposure from external agents (level 2 and tertiary education institution) or from their individual interests.

The responses received from the two units indicate that the units do not engage any rigorous methods to ensure that members know what the policy says about behaviour which is deemed as sexual harassment. Nothing seems to be done to empower potential victims and perpetrators.

Sexual harassment is less likely to happen if people are well informed about it. The policy on sexual harassment provides knowledge which can be used

to prevent and eliminate sexual harassment in the workplace. One of the objectives of the DOD policy on the prevention and elimination of sexual harassment is to promote the creation of a workplace climate that is free of sexual harassment, one in which both the uniformed members of the SANDF and Public Service Act employees of the DOD treat one another with respect because they respect one another's integrity, privacy and right to equality in the workplace. Such knowledge needs to be filtered through to the lowest level. The policy provides methodology on how to recognise and deal with sexual harassment. It is written to guide all levels in the Department that is Services (SA Army, SA Air Force, SA Navy and SA Military Health Services), Divisions and Formations down to the lowest levels on the complex and sensitive issue of sexual harassment. Every manager is therefore responsible to ensure that all members working under their command are informed and knowledgeable about how to recognise and deal with sexual harassment. It is however not enough that the policy exists; it should be effectively implemented, monitored and communicated to all employees. If implemented effectively the policy can assist managers and commanders to maintain positive workplace relationships and can improve employee motivation and performance.

5.3 PREVALENCE OF SEXUAL HARASSMENT

Two (33%) of the Gauteng respondents indicated that they have observed behaviour which is indecent and could be classified as sexual harassment. They indicated that members behave in a manner which indicates that they are not aware that it can land them into trouble. Two other (33%) members indicated that they have not observed any behaviour which may be classified as sexual harassment. The professional indicated that sexual harassment exists at a low to medium level. He said that he has had members consulting to him about such cases.

Although they did not allude to the rate of prevalence, half (50%) of the Free State respondents admitted that sexual harassment exists in their unit. Of these respondents two highlighted a case which was recently brought to the unit's attention. The other respondent who said that sexual harassment is actually prevalent; even though she could not refer to cases which made their way to the officer commander's office was a professional who hosts a lot of people coming to her without reservations or defenses. The other half indicated that sexual harassment does not exist in the unit.

The responses provided to the question about the knowledge are tempting to think that sexual harassment could necessarily be prevalent in the two units by virtue of people having little or no knowledge of the contents of the departmental Policy on the Prevention and Elimination of Sexual Harassment. People might think that behaviour which is defined as sexual harassment is innocent and engage in it. The level of knowledge of the participants might have influenced the responses which they provided to the question on prevalence. As was indicated earlier, the question did not require participants to report on the formally reported cases but rather on the general behaviour of colleagues. The respondents may therefore be oblivious of the fact that an act is sexual harassment, if they do not know the type of behaviour which is classified as sexual harassment.

5.4 STRATEGIES FOR RAISING AWARENESS

There was some discrepancy discovered in the responses given by some of the Gauteng respondents to the issue of the strategies which the unit employs to promote awareness of sexual harassment. Some of the responses revealed the possibility of distortion or misrepresentation. An example of this situation is when one respondent indicated that his group

never got any attention from the members of the command group, while a member of the command group indicated that he has actually spoken to the group about issues of sexual harassment. One can however not rule out the possibility that the briefing might have happened when he was not at work for some reason or even before he joined the unit. One respondent indicated that the unit is not doing anything to raise awareness on sexual harassment while another alluded to the forums which members can use to raise such awareness. Forums may be given the policy to read and deliberate upon it at their meetings. An expert in the field may also be invited to talk to them at their level about the policy and its contents.

The same discrepancy found in the Gauteng province was also found in the Free State. Most of the respondents said that the unit has done nothing with regard to sexual harassment. One of the respondents however said that the subject has been discussed at the unit's personnel development sessions.

What can be deduced from the responses from the two provinces could perhaps be that some of the respondent might have **reacted** to the fact that they were respondents in a study. Their responses might have been formulated in a way that convinced them that the unit would not be seen in a negative light by level 2 from which the researcher came from, which is just one level beneath the Chief of Defence. **Reactivity** is a phenomenon that occurs when individuals alter their performance or behavior due to the awareness that they are being observed. The change may be positive or negative, and depends on the situation. It poses a significant threat to a research study's internal validity.

5.5 POLICY IMPLEMENTATION

The resources which were identified by the Gauteng respondents ranged from professionals (social worker, chaplain and the legal fraternity) through channels of command to systems (communication periods and open door policy approach).

