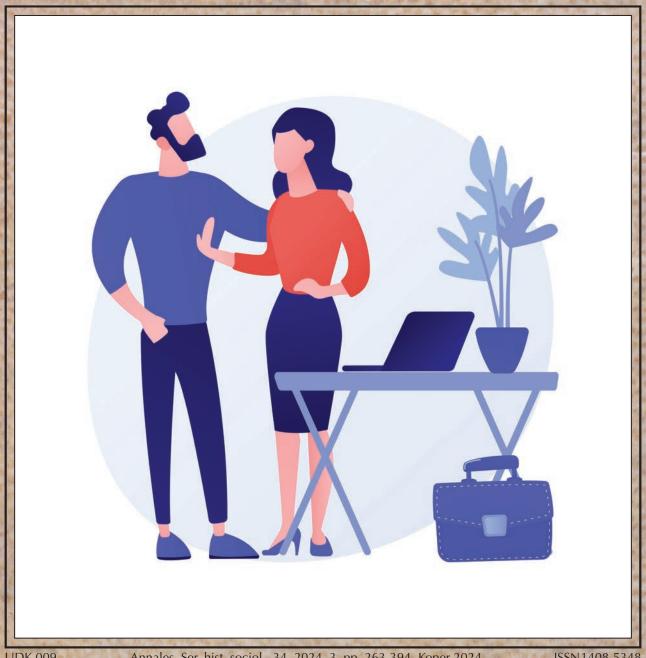
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# OVERLOOKED INTERSECTION OF GENDER AND RACIAL/ETHNIC DIMENSIONS IN SLOVENIAN ACADEMIC SEXUAL HARASSMENT & VIOLENCE POLICIES

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### **ABSTRACT**

This article addresses the need to adopt an intersectional perspective when discussing sexual harassment and violence in academia. The introduction of an intersectional perspective is important since sexual harassment and violence in relation to racial and ethnic minorities seldom revolve exclusively around gender. Recognising the intersectional nature of sexual assault and harassment means also recognising the coexistence of racism and nationalism, the perpetuation of ethnic/racial stereotypes, the multifaceted manifestations of discrimination, and a matrix of domination that exists in our society and educational and research institutions as well. In this article, we analysed official documents of Slovenian higher education and research institutions (public and private ones) with an aim to examine whether and how they address intersectionality and racial/ethnic minorities in their policies combating sexual harassment and violence. The results revealed a significant ignorance towards intersectionality of gender and ethnicity, but also issues arising from accessibility of these policies.

Keywords: sexual harassment and violence, intersectionality, gender, "race", ethnicity, university, research institutions

## INTERSEZIONE TRASCURATA TRA GENERE E DIMENSIONI RAZZIALI/ETNICHE NELLE POLITICHE ACCADEMICHE SLOVENE SULLE MOLESTIE E VIOLENZE SESSUALI

### SINTESI

Questo articolo affronta la necessità di adottare una prospettiva intersezionale quando si parla di molestie sessuali e violenza nel mondo accademico. L'introduzione di una prospettiva intersezionale è importante poiché le molestie sessuali e la violenza in relazione alle minoranze razziali ed etniche raramente ruotano esclusivamente attorno al genere. Riconoscere la natura intersezionale delle aggressioni e delle molestie sessuali significa anche riconoscere la coesistenza di razzismo e nazionalismo, la perpetuazione di stereotipi etnico/razziali, le molteplici manifestazioni di discriminazione e una matrice di dominio che esiste nella nostra società e anche nelle istituzioni educative e di ricerca. In questo articolo, abbiamo analizzato i documenti ufficiali degli istituti sloveni di istruzione superiore e di ricerca (pubblici e privati) con l'obiettivo di esaminare se e come affrontano l'intersezionalità e le minoranze razziali/etniche nelle loro politiche di lotta alle molestie sessuali e alla violenza. I risultati hanno rivelato una significativa ignoranza nei confronti dell'intersezionalità fra genere e etnicità ma anche problemi derivanti dall'accessibilità di queste politiche.

Parole chiavi: Molestie e violenze sessuali, intersezionalità, genere, "razza", etnia, università, istituti di ricerca

### INTRODUCTION1

For various reasons such as global interconnectedness, increased international migration, democratisation of education, etc., the academic sphere in both Europe and Slovenia is undergoing a process of intense diversification in terms of language, culture, religion, and "race". This ethnic and "racial" diversity should be recognised and adequately addressed by academic institutions across all formal and informal domains that affect students and employees within universities and research institutions. This imperative extends to academic policies concerning matters of sexual harassment and violence.

Although the problem of sexual harassment and violence in academia has been recognised as important in recent decades (in large part due to activists and women's movements) and should be seriously considered by university and research institution policies, in practice, the phenomenon of sexual harassment and violence has been addressed in a very one-sided way. It has been recognised that female students and female university staff, along with other minority groups, such as people with disabilities, LGBTQ+ community etc., are specific groups who are potential and frequent victims and should be additionally protected. Such one-sided approach to sexual harassment and violence erases all internal differences and blurs the fact that not all women hold the same position of power or agency and that not all women are equally empowered. Moreover, such a "racially", ethnically, class, etc., blind approach denies the existence and interconnectedness of multiple personal characteristics and factors, such as "race", ethnicity, religion, age, or class that lead to multiple discriminations and vulnerabilities (Kuhar & Pajnik, 2022). An ethnically/"racially" blind approach that does not acknowledge ethnic and "racial" elements within social interactions is also ethnocentric/Eurocentric and perpetuates existing power relations.

