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Why We Hear About It, and Why We Don't: Power Dynamics and Sexual Harassment Reporting in US State Legislative Bodies

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Why We Hear About It, and Why We Don’t:
Power Dynamics and Sexual Harassment Reporting in US State Legislative Bodies

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Abstract

The rise to prominence of the #MeToo Movement in October 2017 opened the floodgates to sexual harassment and assault allegations in all fields and levels of employment, across the United States and the world. This movement has crucially revealed is that women often wait months or even years before reporting, if they report at all. Looking at US state legislative bodies, I argue that gendered power dynamics between men and women suppress allegations and promote harassment. Using interviews and data analysis, this paper identifies different factors that may delay or hinder reporting, with a specific focus on gendered power dynamics and dynamics of formal and informal power.
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Introduction

“I think this is a very common experience for everyone, and I just don’t know any woman who wouldn’t have felt this at some point during her career there.” - Participant #3

On October 15th, 2017, as a show of support for the numerous women who had accused Hollywood director Harvey Weinstein of sexual assault and harassment, the hashtag ‘#MeToo’ took Twitter, and all of social media, by storm. This phrase, ‘Me Too’ was originated by Tarana Burke, an activist and advocate for survivors of sexual violence, when she founded her organization Just Be Inc. to support young women of color, as a way of showing support for and solidarity with survivors (Jeffries 2018). In tweeting the hashtag for the first time, actress Alyssa Milano repeated Burke’s original ask - that other women, who had themselves experienced harassment and assault, should speak up as well, identifying themselves as survivors, as a show of support to Weinstein’s accusers, and as a means to convey the true magnitude of the problem that sexual violence represents.

In that moment, the implications of that tweet were not yet clear - for the State of Minnesota, the broader US political sphere, the whole country, or the world. Since Burke’s founding of Just Be Inc. and Milano’s tweet, the movement and its hashtag have exploded. The conversation has spread not just nationally, but globally. #MeToo has been translated directly into #YoTambien in Latin America, #أنا_أيضا or #أنا_كمان in Saudi Arabia (Fox and Diehm 2017), and #WoYeShi or #我也是 in China (Phillips 2018). In France, #MeToo became #BalanceTonPorc (‘snitch out your pig’), and in Italy, #QuellaVoltaChe (‘that time when’) (Fox and Diehm 2017). In every language, women shared their stories of harassment and assault, posting the hashtag alone, sharing pictures,
quotes, and detailed personal accounts. By November 9th of the same year, less than a month later, the hashtag had been used by more than 2.3 million people in 85 countries, and more than 24 million had interacted with it on Facebook (Crimson Hexagon, cited in Fox and Diehm 2017). Its massive reach and publicity has lead at least 201 powerful men losing jobs or major positions of power due to allegations made public in connection with #MeToo (Carlsen et al. 2018).

What the #MeToo movement has shown us, is that each allegation made is far from an anomaly. On the contrary, they appear to be part of a much larger pattern of underreporting present in all fields and at all levels of power across the US, and even internationally. To gain an understanding of why some women wait years to report their experiences, and why some men are allowed to harass so many women in the legislative context, I pose the following question: what are the forces present within state legislative bodies that lead women who have experienced sexual assault or harassment within these bodies to report, or not report, them? More specifically, I ask how the power dynamics between the person experiencing assault or harassment and the person allegedly perpetrating it, influence reporting decisions? I argue that normative gender power dynamics present in state legislative bodies in general, and specifically in my case study of the Minnesota State Capitol, lead many women to not report their experiences of sexual assault or harassment. I see I expect to find that men utilize both sexual harassment and assault, and the power they are granted by virtue of their gender, not just to seek sexual gratification, but to reinforce their positions of power relative to female subordinates, superiors, colleagues, and acquaintances, among others. This dynamic, wherein women do not report due to lack of power, and men exercise power over women
to keep them from reporting, produces a circular system of power and harassment, in which the very lack of power keeping women from reporting harassment is the same one causing them to be harassed in the first place.