Similarly the Free State respondents also saw professionals (social workers, chaplains and psychologists), channel of command, and levels above the unit as resources. They also saw systems such as people who attended the seminars on transformation and sexual harassment, the policy on sexual harassment and the Military Community Development Committee which sits to discuss and address the trends in the unit.

Most of the respondents from the two provinces did not seem to appreciate the sensitivity of sexual harassment as they felt that the complainants should follow the same reporting channels as with all the other offences. What can further be deduced from the responses given here is a wealth of ideas on which can be used for the implementation of the policy. If the existing resources can be employed and mobilized to implement the policy, this can be more cost effective for the organisation.

5.6 EFFECTS OF SEXUAL HARASSMENT

Sexual harassment was seen (by respondents from the two provinces) as having negative effects for the organisation and the individual.

Sexual harassment was seen as tainting the image of the organisation which has for ages been perceived to epitomize discipline. Low morale among sufferers of sexual harassment was seen to be a possible result of sexual

harassment. Productivity of the organisation was also reported as an area which suffers where sexual harassment exists. Absenteeism was further seen as a possible result as the victim might want to avoid contact or confrontation with the perpetrator. Furthermore, sexual harassment was perceived as a threat for the organisation because skills and talents may be lost where the parties involved have to leave subsequent to the experience, either through expulsion or as an attempt to avoid further contact. Sexual harassment threatens and compromises the shared values such as professionalism and dignity. It was seen as sabotage to command and control. It is further perceived to compromise effectiveness and as having a potential to contribute to the fall of the system and that if it continues unabated, it may be normalised.

The individual's health was seen to be threatened by sexual harassment. It was seen to having a potential to leading to a low self esteem and negative self image. It is also seen as a potential contributing factor to depression, post traumatic stress disorder as well as other unspecified social and psychological problems.

Two respondents from the Free State province reported that sexual harassment may lead to fraternization and disrespect for women.

The respondents' responses correspond to those articulated in the literature on sexual harassment. According to Stanko (1995:57-59) women experience humiliation, self-blame, anger, loss of self-confidence and a drop in job performance levels as a result of unwanted and imposed sexual attention. Sexual harassment has economic consequences. Some women who experience it at the workplace resign, some are transferred or demoted and some lose their jobs if they do not cooperate with sexual advances. Sexual harassment is further seen as a strategy used by men to protect their territory

or occupations and defend their material benefits over women. It constructs men's advantage over women in the labour market (Adkins 1995: 57-59).

Harrington and Lonsway (2007:15) argue that sexual harassment can affect victims personally and professionally. On the personal side, sexual harassment can have negative effects on the physical, psychological and emotional wellbeing. Such effects may include psychological problems such as anxiety, nervousness, depression, irritability and tension, anger, decreased self esteem, difficulty trusting others, emotional numbing, uncontrolled crying. Physical effects such as headaches, fatigue, gastrointestinal problems and back pain, nausea and weight loss or gain.

At a professional level sexual harassment can have the following consequences:

- Decreased job performance
- Decreased job satisfaction
- Decreased productivity
- Career disruptions and interruptions
- Problems in relationships with colleagues
- Decreased job commitment
- Decreased morale and motivation
- Increased time away from work
- Increased likelihood of leaving

The organisation has to absorb all costs caused by these consequences.

Gutek in Eisaguirre (1997) found in her Los Angeles study that women reported that the sexual harassment incident affected their feelings about their jobs and that it affected how they related with to other people at work. She found that harassment had a greater effect on a woman's work than on

her private life. Sexual harassment is recognised as a severe stressor (American Psychiatric Association in Eisaguirre 1997: 150). The effects associated with sexual harassment are anxiety attacks, headaches, sleep disturbances, disordered eating, gastrointestinal disorders, nausea, weight loss or gain and crying spells. Fear, anger, anxiety, depression, self-questioning and self blaming are among the most common effects women describe (Siegel in Eisaguirre 1997: 151)

According to Klein in Eisaguirre (1997: 158) data obtained from surveys of corporate employees indicate that employees who have experienced sexual harassment are less positive about their employment. Their common responses include:

- Less job satisfaction
- They rate their immediate supervisors low
- They hold a less favourable view of organisational communication
- They have a diminished confidence in the senior management team
- They have a reduced organisational commitment and
- They have an increased likelihood of leaving the organisation.

Harassment victims may also experience secondary victimization when they try to deal with the situation through legal or institutional means. Sexual harassment impedes the organisations' (particularly the security sector) ability to effectively reform. According to Le Roux (2005, 4-7) sexual harassment discourage women from remaining in the same job long enough to acquire seniority and experience.