This article addresses the need to adopt an intersectional perspective when discussing sexual harassment and violence in academia, more concretely and for the purpose of this paper, to also consider "race" and ethnicity in interaction with gender when discussing academic policies that address sexual harassment and violence. The introduction of an intersectional perspective is important because sexual

harassment and violence in relation to "racial" and ethnic minorities is rarely just about gender. Recognising the intersectional nature of sexual assault and harassment means recognising the existence of racism and nationalism, ethnic/"racial" stereotypes, discriminations, and a matrix of domination that exists in our societies and within educational and research institutions. Moreover, this perspective sheds light on a complexity of sexual domination, violence, and harassment.

In this article, we analyse the official documents that Slovenian higher education and research institutions have developed to combat sexual harassment and violence. Employing a qualitative research approach, we conducted a "page by page" analysis (Collado & Atxurra, 2006) to determine whether the documents have developed tailored policies, prevention measures, and support mechanisms for specific subgroups, and whether they take intersectional dimensions into account, concretely, "race" and ethnicity.

First, this article presents theoretical reflections on the intersections between sexual harassment and violence and "race"/ethnicity. In this section, we discuss the need for a more intersectional approach to addressing sexual harassment and violence in academic policies, while also providing an overview of research findings on this topic. Secondly, we present the Slovenian case study, analysing Slovenian higher education and research policies that regulate sexual violence and harassment. Our research revolves around the following questions, including whether these documents address specific subgroups, which specific subgroups are the focus of these documents, whether the documents incorporate targeted and/or adapted measures, and the accessibility of these documents to relevant individuals and groups. Special interest was given to the presence, inclusion, and treatment of ethnic and "racial" minorities. The analysis of the data is followed by a discussion and conclusion, where we recognise the need for the adoption of an intersectional approach, focused on "race" and ethnicity, to prevent and address instances of sexual harassment and violence in academia.

This article brings a rare theoretical reflection that attempts to address the importance of the intersection of gender and ethnicity/ "race" in sexual harassment and violence policies within the Slovenian academic context.

<sup>1</sup> This article is published with a financial support of Ministry of Higher Education, Science and Innovation and the Slovenian Research and Innovation Agency program *Institutional, legislative and awareness-raising solutions and activities to address sexual harassment and other forms of sexual violence in higher education and research organisations in Slovenia* (No V5-2112) and program *Liminal Spaces: Areas of Cultural and Societal Cohabitation in the Age of Risk and Vulnerability* (No P6-0279).

<sup>2</sup> We acknowledge that the term "race" (Balibar, 1991) is controversial and that by using it, we are inadvertently perpetuating racial ideology we unequivocally oppose. However, we have opted to incorporate it in this article due to its prevailing utilisation within Anglo-Saxon academic literature and references, as well as for the explanatory purpose.

### THEORETICAL REFLECTION ON SEXUAL HARASSMENT AND VIOLENCE IN INTERSECTION WITH "RACE" AND ETHNICITY

If we want to understand phenomenon of sexual harassment and violence in relation to racial and ethnic minorities, it is crucial to consider two theoretical frameworks: the theory of intersectionality and the theory of "racial"/ethnic stereotyping. Moreover, we must consider the matrix of domination along the axes of gender and "racial"/ethnic classification and hierarchisation. Understanding the intersectional nature of sexual harassment and violence means recognising that when discussing sexual harassment and violence in the context of ethnic/"racial" minority groups, the problem is rarely limited solely to "gender" or "sex"; as it is also the case for other intersectionalities.

Consideration of intersection of gender and "race"/ ethnicity began in countries with histories of colonialism, racism, slavery, and both legally and informally accepted hierarchisation of "racial" and ethnic groups. Therefore, much of the attention and research, including intersection of gender and "race"/ethnicity, comes from Anglo-Saxon scholars. The concept of intersectionality was first introduced by Kimberlé Crenshaw in 1991, emphasising the specific challenges faced by women of colour resulting from the intersection of their "race" and gender. Crenshaw's (1991) discussions on intersectionality were first published in legal journals, which, as Kuhar and Pajnik (2022) noted, is not surprising as it was an analysis of legal practice that showed the unenviable position of victims of intersectional discrimination, who were forced by the courts to explain their experiences of discrimination through a one-dimensional perspective (either through gender or "race"/ethnicity). A critical reading of court files, which referred to cases of discrimination based on personal circumstances of "race" and gender showed that the American judicial system, due to its one-dimensional understanding of discrimination, excludes the true experiences of discriminated persons. Namely, people may experience discrimination as a result of the interaction of more than one direct factor (Kuhar & Pajnik, 2022). This circumstance exposes the systemic problem of many legal systems that legally treat discrimination monodimensionally. Black women who are victims of discrimination and sexual harassment and violence could sue the perpetrator either for discrimination on the basis of gender or for discrimination based on "race", but not both at the same time (Crenshaw, 1991).

Crenshaw understands intersectionality as a way to understand how multiple forms of inequality or disadvantage sometimes compound and create obstacles that are not understood through conventional perspectives (Crenshaw, 1991). Intersectional research on sexual harassment and violence in relation to "race"/ethnicity within academic environments (universities, colleges, and research institutions) is crucial; however, such studies are rare (cf. Coulter et al., 2017; Harris, 2020; Wood et al., 2021). This scarcity is confirmed by an international research review on sexual harassment in academia that analysed publications from 1966 to 2018 (Bondesta & Lundqvist, 2018, 7). The review highlights limited research on intersectional dimensions in relation to sexual harassment and violence in academia. Researchers found that only a few studies focused on sexual harassment and violence among minority groups of students, and those studies indicated a higher degree of exposure to sexual assaults among non-white students.