To explore power dynamics and their influence on reporting decisions, I will begin Chapter 1 by introducing the cultural context in Minnesota and nationally, within which I am conducting this research. In Chapter 2, I review existing literature on power dynamics and sexual harassment, introducing the theoretical framework of formal and informal power, upon which I build my understanding and analysis of power dynamics. I also explore how specific types of power manifest within broader systems to influence harassment and reporting decisions, and the specific mechanisms by which sexual violence is enacted. In Chapter 3, I introduce my methodology for conducting my research, and acknowledging its limitations. In chapters 4 and 5, I explore and interpret the results of my research and their significance and connections to existing literature. Specifically, Chapter 4 will address data analysis of allegations of harassment and assault against state legislators across the country since 2000, and Chapter 5 will address the results of my case study of the Minnesota State Capitol, conducted via interviews with women who have worked in the Capitol since 2000. Finally, I will conclude with a broader analysis of my findings, their significance, and implications for future research. It is my goal that, through the combined analysis of my interviews, my data collection, and my research into theory around sexual harassment, power dynamics, and the culture of legislative bodies, I will be able to provide insight to the forces which prevent and promote reporting within these bodies.
I chose to focus specifically on the US legislative context for a few central reasons. The first of these is fairly simple - I am interested in understanding the ways gendered power dynamics and sexual harassment and assault exist in these bodies because I am interested in these bodies in some capacity. Beyond this, though, I believe it is important to understand how our elected officials use their power behind closed doors, and the kinds of cultures they create within their workplaces. Part of my decision was also based on feasibility - there have been far fewer cases of harassment or assault made public at the federal level. I also anticipated that lower-level bodies would be harder to find significant information about, either in terms of journalistic reporting on harassment and assault or gender dynamics, or in terms of literature about the culture of these bodies and the power dynamics within them.

In conducting both my interviews and my data analysis, I also chose to focus specifically on gender power dynamics as they manifest between cisgender male perpetrators who are legislators, and cisgender female accusers who had professional relationships to the accused. This decision was similarly based in feasibility, due to time, resources, and availability of data. Existing literature recognizes a greater prevalence of harassment perpetrated by cis men against cis women, and this understanding is also reflected in what stories have been made public. Because far fewer cases which do not conform to this gender relationship have been made public, it would have been extremely challenging to effectively make any generalization or statement about the unique ways gendered power dynamics may present in such cases. As such, I chose to more narrowly focus my research, and will further address the intricacies of this decision when I discuss my methodology in Chapter 4.
Before entering into this research, it is also necessary that I locate myself as a researcher. While many definitions of sexual harassment and sexual assault exist both within the US and throughout the world, for the purpose of this research, I have created a set definition, which is informed by my own contextual understanding coming from a white, progressive US academic context, and coming of age in the first two decades of the 21st century. This will inherently inform how I understand and interpret both existing literature, and the results of my own data analysis and interviews. It may also inform how participants in my interviews respond to me as an interviewer, and how they respond to my questions. As a young cisgender woman living in a patriarchal society, I have also myself experienced sexual harassment, which informs how I understand existing literature and my own findings.

For the purposes of this paper, I focus specifically on the impacts of gendered power dynamics between perpetrators who are cisgender male legislators, and accusers who are cisgender women. One result of this is that I am not able to account for or explain the impacts of power dynamics based in other characteristics (such as race or sexual orientation), for gendered power dynamics present between perpetrators and accusers of different gender identities, or for the impact that combinations of multiple identities may have. In spite of this, my focus means that I am able to achieve a greater depth of understanding of the power dynamics I do focus on than if I broadened that focus. This decision, while hard, was made because of the limitations of this research overall - limitations in time, scope, and resources, in particular. Attempting to explain the reporting decisions for all people who have experienced sexual harassment or assault in state legislatures, and the influences that all possible power dynamics may have had on
their decisions, would have been impossible within the timeframe I had to conduct this
research. Because of this, attempting to do so would have failed to do justice to any
experience, individual, or case of harassment studied or addressed in this research. As
such, while these limitations do exclude real lived experiences of power and harassment,
they are necessary to drawing effective conclusions in my research.
Chapter 1

Cultural Context

“...I think there are some people who feel like maybe their stories will be meaningfully listened to now... maybe they have a path to justice, and then I think some people have seen what other people have gone through and thought ‘you know, that is exactly what I never want to happen, so I definitely will not be doing that now,’ so I think [that #MeToo has] probably done both.” - Participant 4

The Fall of 2017 and the Power of a Cultural Moment

The surge of the #MeToo Movement to the cultural forefront in the fall of 2017 brought about a wave of sexual harassment and assault allegations. With its arrival, a newly strengthened discussion about the prevalence of sexual harassment, its causes and ramifications, and what should be done to respond to and prevent it also arose. In spite of the size of this outpouring of stories of harassment and assault across identities, experiences, professional fields, positions, and levels of seniority, the #MeToo Movement is not the first time these stories have been shared publicly. Such stories have always existed on their own and in the context of larger social movements and cultural moments. #MeToo represents one these, and the 1992 Year of the Woman represents another. Following Anita Hill’s 1991 Senate testimony during Supreme Court Justice Clarence Thomas’ confirmation hearings, women ran for and were elected to public office in unprecedented numbers, leading to the year’s popular nickname. In publicly speaking of her experience of workplace harassment by then-Supreme Court nominee Clarence Thomas, Hill shared with a huge and extremely public forum an experience that, while common, was also typically hidden from public eye and left unspoken. Beyond the act of sharing her experience, the image of Hill testifying to the US Senate
Judiciary Committee sparked a strong public response - a lone black woman being questioned by an 14-person, all-white, all-male panel.