5.7 MANAGEMENT ROLE (VICARIOUS LIABILITY)

This is another area which proved to elicit contradicting responses from the respondents. Most of the respondents reported that they are not aware of any role which management plays in the implementation of sexual harassment. Two respondents reported that the General Officer Commanding of the formation within which the unit falls, regards sexual harassment seriously and that she invites people to talk to her about it without necessarily making prior appointment.

Most (sixty seven percent) of the Free State respondents saw management to be playing an important role. First and foremost the existence of the policy is seen as management's contribution. The seminars which are run by level two and efforts by level three were also seen as managements' endevour to implement the policy by educating people about it.

There are good business reasons for preventing sexual harassment in the workplace. Employers may be held legally responsible for acts of sexual harassment committed by their employees. This is called 'vicarious liability'. The Sex Discrimination Act makes employers liable for acts of sexual harassment unless they have taken all reasonable steps to prevent it from taking place.
There is no uniform standard expected of employers in taking all reasonable steps to prevent sexual harassment. Employers are however, at a minimum expected to:

- Have an appropriate sexual harassment policy which is effectively implemented, monitored and communicated to all workplace participants.

- Take appropriate remedial action if sexual harassment does occur.

Policies and procedures preventing harassment assist employers in maintaining positive workplace relationships and can improve employee motivation and performance.

The SANDF has a Policy on the Prevention and Elimination of Sexual Harassment. It is further well that the General Officer Commanding the Gauteng unit which was under study has an open door policy. This is not enough as it is done at a scale which may not necessarily achieve an effective impact. The GOC along with line management from all units should be seen encouraging and supporting efforts which raise awareness to the bigger unit. Such efforts have not been seen in the two units under study.

5.8 POLICY ADEQUACY

The responses obtained for a question on whether the Policy on the Prevention and Elimination of Sexual Harassment is adequate revealed the presence of flaws which may be organisation wide. The military is a hierarchical and an authoritative organisation where rank reigns supreme. Ranks have a potential to render the policy inadequate as they may be intimidating and discouraging for victims particularly where the perpetrator's rank is much higher than the victim's. This can be compounded by favours from higher echelons in the organisation, which certain individuals enjoy. This weakens the organisation where or in which the society sends its children to, to gain lessons in among others, discipline.

It is concerning to learn that sexual harassment is not seen as a criminal offense but rather as misconduct or unseemly behavior. Misconduct is a very

broad term and espousing sexual harassment therein may have potential to trivialise it.

It is further distressing to hear that the policy on sexual harassment is not used as a basis when charges are made, that the policy is only used as a guide to see which behaviour is allowed or not allowed. The policy merely helps to identify which behaviour is acceptable and which is unacceptable.

5.9 POLICY COMPLIANCE

The two Prosecutors stated that the military police (MP) are lacking in capacity to investigate sexual harassment cases. They require to be trained so that the time it takes to investigate is lessened. According to the two Prosecutors, the military police's incompetence results in prosecutors having to redo the investigations that they have done due to the MP's failure or inability to cover all critical elements of information. These flaws influence the time it takes to complete the cases. Further than that the exercise costs the organisation more than if the investigation is done right the first time.

Another challenge which the prosecutors highlighted, which generally characterise cases, including those of sexual harassment is that due to the nature of the SANDF mandate, witnesses might not be readily available. There is constant movement resulting from courses, deployments and transfers, which then move witnesses across the country or outside the borders of the country. In the case where a witness has moved from where sexual harassment took place, the military police cannot travel to access such a witness due to budgetary constraints. The task of questioning the witness and investigating is then given to the military police in the area where the witness is. When this happens, the case might not receive the same priority as it did where it originated. It might also take more time than it would

originally have been envisaged therefore affecting the effectiveness and efficiency with which cases are handled.

5.10 THE VICTIMS OF SEXUAL HARASSMENT

According to the Prosecutors the victims of sexual harassment are generally female. The second Prosecutor further reported that sexual harassment occurs between people of different cultures and different personalities. He further indicated that these dynamics are fuelled by people's need to affirm themselves. The prosecutor's view converges with that held by le Roux et al (2005,34) who argue that some men feel threatened by the career advancement of women or are discomforted by women's new found independence and assertiveness at home and at work. They further contend that men who have recently gained position of power after being discriminated against after a long time may try to affirm or prove themselves by harassing women subordinates.

There is a need to deal with entrenched group cultures and practices which may hinder women's equal participation in and enjoyment of their working life. Sexualised or demeaning cultures are unacceptable in the modern workplace. Hostile environments can be a particular problem for women working in non-traditional jobs or in male-dominated workplaces sector.