Existing studies that approach this issue from an intersectional perspective have been conducted mainly in the USA. In their study on sexual and racial harassment of students, Buchanan et al. (2009) analysed the intersections between gender and "race" within both types of harassment, while also exploring the joint effects of multiple forms of harassment. The authors found that gender, ethnicity/"race", and their interaction had a significant impact on predicting sexual and racial/ethnic harassment. For example, ethnic minority students reported higher rates of sexual harassment in comparison to white students. Similar results can be observed in the study by Mohler-Kuo et al. (2004) where female students from "racial" and ethnic minorities were more likely to experience sexual assault than white women. While the results of the study by Wood et al. (2021) show the opposite, meaning that fewer cases are reported by Latino and non-white ethnic students, they also demonstrate that those who report sexual harassment experience higher rates of harassment compared to other students.

Within the European context, the intersections of "race"/ethnicity and sexual harassment and violence in academia have been rarely addressed (cf., for example, Bourabain (2021) for Belgium; Heikkinen (2012) for Finland; Muhonen (2016) for Sweden). One contributing factor to this gap in research is that in most European Union countries, collecting data based on "race" and ethnicity is prohibited (Bourabain, 2021). Nevertheless, to a certain extent, we can rely upon the preliminary results from the recent UniSAFE study conducted by Lipinsky et al. (2022). This study was implemented in 46 universities from 15 European countries, aiming to collect empirical evidence on prevalence of genderbased violence in academia. This research indicates that the respondents from minority groups, including those based on ethnicity, more often reported instances of gender- based violence.3

<sup>3</sup> Within the project, gender-based violence consist of physical violence, psychological violence, economic violence, sexual violence, sexual harassment, and online violence.

Existing literature emphasises that women of colour are treated more harshly than white women in cases of sexual harassment and violence, and that white women tend to be viewed as (more) legitimate victims (Dorr, 2004). Crenshaw (1991) claims that at universities in the USA, women of colour are subjected to gendered and "racialised" sexual violence, especially because (university) policies are not considering their intersectional identities. Buchanan & Ormerod (2002) explain why it is important to consider both dimensions, gender, and "race"/ethnicity: "Sexual and racial harassment may be combined in unique ways for African American women. Specifically, the cultural and historical contexts of slavery and sexualized stereotypes of African American women result in sexual harassment that is perceived as racially motivated" (Buchanan & Ormerod, 2002, 111). "Racialisation" of sexual harassment and violence should be understood in terms of omnipresent stereotypes of women of colour as "sexual commodities" originating from the history of slavery and "racial" ideology (Hernandez, 2000), which are embodied in "racial" (but also gender) stereotypes. In her study on Asian women, Cho (1997) analyses how "racial" and gender stereotypes operate and convert into "racialised" sexual harassment and violence. To understand the risk that sexualised "racial" stereotypes and "racialised" gender stereotypes pose to Asian women in the USA, she claims one must understand the socio-cultural construction of Asian women in the USA. Within the imaginaries of average American men (and women), Asian women are constructed around several "racial" and gender stereotypes that portray them as passive, submissive, ready to please the desires of men, feminine, gentle etc. These stereotypes are further produced and reproduced by mass media and pop culture presentations. Finally, "racialised" sexual harassment and violence is, similarly as racism, normalised in wider society.

As university in the USA, and elsewhere, has traditionally been a place of white men (major ethnic and "racial" group), it is important to consider the matrix of power domination as well (Calafell, 2014). University living is "male living on male terms". Women, and especially coloured women and other minority group women, are even more likely to be seen as "intruders" in academia (Calafell, 2014). On the other hand, Kelly Pinter's campus research (2015) shows that campus email alerts frequently depict sexual assault offenders as men of colour or minority men. In addition, men of colour are disproportionately sentenced in comparison to their white colleagues on campus. Pinter's findings support the statement that students experience vastly different realities on campuses based on the intersection of "race" and ethnicity in their lives. Furthermore, the campus environment is often unwelcoming for "racial" minorities, who encounter "racial" jokes, racism, prejudice, and discrimination (Morrison, 2010).

The importance of an intersectional approach is further explained by Calafell (2014), who observes that feminist and anti-racist policies have, paradoxically, often helped to marginalise women of colour. Current construction of sexual harassment law in the USA presumes that sexual harassment and violence occur solely because of gender, without considering the influence of the victim's "race" or ethnicity (Calafell, 2014). Only gender-directed behaviour is considered in assessing the severity level, while "racial" components are generally dismissed. Finally, Calafell (2014) shares her personal experience as a university professor and a victim of "racially" motivated sexual harassment in the academia. She reveals her inability to report the racism intertwined with the sexual harassment she endured, as the university sexual harassment policy did not incorporate the "racist" element. Similarly, the inadequacy of harassment policies in the USA academia is criticised by Cho (1997, 209): "The law's current dichotomous categorization of racial discrimination and sexual harassment as separate spheres of injury is an inadequate to response to racialized sexual harassment." Consequently, reports are usually made separately - one for sexual harassment and another for racial discrimination (Calafell, 2014). This separation may help explain findings by Spencer et al. (2020) regarding factors associated with the reporting of sexual assault on campuses, specifically the lower propensity of individuals from "racial" or ethnic minorities to engage in formal reporting or informal disclosure of such assault.