_Congressional Responses to Sexual Harassment and Assault_

The dominant culture of legislative bodies is hugely influential in shaping reporting decisions. Bingham (1997) recounts two principle cases which illustrate the culture of the Senate regarding sexual harassment and its’ general lack of responsiveness to sexual harassment. The cases concern the Senate hearings on the release of Senator Bob Packwood’s diary entries, and those on the Tailhook reports. In the Packwood hearings, transcriptions of the Senator’s audio-recorded diary were subpoenaed in connection to an ongoing investigation into twenty-six allegations of sexual harassment raised against him. After voluntarily granting access to the tapes initially, he revoked it abruptly, claiming the diaries were being used to find incriminating information about the sex lives of other legislators. The latter case concerns the 35th annual convention of the Tailhook Association, where over 100 US Navy and Marine Corps members were alleged to have sexually assaulted or harassed 83 women and seven men. The hearing itself concerned the retirement status of Admiral Bob Kelso, who was one of the highest-ranking officers in attendance at the convention and was found responsible (a decision later overturned).

In the end, the Senate voted 54-43 to grant Kelso the exceptional rank of a four-star admiral despite his involvement in the Tailhook scandal. Both cases show the deprioritization of sexual harassment in favor of another interest - in the Packwood case, privacy and protecting cultural norms; in the Tailhook case, ‘legacy’ and ‘record’ over purported indiscretions. Beyond this, though, they speak to the treatment and perception
of sexual harassment and sexual assault within the United States Congress, and speak to its broader perception in other US legislative bodies. Both cases also exemplify how gendered power shapes priorities - each specifically concerns the impacts of actions committed by men against women, and the outcomes of each case were decided by majority-male bodies. This fact in particular illustrates the extent to which the gender of the bodies making these decisions acted to influence their priorities.

_First-Hand Accounts Before #MeToo_

Going beyond Congressional treatment of sexual harassment cases, Bingham (1997) shares the experience of the women entering the legislature for the first time following the Anita Hill hearings and their election during the Year of the Woman. By way of first-hand interviews, Bingham illustrates what those newly elected legislators experienced in entering office in 1992, as well as how they responded (or didn’t) to it. Patty Murray (Senator from Washington, elected in 1991) spoke with Bingham to this point, sharing her process in the Washington State Legislature and the United States Senate, of realizing the extent to which “The cards are stacked against anybody who makes a claim [of sexual harassment]” (Murray, qtd. in Bingham 163, 1997). Sen. Murray’s realization of this imbalance of power came both from accounts shared with her and from her own experience.

Through Bingham, Murray recounts her own 1994 harassment by then-Senator Strom Thurmond (South Carolina), and her struggle to decide her best course of action. Thurmond, as Bingham describes him, was then ninety-one and relatively unchanged by the passage of time since he first came to the Senate in 1954; beyond this, though, she
describes his well-known love of “the ladies” and his “habit of groping women [that] was one of those well-known secrets” that everyone was aware of but no one was supposed to reveal (179, 181). On her way to the floor for a vote one evening, Murray encountered Thurmond in the elevator, alone. After boarding, Thurmond turned to Murray, “and without any hint that he recognized [her] or that she was a fellow senator, he put his arm around her, groping for her breast, and said in a deep Carolina drawl, “Are you married, little lady?”” (181).

After the incident, Murray was forced to weigh not just what she wanted, but the ramifications that any kind of report would have on her public reputation and her professional relationships. Further, she had to consider if her relative power as a Senator meant she should report since other women couldn’t, and whether she “owed her election to the issue of sexual harassment”, and thus needed to report on principle (Bingham 183, paraphrasing conversation recounted by Murray). In the end, Murray chose to wait, not publicizing her experience with Thurmond until the publication of Bingham’s book in 1997, and instead reached out to Thurmond’s office directly. While Thurmond apologized for “any embarrassment caused”, Murray’s staff were not satisfied - they deemed it a “non-apology apology”, but at the same time recognized her inability to do more.