5.11 REPORTING OF SEXUAL HARASSMENT INCIDENTS BY VICTIMS

According to Harrington and Lonsway (2007, 18-19) most of the victims do not file a formal complaint after experiencing sexual harassment. They argue that many victims do not report because they do not define the situation as

sexual harassment or they do not consider the situation serious enough to report it. The following reasons may also explain why victims do not report:

- They may not be aware of the policy or procedure for reporting.
- They may not understand the policy.
- They may prefer to avoid a complaint by handling the situation informally.
- May fear negative reactions or repercussions for reporting.
- May not recognise the incident as sexual harassment.

Work culture is also seen as a factor explaining why victims may not report. Women in law enforcement may be reluctant to be seen as victims.

Grossman quotes studies which show that women respond assertively when employers proactively take efforts to prevent harassment. Over and above policies such efforts include procedures, training programme and disseminating information about the issue. Such efforts send a message that the workplace does not condone sexual harassment and that those who complain will be protected. The employer can further improve the environment by maintaining better gender balance in the workplace, educating employees about policies and procedures in a way that reinforces the point that victims are entitled to a sexual harassment free workplace.

5.12 ORGANIZATIONAL EFFECTIVENESS IN DEALING WITH SEXUAL HARASSMENT

The two Prosecutors who responded showed that the processes followed in dealing with sexual harassment in the military are to some extent flawed. There seems to be a disconnection between the military and prosecution or the military court in its entirety. None of the Prosecutors indicated anything

on the cooperation between them and the military police. This relationship needs to be nurtured to entrench a culture of cooperation and smooth relations. Prosecution can for example train the police on how to gather information when faced with sensitive cases such as sexual harassment. Such training may be done as corroboration between the different professionals who are relevant, such as social workers and psychologists. If the police are equipped with the necessary skills, this can contribute to timeous and cost effective methods of dealing with sexual harassment cases.

Officers Commanders also need to be sensitised about the importance of fairly dealing with sexual harassment cases. They need to be aware of the implications carried by keeping sexual harassment as a family secret and brushing it under the carpet. Avoiding to deal with the case can negatively affect the governance of the unit, not the other way round. The Officers Commander further need to be educated on the sexual harassment policy and vicarious liability because failure to recognise the policy and its contents can render them liable.

5.13 DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is complex. Various authors agree that there is a wide divergence of perceptions as to what actions constitute sexual harassment. Everyone's perception of sexual harassment varies. People's perception of sexual harassment differs and what constitute sexual harassment for a person may not necessarily be experienced similarly by the other (Haultzhausen 2004:1)

According to Aggarwal (1992, 35-41) the complexity of human behaviour makes it difficult to pinpoint the exact behavior, which can universally be perceived as harassment. He further argues that sexist attitudes and

behaviour are prevalent in the society and often render it difficult to draw a line between what is acceptable and what is unacceptable behaviour in the workplace (e.g. to one person a hand around the shoulder may be perceived as a gesture of affection while the other person may take offense and find it harassing). Sexual behaviour that a person finds offensive may be considered sexual harassment.

There is therefore uncertainty regarding what legally constitute sexual harassment. Individuals' own definitions therefore assume considerable importance in determining the sexually oriented behaviours that they feel entitled to initiate and their responses to behaviours initiated by others (Koen in Powell 1994, 13-15).

The complex nature of sexual harassment is further fuelled by the existence of organisational romance in the workplace. This is defined by Powell (1994, 15) as relationships between individuals working together that are characterised by mutual sexual attraction and made known to others through participants' actions.

Wherever men and women are involved or are together, sexual attraction and relationships are likely to occur. This compounds matters as many people, both the perpetrators and the victims seem to only define behaviour as sexual harassment when it has crossed over into sexual assault or rape (War on Sexual Harassment, 2006).

Sexual harassment is controversial. It is critical even in the South African context to prove that sexual harassment did actually take place. As the responses to the question on the definition used in the court room indicated, the definition of sexual harassment as spelled out in the policy is not necessarily applied and that the Military Discipline Code is the primary source document used to define sexual harassment offence in court. According to

the first prosecutor, if the policy is to be used as the basis for charges, the custodian of the policy has to be called in as a witness, to support the policy. This is not always feasible because a lot of the units have not translated the policy into orders or standard working procedures. According to the second Prosecutor, when a case of sexual harassment lands in court, the elements which determine if sexual harassment did indeed take place are looked at. The conduct of the perpetrator towards the victim will determine whether there was an offence.

5.14 CONCLUSION

The foregoing chapter has analysed and discussed the findings drawn from the data collected and presented in the previous chapter. Discussions and arguments supporting the findings were drawn from the relevant literature to put an emphasis on the points made.