As Cantalupo (2019, 80) notes, while anti-harassment activism in the USA began on university campuses, predating the 2017 Women's March, #MeToo, and many other "capital-R Resistance efforts", public narratives excluded women of colour from the public image of harassment. Such "anti-intersectional narratives", as Cantalupo (2019) calls them, might imply that there is less sexual harassment towards women based on "race" or ethnicity, when in fact, the evidence shows the opposite, pointing to increased vulnerability of this group. Cantalupo emphasises the particular importance of an intersectional perspective, as sexual harassment can multiply the disadvantages that some women of colour already face, including pre-existing educational inequalities related to ethnicity, "race", gender, age, religion etc. In addition to trauma, sexual harassment and violence can have long-term impacts on mental health (e.g., post-traumatic stress disorder, depression, suicidal thoughts), academic performance, with severe financial consequences not excluded. Pinter (2015) highlights that young women who drop out of educational institutions due to sexual or gender-based harassment and violence and do not return to academia suffer long-lasting economic impacts, earn lower wages, and have fewer safety nets to rely on later in their lives. If aiming towards gender and "racial" justice, it is thus important to address the dominant discourses from more intersectional perspective.

In addition to using an intersectional lens in addressing dominant narratives, research at the institutional level could particularly benefit from an intersectional approach. Research focusing on the university context or the educational environment in general could provide more complex insights by bringing together ethnicity/ "race", gender, class, and other relevant categories (Lundy-Wagner & Winke-Wagner, 2013). Looking at research on sexual harassment and violence and campus "racial" climate, Lundy-Wagner and Winke-Wagner (2013) note that both works to improve educational environments from different perspectives. While for example, research on sexual harassment and violence tends to focus on individual-level responses, campus "racial" climate research focuses on the institutional level. However, the intersection of both approaches – sexual harassment and violence and ethnic/"racial" discrimination - in educational research could provide better strategies for promoting a positive educational climate. Similarly, Bondestam & Lundqvist (2018) advocate for more intersectional perspectives that include the experiences of minority groups, including those based on ethnicity and "race". They highlight that more attention should be paid to: "ensuring that selection for studies of sexual harassment and sexual violence corresponds to the diversity that exists within the higher education institutions today" (Bondestam & Lundqvist, 2018, 33), thus paying attention also to methodology and sampling in research.

To summarise, there is an urgent need for screening, protocols, and policies for addressing interpersonal sexual harassment and violence in academia and the general research community that will consider the intersections between gender and "race"/ethnicity (Bondestam & Lundqvist, 2018; Ong, 2005; Wood et al., 2021).

### A CASE STUDY OF SLOVENIAN UNIVERSITY AND RESEARCH AREA

### Research design and method

The data for this study were collected as part of the national project entitled "Institutional, legislative and awareness-raising solutions and activities to address sexual harassment and other forms of sexual violence in higher education and research organisations in Slovenia". The project was financed by the Slovenian Research and Innovation Agency and the Ministry of Higher Education, Science and Innovation. Data collection took place between September 2021 and March 2022. During this period, we collected and analysed the content of institutional policies, acts, guidelines, regulations, protocols, and

similar documents from public universities and faculties, public higher education institutions, private higher education institutions, and public research institutions.<sup>4</sup> The aim was to determine how these documents address and regulate the field of sexual harassment and violence.

Two main approaches were used during the data collection process: i) researchers examined institutional official websites to check whether relevant documents were publicly available, and ii) they contacted institutional representatives to collect additional or initial materials. After the first round of contact and a follow-up after 14 days, unresponsive institutions were contacted again. Overall, 69 institutions were requested to send documents, the response rate was 43.5% (30 institutions). Institutions that did not respond to our inquires or had not yet developed relevant materials were excluded from the research.

In 2024, during the preparation of this article, we conducted another round of analysis by checking institutional websites to see if any changes had been made. Some general improvements were achieved, primarily due to the European Commission's decision that developing a gender equality plan becomes a prerequisite for participation in calls under the Horizon Europe research and innovation programme. From 2022, partners of successful consortia in the call must demonstrate that they have a gender equality plan when signing the grant agreement. These plans usually contain a special chapter on measures to combat sexual harassment and violence. However, these measures are often broad and unspecified (e.g. creating channels for anonymous reporting, organising workshops on sexual harassment in the workplace, updating the institutionalised anti-harassment policy), and, more importantly, do not address groups that are the focus of this article.

Nevertheless, the additional follow-up analysis resulted in an extended sample. Our final sample consists of 37 documents<sup>5</sup> subjected to thorough page-by-page analysis: 19 regulations, 13 codes of ethics, 3 guidelines, 1 rule of procedure, and 1 instruction document. More details about the sample can be found in Table 1.

Our main objective was to determine the extent to which the issue of sexual violence and harassment in academic institutions in Slovenia is already addressed and regulated, particularly concerning specific subgroups. Additionally, we analysed the content and relevance of these documents, as well as their availability on official institutional websites. Availability is crucial, as it enables victims (and witnesses) to access relevant information without needing to contact managerial or other services, which is vital during the process. Lastly, we aimed to

<sup>4</sup> The list of public and private educational institutions was accessed through the webpage of the Slovenian Quality Assurance Agency for Higher Education (SQAA, 2024), while the list of public research institutions was accessed through the webpage of Ministry of Higher Education, Science and Innovation (GOV.SI, 2024).

<sup>5</sup> Number of the institution and number of documents can differ because many faculties use the same documents as their universities.

Table 1: Sample.

Type of institution	Total sample	Our sample
Public university / public faculty	3 / 49	3 / 496
Public higher education institution	3	2
Private university / private higher education institution	5/33	5 / 13
Public research institution	16	6

identify whether the institutional policies contain any references to the intersection of ethnicity/"race" and/or references to ethnic/"racial" minority groups.