At the time of Murray’s encounter with Thurmond, a larger conversation about sexual harassment has been building thanks to the Tailhook hearings, leading up to a big question from a reporter for Murray - had she herself ever been harassed in the Senate? Murray avoided the question, and when the reporter called for a follow-up later, her office had chosen to answer that ‘no’ she had not experienced harassment. When Murray
sat with Bingham two years later in an interview for her book *Women on the Hill*, she changed her story and “insisted that Strom Thurmond had grabbed her because he was old and frail and needed to keep his balance”, and brushed the breast-grab and inquiry of if she was married as a “non-incident” (185). Though Bingham does not make it completely clear how she heard both versions of this story, it is implied that the first version of the story came at least in part from conversations with Murray’s staff, in addition to the Senator herself. Further, Sen. Barbara Boxer’s office confirmed Bingham’s statement in the book that Sen. Murray had told her colleague that Sen. Thurmond had groped her in the elevator at the time of the incident. Reporting on the in the story came out with *Women on the Hill*’s publication, from reviewing reporting from the same time, the response appears almost neutral - Murray’s own response is important in interpreting this, though. Since 1993, when the incident happened, and 1996, when it first became public knowledge, Murray has never once publicly called it harassment - this label has largely been imposed by those reporting on the story. Murray’s lack of commentary, and particularly her lack of willingness to call the incident harassment, conflicts with how such stories are typically presented to the public and complicates the ways the public and press could respond.

Though these cases are now over twenty years old, the culture Bingham described is still fully present in US legislative bodies, and in Congress specifically. In 2014, the New York Post quoted Senator Kirsten Gillibrand recounting the numerous comments she’d received about her body and weight from other Senators and Representatives. Particularly notable is one she received in response to her having lost weight after going on a diet - “Don’t lose too much weight now. I like my girls chubby” (Gillibrand 2014).
After a 2010 article from The Hill ranking the ‘50 hottest people on Capitol Hill’ ranked Gillibrand third, former Senate Majority Leader Harry Reid even went so far as to be quoted joking “We in the Senate refer to Sen. Gillibrand as the hottest member” (Brinlee 2017).

Other female Senators have also shared their own experiences of harassment, in and out of Congress. Sen. Claire McCaskill (Missouri) shared her experiences of harassment in the Missouri State Legislature - sexual and predatory comments toward her when she served as a college intern, and after joining the legislature in 1983, when seeking advice on getting legislation passed from the House speaker, being asked humorously “did you bring your kneepads?” (Gay Stolberg 2016) and being asked by multiple colleagues when she would wear a particular pair of tight jeans again (Fillipovic 2015). Sen. Barbara Boxer (California) shared a story of a time when, while serving in the US House of Representatives, a fellow representative had responded to a speech she had given by saying “Well, I want to associate with the congresswoman from California”, as well as her own experiences of sexist comments by Sen. Strom Thurmond (mentioned previously) (Fillipovic 2015). Sen. Susan Collins also recalled her own experience with Sen. Thurmond - making a quick U-turn when she saw Thurmond getting on the elevator ahead of her and describing the laughter of a Republican male colleague when he saw her quickly turn around, knowing full well her reasons (Mundy 2015).

In 2011, a similar case of extremely explicit comments being made about a female legislator’s body arose when Texas State Representative Mike “Tuffy” Hamilton interrupted Representative Marisa Márquez as she spoke from the floor of the Texas State House during a debate, asking “Young lady, would you please tell us why your
mountains are better than any of our mountains, and are they man-made or are they real
mountains?” (Messer 2013). Both stories exemplify the ways women in these bodies
have had their bodies, rather than their actual work, become the focus of attention from
the public and their fellow legislators.

First Hand Accounts in the Era of #MeToo

Responsiveness to sexual harassment is not defined just by what is done, though,
but also by what is not done - something that has become particularly apparent as
allegations have come out in the last year. In the case of the accusations made against
Representative Rick Nolan’s former legislative director Jim Swiderski, the
Congressman’s response illustrates some of the principle ways a response to harassment
can fall short. After having been accused of harassment or assault by three women,
Swiderski was allowed to resign quietly from his position and to tell colleagues he was
looking for new work without disclosing his real reasons for leaving or his history of
harassment (Brodey 2018). Swiderski’s accusers, as well as five others who corroborated
the women’s stories, recounted favoritism, controlling behavior, gatekeeping
opportunities for professional success and advancement, groping and inappropriate
touching, comments about women’s appearances, persistent messaging, texting, and
social media attention, and obsessive behavior directed at individual young women
(Brodey 2018).

In spite of this, after only a few months, Swiderski was hired as a consultant for
Nolan’s 2016 campaign. Though Swiderski’s time with the campaign ended shortly after
campaign staff were alerted to his history, the responses he received both times point to a
culture uninterested in punishing abusers. Swiderski’s accusers attribute this to Nolan, who had long had a close relationship with Swiderski. Nolan himself, though, has been known to minimize the experiences of survivors, having been quotes saying “A woman’s got every right to be as fragile as she wants, but I’m telling you, women in the factories are a lot tougher” and jokingly referring to Swiderski’s house, to one of his accusers, as “[her] boyfriend’s house” while driving together (Brodey 2018). One of his favorite stories, as recounted by former staffers, came from his time in the Minnesota State Legislature in the 1970s, when lawmakers would be “blindfolded and tasked with determining which female secretary worked for who — by groping them” (Brodey 2018).