CHAPTER SIX
CONCLUSION AND RECOMMENDATIONS

6.1 INTRODUCTION

This chapter presents a summary of the researcher's analysis drawn from the findings. It further proposes some recommendations to improve the status quo.

6.2 SUMMARY OF THE RESEARCH FINDINGS

Policy knowledge aimed at addressing the extent of knowledge the respondents had on the departmental policy on the Prevention and Elimination of Sexual Harassment.

The findings of this research prove that most of the respondents did not have a comprehensive knowledge of the regulations while a few were extremely knowledgeable based on their experience in dealing with cases. Those who did not know the regulations in detail made up a significant number in terms of a concern over the capacity to address the challenge of sexual harassment.

It can be concluded that the SANDF units do not engage any rigorous methods to ensure that members know what the policy says about behaviour which is deemed as sexual harassment. Nothing seems to be done to empower potential victims and perpetrators.

Sexual harassment is less likely to happen if people are well informed about it. The policy on sexual harassment provides knowledge which can be used

to prevent and eliminate sexual harassment in the workplace. One of the objectives of the DOD policy on the prevention and elimination of sexual harassment is to promote the creation of a workplace climate that is free of sexual harassment, one in which both the uniformed members of the SANDF and Public Service Act employees of the DOD treat one another with respect because they respect one another's integrity, privacy and right to equality in the workplace. Such knowledge needs to be filtered through to the lowest level. The policy provides methodology on how to recognise and deal with sexual harassment. It is written to guide all levels in the Department that is Services (SA Army, SA Air Force, SA Navy and SA Military Health Services), Divisions and Formations down to the lowest levels on the complex and sensitive issue of sexual harassment. Every manager is therefore responsible to ensure that all members working under their command are informed and knowledgeable about how to recognise and deal with sexual harassment. It is however not enough that the policy exists; it should be effectively implemented, monitored and communicated to all employees. If implemented effectively the policy can assist managers and commanders to maintain positive workplace relationships and can improve employee motivation and performance.

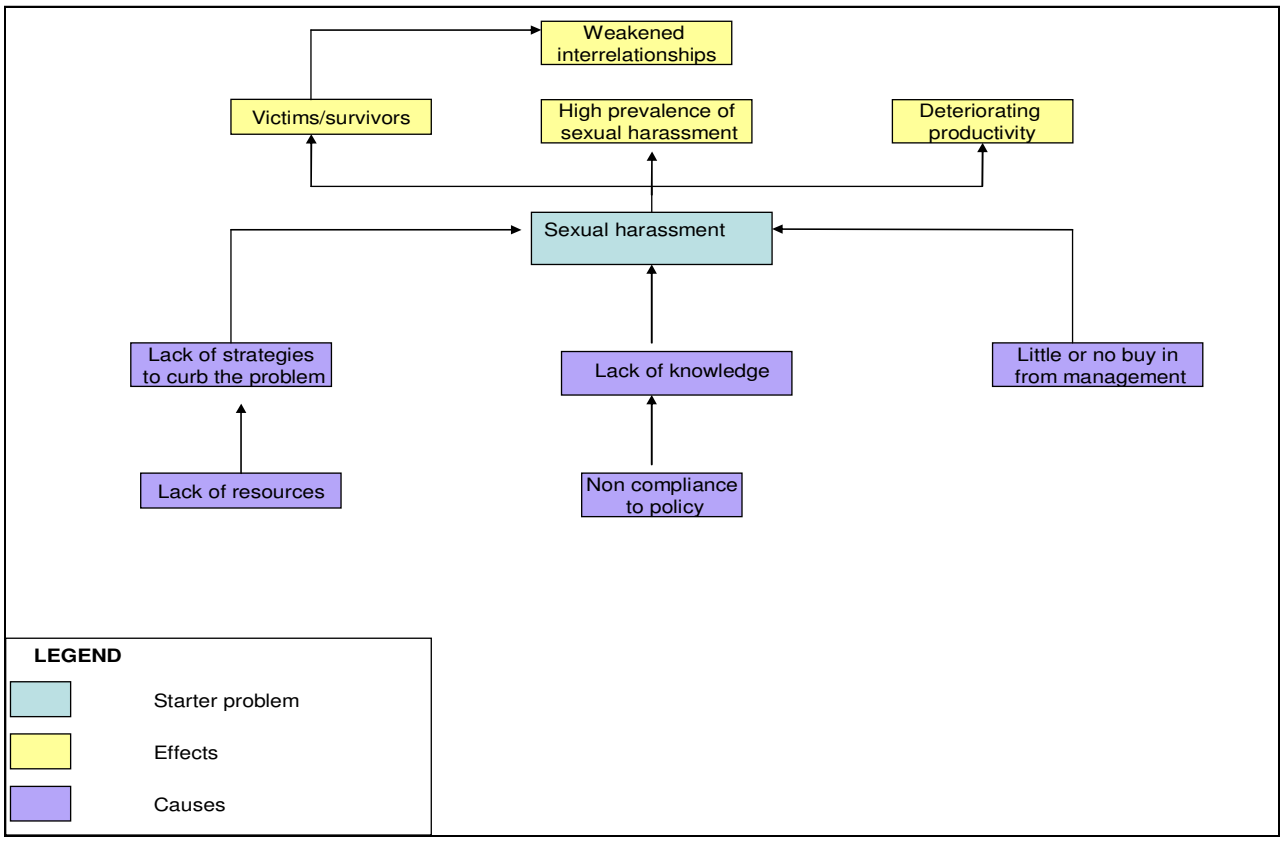
This study has further found that management at unit level (level 4) does not do much to raise awareness or necessarily implement the policy at their level. The responses showed that the units wait and expect levels above to come up with interventions, while they do minimally if anything. There are good business reasons for preventing sexual harassment in the workplace. Employers may be held legally responsible for acts of sexual harassment committed by their employees. This is called 'vicarious liability'. The Sex Discrimination Act makes employers liable for acts of sexual harassment unless they have taken all reasonable steps to prevent it from taking place.