The analysis was guided by three general questions. The first question aimed to identify the content and was worded as, "Does the regulation document address specific groups?". Depending on the answer, documents were either selected for further analysis or excluded. The second question focused on specific groups and was worded as "Which specific groups the document addresses?". Our last question was "Does the regulation document contain specific and/or adjusted measures?"

In line with these guiding points, we analysed the existing institutional policies, documents, and acts (regulations, protocols, guidelines, etc.) developed for the prevention and sanctioning of sexual harassment and other forms of sexual violence in public and private higher education institutions and public research institutions in Slovenia. This analysis was conducted with a focus on ethnic/racial groups/minorities, thereby considering an intersectional perspective. The documents were examined 'page-by-page' (Collado & Atxurra, 2006) to identify content-related structures.

### **RESULTS**

Following our research questions, the analysis of selected documents revealed that the majority of materials recognise the importance of addressing different groups and the need for particular attention to these groups. Of the 37 documents that were part of our analysis, 15 differentiate between various

groups at higher risk of sexual harassment and violence (e.g., women, LGBTQ+ community, people from different cultural and ethnic backgrounds, persons with disabilities, students). However, only a few documents discuss tailored and specific measures for these groups, and even fewer recognise the intersectional dimensions that influence their position. Specific groups were defined in all public higher education institutions included in our sample, in seven private education institutions, and in two public research institutions.

The analysed documents perceive that specific groups more at risk consist of women, the LGBTQ+ community, persons with disabilities, people from various cultural, religious, "racial", and ethnic communities, as well as individuals based on age, political views, union membership, family status, nationality, or educational level. It should be highlighted that the "Protection Against Discrimination Act", a state law from 2016 that is above institutional regulations, already prohibits any form of discrimination or unequal treatment based on personal circumstances. These circumstances are defined as gender, nationality, "race" or ethnicity, language, religion or belief, disability, age, sexual orientation, sexual identity and gender expression, social position, financial situation, education, or any other personal circumstance. In this regard, the groups identified by most institutions align with those already protected by the state law.

Alarmingly, most documents primarily address only full-time employees, overlooking the student population and individuals with specific contracts or forms of cooperation with the institution (e.g., high school students, people without student status). Regarding this, only four documents emphasise power relations as a potential factor of vulnerability, such as the dynamic between students and academic staff or part time contract workers *versus* full time employees. These documents came from University of Ljubljana, University of Maribor, ERUDIO and International School for Social and Business Studies.

The only document that (more) systematically approaches specific groups is the "Professional guidelines: Preventing sexual and other harassment and violence" by Podreka et al. (2021), developed at the Faculty of Arts University of Ljubljana.<sup>7</sup> This document highlights women as the group that is most often subject of sexual violence and harassment due to the

<sup>6</sup> Considering that faculties under University of Ljubljana, University of Maribor, and University of Primorska are not independent legal entities and are therefore bound by the regulations of the universities, we indicated there "a perfect response rate". However, in case internal documents of particular faculties exist and their content is relevant for this article, this is indicated. Additionally, the number differs because some institutions have more than one relevant document.

<sup>7</sup> It can be assumed that the more developed documents are the result of the research expertise of several employees (especially researchers and professors Dr Milica Antić Gaber, Dr Jasna Podreka and Dr Roman Kuhar). This leads us to conclude that these topics are not systemically addresses, but as frequently occurs, the successful regulation of sexual harassment and violence often depends on individual initiative and engagement.

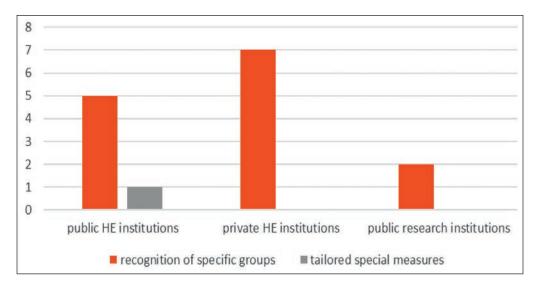


Chart 1: Prevalence of specific groups and tailored measures in documents.

objectification of women's bodies and traditional perceptions of women in relation to men. Additionally, the guidelines identify members of the LGBTQ+ community as another group requiring additional attention, as they can become victims of sexual violence and harassment due to their sexual identity and gender expression. Another mentioned category includes people from various cultural and social backgrounds, who can become victims because of their specific circumstances. Although these circumstances are not defined thoroughly, it can be assumed that factors such as language barriers, as well as other cultural differences, physical characteristics, and weak social networks can undermine their position and make them easy targets for sexual harassment and violence. The last described category are persons with disabilities, who can become target of sexual harassment and violence due to physical, sensory and communication

Regarding public educational institutions, all documents address specific groups in accordance with the Protection Against Discrimination Act (2016). However, actions that should be in place considering the broader circumstances of members of these groups were mostly absent. The only document highlighting specific measures was the aforementioned guidelines developed by the Faculty of Arts, University of Ljubljana. The institution recognises that it can be especially difficult to report incidents of sexual violence and harassment for people from the cultural and social environments where reporting is frowned upon. Thus, the Faculty of Arts commits to providing relevant support and help, for example, by providing a translator during the process. For other groups, the support and help systems are described more generally and vaguely,

with commitments to provide support, recognise and consider specific circumstances, and address individual needs.

The same set of questions was used for the analysis of private educational institutions. Among 18 institutions, 5 addressed specific groups. Similar to public institutions, their approach was rather general, without further details or measures, and in line with state law, thereby covering "racial" and ethnic dimensions as well. The document from the International School for Social and Business Studies emphasised differences in power relations among everyone involved in the educational process, regardless of their position.