The public and political reception of allegations against another former Minnesota legislator, Senator Al Franken, similarly illustrate what is often missed in responses to such cases. The first allegation broke on November 16th, 2017, and on December 7th, 2017, Franken announced he would resign from office after eight women spoke out against him, sharing stories of inappropriate touching during photo ops, groping, and forced kisses (Prokop 2017). The response to these allegations was tepid at best - only seven Senators called for Franken’s resignation - six of them women (including Sen. Patty Murray, mentioned previously). The rest of the caucus said little to nothing. Beyond this, though, was the popular response. On May 21st, 2018, five months after his resignation, journalist Laura McGann (2018) wrote about the continued anger by Democratic men over Franken’s inclusion in the pool of men accused of harassment since the advent of the #MeToo Movement for what they perceived as much less significant offenses. The combination of Franken’s progressive stardom (then as a possible Democratic presidential contender), the relative scale of his actions as perceived by the
public, and the broader context of his allegations, hit hard for Democrats. These allegations came out at the same time as those against Roy Moore, then an Alabama Senatorial candidate, accused of assaulting multiple teen girls and of soliciting sex from minors, who nonetheless managed to maintain his Presidential endorsement, without critique from a single sitting Republican Senator (Khan 2017).

The sentiment in response to the Franken allegations, as McGann correctly points out, is that what he did isn’t that bad, and that it’s certainly not close to as bad as what’s been done by many other men in similar positions of power. She argues, though, that it is that bad. Franken’s actions are based in precisely the same inequalities of power that lead men like Roy Moore or Donald Trump or Harvey Weinstein, all broadly accused of assault, to commit violence against women. Franken’s defenders relied on tropes commonly used to dismiss allegations of assault and harassment like ‘boys will be boys’, writing his actions off as misplaced humor that just went too far, or placing the blame on the accusers, claiming that their own sexual history and public personas justified his behavior - a common form of victim blaming. As McGann says, though, “These stories are about a man using his power to belittle, humiliate, or take advantage of a woman who can’t do much about it” - a man who knowingly used his power to manipulate his circumstances and attempt to lay claim to the bodies of the women around him, something he had no right to do.

Other stories shared at the same time echo the similar themes of power and manipulation. After waiting more than twenty years, political commentator Jehmu Greene accused former Georgia State Representative Calvin Smyre of assaulting her, and of then-Democratic National Committee leadership of pushing her to stay silent; Smyre
later resigned. The woman who anonymously spoke out against US Representative John Conyers (Michigan), the longest-serving member of the US House, said of her experience that “I was basically blackballed. There was nowhere I could go” (quoted in McLeod and Villa 2017). While the case was originally settled privately within the House, its release also publicized much previously unknown information about the process for reporting harassment in Congress. The United States Congress has no Human Resources department through which to make a formal report of harassment –

Instead, congressional employees have 180 days to report a sexual harassment incident to the Office of Compliance, which then leads to a lengthy process that involves counseling and mediation, and requires the signing of a confidentiality agreement before a complaint can go forward. After this an employee can choose to take the matter to federal district court, but another avenue is available: an administrative hearing, after which a negotiation and settlement may follow. (McLeod and Villa 2017)

Beyond cultural opposition to taking survivors seriously, the very systems in place in US legislative bodies actively work to silence reports of harassment, protecting the careers of abusers and shutting out anyone who tries to fight back.

The list of politicians accused goes on extensively and has only continued to grow as the months have passed since October 2017. The list of powerful figures accused across different fields is exponentially longer. While a concrete number or list of all-powerful people brought down thanks to the #MeToo Movement would be satisfying, it would also be practically impossible to collect. Beyond the simple fact that there have been so many, and that the passage of time continues to make it harder to track allegations, many of the allegations made since the advent of #MeToo still are not public. Reporting has increased both publicly and privately, meaning that there are likely many cases, both in politics and outside of the political realm, which would be hard or
impossible to discover. Nonetheless, the increase in reporting is an achievement - it doesn’t, though, mean that the power dynamics exploited by the likes of Al Franken, Jim Swiderski, Roy Moore, Strom Thurmond, John Conyers, and so many more, no longer exist. This is where the necessity for understanding power dynamics and their influence on harassment reporting arises.