There is no uniform standard expected of employers in taking all reasonable steps to prevent sexual harassment.

One of the findings of this research which was concerning is that sexual harassment is not seen as a criminal offense but rather as misconduct or unseemly behavior. Misconduct is a very broad term and espousing sexual harassment therein may have potential to trivialise it.

It was furthermore distressing to find that the policy on sexual harassment is not used as a basis when charges are made, that the policy is only used as a guide to see which behaviour is allowed or not allowed. The policy merely helps to identify which behaviour is acceptable and which is unacceptable. This reveals the presence of flaws which may be organisation wide. The military is a hierarchical and an authoritative organisation where rank reigns supreme. Ranks have a potential to render the policy inadequate as they may be intimidating and discouraging for victims particularly where the perpetrator's rank is much higher than the victim's. This can be compounded by favours from higher echelons in the organisation, which certain individuals enjoy. This weakens the organisation where or in which the society sends its children to, to gain lessons in among others, discipline.

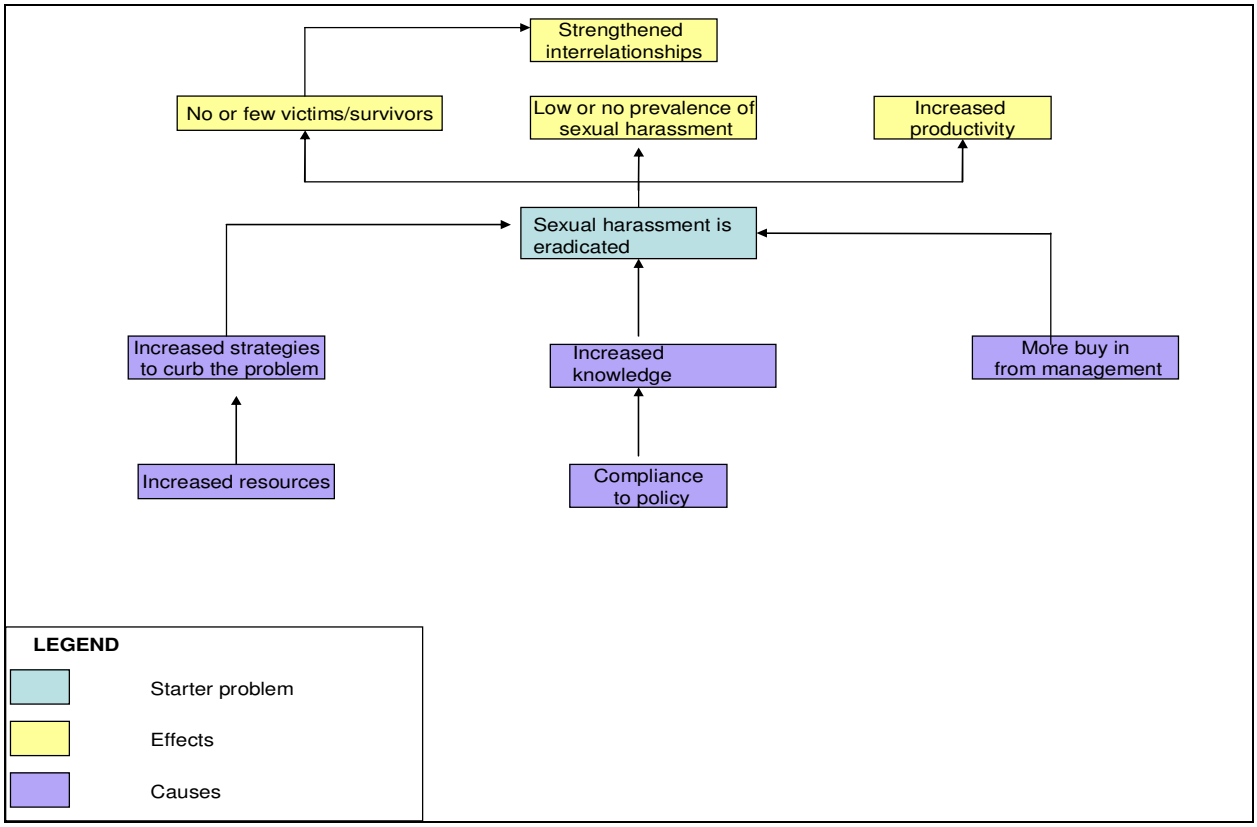
FIGURE 5: THE PROBLEM TREE



Adopted from the Logical Framework theory (European Commission: 2004)

It can be concluded that the figure above represents the status quo with regards to the problem of sexual harassment in the SANDF. The figure below represents a picture if the problem is turned into a solution.

FIGURE 6: THE OBJECTIVE TREE



Adopted from the Logical Framework theory (European Commission: 2004)

6.3 CONCLUSION

The fact that the South African National Defence has formulated a policy on the Prevention and Elimination of Sexual Harassment shows that the Department takes sexual harassment seriously and that it cares about those who may be befallen by the problem. The findings of the research however indicate that not much is done about sexual harassment in the department. The fact that the level of knowledge about the policy in the two units under study is low is an indicator that managers at lower levels are not doing much to raise awareness of the policy and the problem of sexual harassment. One can therefore conclude that very minimal effort is made about sexual harassment. The fact that the military police are also inefficient in dealing

with sexual harassment investigations also gives an impression that the policy is not taken seriously. The policy is not resourced to an extent that its effectiveness can be obvious. The level of awareness regarding the contents and prescriptions of the policy has proven to be low. Units are not engaging in efforts or programmes to ensure that the policy is known in the department. Sexual harassment is probably not afforded the seriousness that it deserves. The study has endeavoured to provide answers to what is being done in the process of implementing sexual harassment policy in the Defence Force. The recommendations surface areas in the implementation of the policy which according to the researcher require further attention