The last analysed group focused on public research institutions. In this subsample, documents from 8 institutions were analysed. In six cases, specific groups were not addressed, while in two cases (National Institute of Biology and Science and Research Center Koper), these subgroups were addressed in a very general manner and in accordance with the *Protection Against Discrimination Act* (2016). None of these documents suggested any tailored measures to address the needs of the previously mentioned groups or specifically the ethnic/ "racial" minority groups.

Regarding availability, our analysis shows that not all documents are publicly accessible through official institutional websites. To analyse these documents, we had to contact representatives directly, which could present an important barrier for victims of sexual harassment and violence. In terms of accessibility, documents from public and private universities were most available, while accessibility was significantly lower in private higher educational institutions and public research institutions,

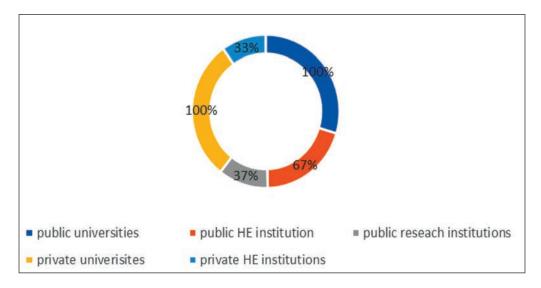


Chart 2: Share of institutions that have publicly accessible documents.

as shown below. Generally, public institutions have implemented legally binding regulations, but additional resources (e.g., protocols, guidelines) are missing.

### **DISCUSSION**

For a long time, studies on sexual harassment and violence, including those in the academic sector, considered only a one-dimensional perspective of sexual harassment, i.e. gender. However, if we only look at gender-based violence from a one-dimensional perspective, as outlined by Kuhar & Pajnik (2022), we lose insight into how gender is influenced by or interacts with other circumstances such as age, ethnicity, religion, etc. Therefore, any policy based only on a one-dimensional understanding of gender is fundamentally doomed to fail. Such policies will be unable to articulate and adequately address gender equality or ensure equal opportunities for all, regardless of personal circumstances and identity characteristics (Kuhar & Pajnik, 2022).

It is important that academic and research institutions recognise the importance of the multilayered situations that shape the realities of individuals and the complex inequalities that require different forms of treatment and protection. People may find themselves in numerous dangerous situations due to their specific circumstances or multiple personal factors. Moreover, they are differently equipped to cope with certain situations and to understand their rights and possibilities or the situations they encounter. This is particularly true in settings where power inequalities are institutionalised, let alone when individual position is burdened by one or more risk factors, such as gender, sexual orientation, "race", nationality, ethnicity, or social background.

Most documents covering and regulating areas of sexual harassment and violence in academia that were part of our analysis address groups at higher risk of being subjected to sexual harassment in a very general way, relying on the Protection Against Discrimination Act (2016) to prevent discrimination or any other harmful behaviour. Most regulations do not predict specific procedures designed to support ethnic or "racial" minorities, let alone consider any dimension of intersectionality. This is partly due to institutional dependence on rules of procedure, which are legally binding acts, but lack additional supporting documents, such as protocols, guidelines, or other materials that provide a more in-depth and systematic presentation of legal and other provisions in this area. This issue was also observed in other studies (e.g., Harris, 2020) presented in the theoretical part of the paper, where authors explicitly problematise the division between regulations covering sexual harassment and violence and those addressing racism and discrimination based on ethnicity/"race".

The only exception was the document developed by the Faculty of Arts from University of Ljubljana, which differentiates among four specific groups (women, LGBTQ+ community, persons with disabilities, and people from various cultural and social backgrounds). Moreover, this was also the only document that touches upon intersectionality; however, it does not delve into these complex relations or provide in-depth, concrete, systemic, and systematic steps to prevent and treat sexual harassment and violence or to support survivors from these groups.

Our study shows that sexual harassment and violence targeting groups at higher risk remain ill-addressed and unregulated field in the Slovenian academic field and state policy. The topic is

heavily neglected, and policies are ignorant of the intersectional dimension that importantly affects the position of students and employees belonging to "racial" and ethnic minorities. Weak responses and low attention by public and private higher educational institutions was accompanied by even worse response from public research institutions, indicating a considerable lack of engagement in addressing such critical issues.

The analysis revealed that public universities and faculties tend to have more established regulations, although these often lack detailed protocols and guidelines. In contrast, private higher education institutions and public research institutions showed even lower response rates and a general absence of comprehensive policies. This lack of regulation is problematic as it leaves significant gaps in the protection and support of specific groups, including "racial" and ethnic minorities.

Generally, institutions do not prioritize the issue of sexual violence and harassment, particularly the intersectional dimensions that affect "racial" and ethnic minorities. One potential reason could be that some academic institutions may have an entrenched culture that resists change or fails to recognise the importance of addressing sexual violence and harassment. This can lead to a lack of institutional will to develop and enforce appropriate policies. In addition, Slovenian academic institutions lack the expertise needed to develop intersectional policies. Developing, implementing, and maintaining comprehensive policies require resources, time, money, and personnel, therefore, institutions might struggle to prioritise these initiatives over other pressing needs. Lastly, addressing sexual violence and harassment through an intersectional lens requires acknowledging and tackling multiple forms of discrimination simultaneously. It is possible that institutions find this approach challenging and may be resistant to adopting such strategies. However, public universities and faculties, especially those focusing on social sciences, have in this sense a crucial role since they are most equipped for developing and confirming guidelines that consider complexities of intersectionality and can lead the way forward.