Definitions

While I will continue to introduce new terms and concepts throughout much of this paper, I will define a few core terms which will arise frequently throughout. The first of these is sexual violence. For the purposes of this work, I define sexual violence as any form of sexual attention which is unwanted, irrespective of if it is perceived as solicited, if the people involved had any kind of relationship in the past, if the person experiencing the harassment or assault is perceived as being promiscuous or otherwise. I also understand sexual violence as existing on a spectrum - the severity of the acts themselves range significantly, including behaviors from inappropriate texting and groping to rape and assault. When I refer to legislative bodies, I will always be referring only to state-level legislative bodies unless otherwise specified. The choice to focus on state-level legislative bodies was made due to the greater number of members overall, and thus the greater number of spaces in which harassment can occur, and from which data can be collected and understanding can be gleaned. As additional terms arise and become relevant throughout this work, I will continue to introduce them as appropriate.
Chapter 2

Literature Review

“I was blacklisted by the [majority party] at the time, the speaker gave instructions to the caucus, don’t work with her, don’t talk to her, don’t laugh with her, don’t go to her office, she’s not your friend.” - Participant #4

Theoretical Framings

Formal and Informal Power

Numerous forces inform decisions related to, and outcomes of, workplace sexual harassment. To understand why any given woman becomes the target of harassment, though, it is first necessary to understand the kinds of power an individual can have in the workplace, and how those powers interact. At its most basic, power, or the possession thereof, represents the ability for one person to exercise control over another (Davis 1991). French and Raven (1959) break power down into a taxonomy of types, the foundation of which is legitimate power (i.e. hierarchical, granted through hard work within an organization or other hierarchical body), more commonly referred to as formal power. They also identify referent power (likability), expert power (unique knowledge/expertise), reward power (based on ability to offer rewards or remove obstacles), and coercive power (ability to withhold access or create barriers to success/access), all of which fall into the category of informal power, and are granted not through institutional structures, but through social norms. As I move into analysis of my own research in future chapters, I will identify findings as formal and informal power, but will not specify based on the type of informal power for the sake of consistency in terminology. I will, though, articulate what about each finding makes something formal or informal power.
Focusing more specifically on people with less formal power or at lower levels in their organizations, Mechanic (1962) finds that those with less formal power who still maintain control over resources (money, popularity, information, materials, etc.) are able to exercise power over those with more formal power than themselves. This is because they control resources necessary to their counterparts with greater formal power. The control of resources, combined with a lack of hierarchical power, can also be referred to as informal power. These examples illustrate the ways informal power can be manipulated to circumvent a lack of formal power, and to control or influence those with more formal, but less informal, power than oneself. Building off Mechanic, as well as French and Raven, Rospenda, Richman, and Nawyn (1998) explore the interactions of formal and informal power. Specifically, they focus on race, gender, and class as mechanisms by which informal power can be gained. They argue that not only do these factors have the capacity to grant or withhold informal power, but that they can also undermine a person’s formal power or grant a person who lacks formal power informal control over others. As such, they see it as impossible to disconnect an individual’s formal and informal powers - they always act together, informing how each other play out and shape one another.

Focusing specifically on sexual harassment, French and Raven find that a lack of informal power due to membership in a historically marginalized group (such as being a person of color, a woman, LGBTQ+, from a low income background, etc.), can undermine a person’s formal power, making them more susceptible to harassment and less able to report it. This is a product not of the formal power they hold, but of the informal power they lack. The opposite dynamic, holding less formal and more informal
power, also grants the person with less formal power the ability to perpetrate harassment against the first person, as again, their amount of informal power allows them to circumvent their lack of formal power. Those with both formal and informal power have an even greater ability to perpetrate violence and silence reporting.

Looking back to Chapter 1, each story recounted illustrates dimensions of formal and informal power. Sen. Patty Murray’s story of her own harassment by Sen. Strom Thurmond recounts her hesitation to report for fear of harming her professional reputation and prospects, and that her harasser would be easily let off the hook. The fact that a sitting US Senator did not feel she could speak out exemplifies the role of informal power gained through seniority and granted on the basis of gender, and the extent to which this limits reporting prospects. None of these dynamics are simply products of individual personalities or behaviors, though - they come out of the larger institution and its culture. Institutions are themselves the product of what those with formal and informal power choose to make them (I will discuss the power of institutions in greater depth later in this chapter). The fear felt by a United States Senator, one of the most powerful women in the country, at the thought of speaking out about sexual harassment, illustrates the power of the institution itself to dissuade even those who might seem untouchable from reporting. Small examples of verbal harassment illustrate the ways men, holding informal power by virtue of their gender, are allowed to publicly demean women by focusing on their sexuality and appearance rather than their actual work-related abilities. Finally, the case of Jim Swiderski illustrates the extent to which those with formal power will use said power to manipulate and exploit those less powerful than them in order to get what they want.