6.4 RECOMMENDATIONS

All managers must take all reasonable steps to prevent sexual harassment in their workplaces and to avoid liability. This means that employers must actively implement precautionary measures to minimise the risk of sexual harassment occurring and to respond appropriately when harassment does occur. In the case of the SANDF, which is an enormous organisation, each Service and Division must take the responsibility of drawing up standard working procedures which are customized to their particular environments. Different services therefore need to be held accountable and be requested to draw up their own Standard Working Procedures regarding sexual harassment. This is a document used in the SANDF to operationalise policies in the organisation. Such a document simplistically outlines steps which need to be followed in implementing a given policy.

Officer Commanders must be held vicariously liable for sexual harassment when they have not taken all reasonable steps to prevent sexual harassment in the workplace.

The organisation (Services and Divisions) may organise formal information and training sessions to ensure that all employees are aware of and understand the organisation's sexual harassment policy. Copies of policy may be distributed to individual employees and then hold informal discussions with employees to ensure they understand the policy.

Resourcing the implementation of the policy. A reasonable budget must be allocated to sexual harassment training and all employees must attend the training. Alternatively, where resources are stringent, employees may be asked to read the policy and then fill out a questionnaire designed to ensure that the employee understands the policy. The policy should further be resourced to ensure proper prevention strategies as well as efficient handling of the reported cases.

The availability of the policy on the Prevention and Elimination of Sexual Harassment is a step in the right direction. A written policy on its own is however insufficient. A policy that is not implemented through communication, education and enforcement will be of little or no use in discharging liability.

The policy should be regularly distributed and promoted at all levels of the organisation. The Department of Defence must ensure the policy is easily accessible on the organisation's intranet and also be made accessible for the members of the organisation who do not have access to the intranet and those who cannot read.

The policy and other relevant information on sexual harassment should be provided to new staff and the organisation's new recruits as a standard part of induction.

The policy can be translated into relevant community languages where required so it is accessible to employees from culturally and linguistically diverse backgrounds.

The policy should further be made accessible to staff members with disabilities or with special needs.

Managers and supervisors must discuss and reinforce the policy at staff meetings. Verbal communication of the policy is particularly important where some of the staff members have problems with literacy.