Drawing from international research (e.g., Bondestam & Lundqvist, 2018; Bourabain, 2021; Calafell, 2014; Coulter et al., 2017; Pinter, 2015), which indicates that sexual assault disproportionately affects certain "racial" and ethnic subgroups (as well as certain sexual and gender identities), we recognise the importance of interventions that address intersectional dimensions. This is important for tailoring more effective prevention and treatment programs. In the following lines, we present several practices, suggestions, and measures, with the aim and hope that these can support the Slovenian

academic community in developing more adequate strategies and programs that will address the needs of "racial" and ethnic communities.

Dills et al. (2016) published "Sexual Violence on Campus: Strategies for Prevention", where they emphasise that prevention activities and strategies should consider individual, relationship, community, and societal levels. Different activities should complement and reinforce each other. For example, members of ethnic and "racial" minorities should have access to attend trainings related to their rights, protection measures, reporting procedures, and counselling systems. These activities should be supported by policies requiring all freshman and new employees to complete training on sexual assault prevention resources, with an emphasis on combating discriminatory and sexist stereotypes and prejudices based on gender and "race"/ethnicity. As Strategies for Prevention (2016) suggest, the content of workshops and similar activities should be intersectional to disrupt multiple systems of oppression. These programs should include individuals who identify across different groups (based on gender, sexual orientation, "race", ethnicity, etc.) and share their stories, so that people from various backgrounds can relate more easily to those from similar groups.

Moreover, studies show that employing representatives from ethnic and "racial" minorities in support services can enhance victims' propensity to report sexual assaults. This measure aligns with Calafell's experience (2014) and supports findings from Harris (2020) that counselling and psychiatric services must hire culturally competent counsellors. Similarly, securing permanent staff positions is crucial to ensure that prevention programs for ethnic and "racial" minorities are sustained and supported. Furthermore, members of "racial" and ethnic minorities should be part of the planning, implementation, and evaluation groups that design prevention activities in campuses and research institutions. As mentioned in the Indian document "Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses" (2013), "racial" and ethnic minorities need to have their representatives in relevant committees to ensure sensitivity and inclusivity. The American Association of University Professor's Council, among other potential measures, recommends partnering with community organisations that serve ethnic minorities, migrant communities, the LGBTQ+ community, and others. This can be beneficial in providing legal aid, health services, shelter, and support. Given that incidents of campus sexual assault may be reported to outside authorities, it is recommended that campuses organise a relevant network to facilitate coordination and activities such as counselling, treatment, referral, investigation, etc. (American Association of University Professors, 2012).

Prevention strategies can address sexual harassment and violence from an intersectional approach by including topics related to racism, diversity, and inclusion into policy and procedures. This proposal is supported by the study of Coulter & Rankin (2017), which found that campuses perceived as more inclusive had lower prevalence rates of sexual assault among students belonging to these groups. Additionally, educational and research institutions can combat potential sexual harassments and assaults with prevention and intervention programs that consider cultural norms, beliefs, and values, while also raising awareness about racism, racial stereotypes, discriminatory behaviour, and their association with sexual violence and harassment. In this regard, both formal and informal spaces are equally important. The process of unlearning is critical to challenge cultural imagery that devalues the bodies of women of colour, foster sex positivity, and build inter- and intra-"racial" coalitions that empower minority students (Harris, 2020). Ethnic and "racial" communities must see themselves positively represented in campus events and initiatives that educate on healthy relationships and sexual health.

On a more general note, considering that many Slovenian educational and research institutions already use evaluation surveys (at the end of the semester, exam period, or academic year), it would be beneficial to start collecting data about potential sexual harassment and violence, needs assessments, perceived safety, knowledge of services, and similar factors across different groups. This data could be used to tailor activities specific for various groups that differ in their cultural and social background, thereby making these activities more impactful. Addressing and regulating sexual violence and harassment in academic and research institutions in Slovenia requires a comprehensive and multi-stakeholder approach. Key stakeholders include the Ministry of Higher Education, Science, and Innovation, as well as the Slovenian Research and Innovation Agency, both of which play pivotal roles in policy development, implementation, and evaluation. The Ministry could encourage nationwide initiatives to standardise policies across institutions, ensuring that regulations are inclusive and consider the intersectional nature of sexual violence and harassment, particularly involving ethnic and "racial" minorities. Similarly, the Slovenian Research and Innovation Agency, through its funding and evaluation mechanisms, can support academic institutions in adopting best practices and robust frameworks for preventing and addressing sexual violence and harassment. The Agency can also mandate the institutions seeking research grants demonstrate compliance with these policies.

One potential step is also implementation of good practices from other countries, such as employing culturally competent counsellors and establishing accessible and clear reporting mechanisms, which can enhance the effectiveness of these measurements. Nevertheless, collaboration with community institutions associated with ethnic minorities can ensure that interventions are culturally sensitive and effective. Such a multi-layered strategy not only enhances protective and supportive measures but also promotes an inclusive and safe research environment.

#### CONCLUSION

Our paper utilised an intersectionality framework (Crenshaw, 1991) to examine how marginalised identities intersect with sexual harassment and violence. Intersectionality posits that stigma and discrimination (for example racism, ethnocentrism, sexism, heterosexism) functioning at multiple levels disproportionately affect populations from social margins. When combating sexual assault, an intersectional approach can help identify whether and how specific groups are more at risk of sexual harassment and violence. As the intersection of different forms of oppression may cultivate unsafe environments for ethnic and "racial" minorities, placing them at greater risk of sexual assault, it is important to understand whether and how educational and research institutions address the needs of these minorities within their official documents aimed at preventing and combating sexual harassment and violence.