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Distributions of formal and informal power between coworkers and within institutions can have a huge impact on how these institutions and the individuals within them function. From shaping who experiences harassment, to influencing the reporting decisions (whether they do/don’t, how they choose to report and to whom), power determines many of the ways sexual harassment and related phenomena play out in the workplace, and in the world at large. Within this context, I adopt the theory of formal and informal powers and their distribution as my primary theoretical framework, because they inform all other parts of the related culture and manifestations and uses/abuses of this power. I argue that these dynamics most clearly inform the reporting decisions of survivors of sexual violence, both directly and indirectly, through explicit fear of retribution from a superior, or implicit fear of what that superior’s power has allowed/allows them to do. With this in mind, I use them as the foundation for the rest of my literature review - serving as the basis for my interpretation of how institutions and institutional culture impact reporting decisions, and the specific ways sexual violence manifests itself in the workplace. These two dynamics of power inform the way institutional culture is created and the roles individuals play within it, as well as determining how individuals with different levels of power interact, and how they experience and use their power, within these institutions.

In the following sections of this chapter, I will examine existing scholarship on examples of what I see as the two central ways by which formal and informal power present themselves as related to sexual harassment and assault, within the workplace as well as between individuals. Specifically, I identify two overarching forms in which these powers present themselves. I refer to these as manifestations of formal and informal
power as broader systemic forces, and *mechanisms* by which formal and informal power are put to use in interpersonal relationships. By manifestations (of systemic power), I mean things such as institutional culture, workplace behavioral norms, and the like. As examples of these manifestations, in the following section, I will discuss the concepts of structural violence and institutionalism, or institutional culture, which I see as illustrating how formal and informal power manifest systemically to shape individual behavior. I use mechanisms (of power used in interpersonal relationships) to identify the specific ways perpetrators and accusers relate to one another, as descriptive of the characteristics of their relationship and of the harassment or assault that occurred, and as descriptive of how formal and informal power present in these relationships and characteristics. To illustrate these mechanisms, I will discuss the concepts of the Vulnerable Victim and the Power Threat, contrapower harassment, the commodity model of sex, and gatekeeping.

**Manifestations of Formal and Informal Power**

One crucial way in which formal and informal powers present, or *manifest*, is systemically. I see these systemic manifestations as crucial because they highlight the fact that the mixing of formal and informal power within an individual is not simply a process of addition and subtraction. Gaining formal power does not make up for a lack of informal power. Rather, while a person may gain or lose formal by their own actions, their informal power is always defined by larger systems of power and granted based on the value that system places on their different identities and characteristics (like race or gender). This means that, no matter how much formal power they have, the system they
exist within will always grant or withhold informal power for reasons out of their control, and that this power will stay the same regardless of the formal power they might achieve.

Using two principal theories as examples, I illustrate these manifestations of formal and informal power. The first is structural violence, which describes violence perpetrated by an individual or entity against another individual or entity, and committed on the basis of either a characteristic about those experiencing the violence, or as a means to get something they have that the perpetrators want. Because formal power can never cancel out or make up for a lack of informal power, structural violence can only be committed by those who hold informal power against those who lack it. The second theory is that of institutionalism, and particularly, how the culture and character of an institution is shaped. In institutions such as US state legislative bodies, whoever holds formal power within the legislative structure is able to dictate policy and procedure. Beyond this, they are able to dictate what the norms of that community should be, and which identities and characteristics are given the most power or highest value.

**Sexual Violence as Structural Violence**

Structural violence, at its most basic, refers to violence based in a system or structure of power which is neither specifically formal nor informal. When considered in relation to formal and informal power, the ability to perpetrate structural violence is reliant on a person’s holding more informal power. This does not necessarily mean that the individual also has significant formal power. Rather than needing to be powerful within an institution, they simply need to hold greater overall power in the existing structure - their overall power being the combination of formal and informal. As a result,
even people with little formal power can commit structural violence; having formal power just increases their capacity for violence. These individuals are able to commit such violence because they are supported by a system of informal power which privileges an identity they hold while defining another person’s identity as inferior (such as sexism, racism, etc.).

In 1969, peace and conflict scholar Johan Galtung proposed the concepts of structural and physical or direct violence, arguing that structural violence could be differentiated from personal or direct violence because direct violence would involve a single, identifiable, individual actor as the perpetrator, whereas structural violence would not. Kligerman (2010) expands on Galtung’s conception of structural violence to understand violence targeted at specific communities. These communities, under her definition, are targeted either as an attack on their shared identity, or in an attempt to gain something the community has that is desired by the perpetrator, as well as to “describe the structural inequalities that lead to the slow killing of a population through the denial of their basic needs” (53).