The policy should periodically be reviewed to ensure it is operating effectively and contains up-to-date information.

The policy should be linked to penalties. Perhaps the policy should be translated into a definitive Act (whose applicability extends to the Department of Defence) at a national level so that it can gain the necessary weight sexual harassment needs to count in the court room.

The professional corps of the Department can be deployed and mobilized for the rigorous implementation of the policy.

Special training needs to be conducted to equip the military police on how to handle sexual harassment reports and cases. Strict time lines should be attached to cases to ensure efficiency in the handling thereof.

Appropriate conduct by managers at all levels of the organisation must be encouraged. Managers should understand the need to model appropriate standards of professional conduct at all times. Accountability mechanisms must be included in managers' post descriptions. One of the requirements for a managerial post should be a demonstrated understanding of an ability to deal with discrimination and harassment issues as part of a manager's overall

responsibility for subordinates. Managers should be checked if they are fulfilling their responsibilities through performance appraisals.

Phone numbers of different contact people of both sexes should be provided so that staff can approach someone they feel comfortable with. Such nodal points must be made available to members either inside or outside their respective units. It is not appropriate to only give staff the option of approaching their line manager because there may be cases where the manager is the alleged harasser or is perceived to be closely associated with the harasser and therefore not impartial.

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APPENDIX A

RESEARCH TOPIC: THE IMPLEMENTATION OF SEXUAL HARASSMENT POLICY IN TWO SOUTH AFRICAN NATIONAL DEFENCE FORCE UNITS

1. Lt Col Moletsane works for the Chief Directorate Transformation Management in the Interventions Directorate.

2. She is also a Masters of Management student in the Public and Development field at the Wits Graduate School of Public and Development Management.

3. Research has to be undertaken in the student's field of interest (Implementation of a Sexual Harassment Policy) to comply with the requirements for the completion of the degree.

4. This research will be used purely for the purposes of the studies and Wits University. The unit concerned may however follow up and use the channel for further service in the related area or area in which the research is conducted.

5. The respondent is requested to respond to the questions as honestly as possible. The interview will take at most 45 minutes of the respondent's time. The responses will be treated in strict confidence. Respondents will only be identified by a number to protect their true identity.

6. The potential respondent is not pessurerised in any way and may withdraw from the research at any point in time, where they feel that they are coerced.

7. The respondent will be interviewed but is requested to submit responses in writing, which has to be done during the interview itself. The interviewer will write the answers where the respondent does not feel comfortable with writing.

(T MOLETSANE)
SO1 INTERVENTIONS: LT COL

APPENDIX B

WITS GRADUATE SCHOOL OF PUBLIC AND DEVELOPMENT MANAGEMENT

MASTER OF MANAGEMENT IN PUBLIC AND DEVELOPMENT MANAGEMENT.

RESEARCH TOPIC: The implementation of sexual harassment in two South African National Defence Force units

INTERVIEW SCHEDULE (MANAGEMENT)

1. How much do you know about the SANDF Policy on sexual harassment?

2. What in your own opinion is the prevalence of sexual harassment in your unit?

3. What strategies do you employ to promote awareness of sexual harassment in your unit?

4. What resources are at your disposal for the implementation of the Policy on the Prevention and Elimination of sexual harassment?

5. What in your opinion are the effects of sexual harassment?

6. What steps do you follow in implementing the policy or in helping the complainants?

7. What steps are followed in reporting sexual harassment?

8. What role does the SANDF management play regarding the implementation of the policy in your unit?

APPENDIX C

WITS GRADUATE SCHOOL OF PUBLIC AND DEVELOPMENT MANAGEMENT

MASTER OF MANAGEMENT IN PUBLIC AND DEVELOPMENT MANAGEMENT.

RESEARCH TOPIC: The implementation of the policy on the prevention and elimination of sexual harassment in two South African National Defence Force units

INTERVIEW SCHEDULE (PROSECUTORS)

1. Is the policy on sexual harassment adequate for dealing with sexual harassment complaints?

2. How compliant is the system with the policy on the prevention and the elimination of sexual harassment.

3. Sexual harassment is recognised as a severe stressor. What effects (physical and psycho-social) does it have on victims or survivors?

4. What in your own opinion is the prevalence of sexual harassment in the SANDF?

5. Who are the victims of sexual harassment?

6. How are the incidents of sexual harassment reported by the survivors or victims?

7. What would you say are the reasons why victims would not report sexual harassment?

8. In your opinion how timeous is the organization in dealing with sexual harassment cases?

9. There are problems relating to the definition of sexual harassment. Some look at the effects while others focus on the intent. How is this dealt with by the court? What is the court's focus?