We analysed 37 official documents, guidelines, acts, and strategies collected from Slovenian public and private academic and research institutions. Our aim was to explore whether and how groups at higher risk of being sexually harassed are addressed in these documents, what measures to protect and support these groups have been developed at the institutional level, and whether institutions recognise the importance of intersectionality (with an emphasis on "race" and ethnicity) in their regulations, approaches, measures, and strategies that were developed to combat sexual harassment and violence.

Our results indicated that, apart from one institution (Faculty of Arts, University of Ljubljana), an intersectional approach is severely disregarded in academic documents addressing sexual harassment and violence. Institutions rely heavily on state law from 2016 (*Protection Against Discrimination Act*), which prohibits discriminatory and harmful behaviour based on personal circumstances, including ethnic and "racial" dimensions. However, beyond referencing the law, the collected material does not suggest, contemplate, provide, or develop any

measures to protect and support groups that, due to the intersectional nature of their circumstances (ethnicity or "race", gender, social background, sexual orientation etc.), may be targeted for sexual harassment or violence. The Faculty of Arts at the University of Ljubljana is the only institution that recognises how four specific groups (e.g., women, LGBTQ+ community, people from various social and cultural settings, and people with disabilities) can be at additional risk due to their specific circumstances and that these circumstances require particular attention and measures. Unfortunately, their guidelines only lightly touch upon the necessity of having adjusted protocols (e.g., having a translator or cultural mediator), lacking depth, detailed approach, and concrete measures.

Furthermore, especially private higher educational institutions and public research institutions should reconsider their policy of keeping documents private and make them publicly available (or at least more accessible and visible for their students and employees). As Spencer et al. (2020) pointed out, transparent procedures encourage reporting rates. Transparency ensures accountability of institutions, making them subject to external and internal scrutiny, and obliging them to act in accordance with their protocols. This accountability is crucial for building trust within the academic community, as individuals are more likely to report incidents of harassment and violence if they believe the institution will handle their reports properly. Therefore, the visibility of these protocols is not just beneficial but perhaps essential for encouraging reporting and

ensuring that protective measures are effectively implemented.

Among the limitations of our study, the relatively low response rate from institutions should be highlighted. Furthermore, our analysis was constrained by the availability and accessibility of relevant documents, as many institutions did not have their policies publicly available which necessitated direct contact with institutional representatives. This could have resulted in incomplete data, as some institutions may have policies that were not shared with us. Another significant limitation is the generality of the available documents, which often adhered strictly to the Protection Against Discrimination Act (2016) without providing specific measures tailored to various groups or considering intersectional dimensions. This lack of specificity hinders the ability to thoroughly assess the effectiveness of existing policies. Future research would benefit from a more comprehensive sample, including both quantitative and qualitative data on the experiences of those affected by sexual harassment and violence in academia.

Regarding the general absence of adequate policies and measures addressing sexual violence and harassment at Slovenian academic institutions, and considering the increased migration processes alongside attempts by Slovenian academia to become an internationally attractive research and study destination, the academic field in Slovenia still has work to do in terms of adequately addressing sexual harassment and violence, particularly in relation to racial and ethnic minorities.

### PREZRTA INTERSEKCIONALNOST SPOLNIH IN RASNO-ETNIČNIH DIMENZIJ V POLITIKAH PROTI SPOLNEMU NADLEGOVANJU IN NASILJU V SLOVENSKEM AKADEMSKEM PROSTORU

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### **POVZETEK**

V članku obravnavamo potrebo po uvedbi presečne perspektive pri obravnavi spolnega nadlegovanja in nasilja na univerzah in raziskovalnih ustanovah. Uvedba intersekcionalne perspektive je pomembna, saj se spolno nadlegovanje in nasilje v odnosu do pripadnic rasnih in etničnih manjšin le redko osredotoča zgolj na spol (in spolnost). Prepoznavanje presečne narave spolnega nadlegovanja pomeni prepoznavanje soobstoja rasizmov in nacionalizmov, ohranjanje etničnih/rasnih stereotipov, večplastnih manifestacij diskriminacije in matrike dominacije, ki obstaja tako v širši družbi kot tudi v izobraževalnih in raziskovalnih ustanovah. Ker lahko intersekcija različnih oblik zatiranj ustvari okolje, ki je še posebej nevarno za etnične in rasne manjšine, zaradi česar so izpostavljene večjemu tveganju spolnega napada, je pomembno vedeti, ali in kako izobraževalne in raziskovalne ustanove v Sloveniji obravnavajo posebne potrebe in zaščito etničnih in rasnih manjšin v uradnih dokumentih, ki so bili razvit z namenom preprečevanja in boja proti spolnemu nadlegovanju in nasilju. Rezultati analize obstoječih dokumentov in politik so pokazali, da je, razen v primeru Filozofske fakultete Univerze v Ljubljani, intersekcijski pristop v akademskih dokumentih, namenjenih boju proti spolnemu nadlegovanju in nasilju, spregledan. Razen sklicevanja na obstoječo protidiskriminatorno zakonodajo pregledani dokumenti ne obravnavajo rasnih in etničnih manjšin kot posebej ranljivih skupin in ne zagotavljajo ukrepov za njihovo zaščito ali podporo v primeru spolnega nadlegovanja in nasilja.

**Ključne besede:** spolno nadlegovanje in nasilje, intersekcionalnost, spol, »rasa«, etničnost, univerza, raziskovalne institucije

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