Building off Kligerman’s definition, I argue that in the context of sexual harassment, structural violence is that which targets a woman for harassment because of her gender and the social norms and stigmas associated with it, and seeks to gain power over her because of her perceived inferiority as a woman. Further, I argue that the sexual violence experienced by women represents a combination of direct violence and structural violence, wherein the existence of a single perpetrator and a single accuser represent direct violence, and the systemic power backing the perpetrator’s actions and shaping their desire to exert their dominance over women represents structural violence.
Structural sexual violence can then be understood as violence originating not from an actual desire for sex with the woman, but a desire for *power over* the woman, and to (re)claim and maintain this power. There may in the same instance of violence be an element of sexuality or sexual desire, but its base motivation is the desire for power. I propose an expanded definition of structural violence, wherein sexual violence is understood as a form of structural violence involving both individual perpetrators and institutional power structures, perpetrated to claim the power that the perpetrators believe should be theirs and should not belong to women.

Because the structural element of sexual violence, as described above, is based in a system upholding a gender hierarchy and gender domination, it can also be defined as gender violence. This refers to violence committed against a person on the basis of their gender, which may be sexual or nonsexual in nature, and can affect people of all gender identities. The uniting factor between each is that the violence in all gender violence is triggered by the person’s gender, not any other factor. Women who experience gender or structural sexual violence are targeted not because the perpetrator is sexually attracted to them, but because he seeks to reinforce her place as subordinate to him. This is particularly significant in the context of legislative bodies, where women’s presence is inherently controversial due to the historically male-dominated nature of the bodies. While structural violence does not play a large role in my analysis, I do consider it an important framework by which to understand sexual harassment and assault in the workplace.

I see structural sexual violence as derivative of my formal/informal power framework. An individual’s desire and their ability to commit structural sexual violence
stem from their relative amounts of formal and informal power. If they lack informal (structural, systemic) power based on the cultural valuation of one or more of their identities, their enacting violence against another person is not backed by the weight of a system of structural power. This differential may be enhanced if an individual commits violence against someone with significantly less formal power than themselves, but formal power is not a prerequisite to committing structural violence.

Remaking the Old Boys Club

Institutions, as entities, are hugely important in the formation of culture surrounding sexual violence, in terms of both prevalence and the feasibility of speaking up. As illustrated in the Tailhook and Packwood cases described in Chapter 1, and in accounts from female legislators at all different levels, the culture of these bodies can be hugely influential in shaping individuals’ experiences. Mahoney and Thelen (2010) describe institutions as “relatively enduring features of political and social life (rules, norms, procedures) that structure behavior and that cannot be changed easily” (4). Their characterization highlights a major force in the process of deciding whether or not to report - the culture of the institution they would be reporting to, and if that culture and institution would likely be amenable to reports made against its own community members. Mackay, Kenny, and Chappell (2010), summarizing numerous scholars (including Mahoney and Thelen), conclude that this enduring nature results in institutions that are not just hard to change, but are self-reinforcing. Citing Hall and Taylor (1996), they go on to say that in such institutions, the institutions themselves and the individual actors within them function in a co-constitutive manner, which creates the popular notion
of ‘old boys clubs’. In legislative bodies, the co-constitutive nature begins in an institution which, having been built by and for men, started its life only attracting men into its spaces. As time has gone on, the men already present have continued to structure the culture of these institutions, in turn continuing to create space only for those just like them, and thereby excluding all who are not - in this case, women.

The idea of the ‘old boys club’ appears in all fields of academia and pop culture and is more formally defined as homosociality - relationship networks built exclusively between people of the same sex (in this case, men). It is also used colloquially, and as a way to understand dominant institutional cultures and their impacts on those working and living within them. The label describes communities (professional, social, or otherwise) which were built by and continue to be dominated by cisgender men, creating little or no space for anyone else. Tallberg (2003) describes such institutions as spaces where networks based in both formal and informal relationships both provide support to men, and facilitate the “competition… oppression, and construction of masculinities” that are hierarchically compared to femininities and to one another (0). Women attempting to work or live in these spaces are therefore likely to struggle to feel authentic acceptance, because their femininity is fundamentally not accepted. This, in turn, precludes them from reporting harassment for lack of community or institutional support. Such cultures also prevent reporting through their expectation that all those present within it (including those who are not old boys) will participate in and fully conform to its cultural norms.

These networks, and the old boys club itself, are relevant in that they illustrate one of the ways in which women’s informal power is limited in such institutions. Because the boys club culture strictly defines what is expected and acceptable of women in these
spaces, women both need to conform to these expectations to survive, and risk blowback if they make the choice to stand out. Standing out, in this case, would include reporting speaking up about sexual harassment. Such cultures and communities are only made possible through the fact that men in said spaces hold significantly more informal power than women. This, in turn, upholds the unequal distribution of informal power by continuing to create behavioral norms that cater to men and masculinity.

**Gender and Institutionalism**

Beyond the nature of these institutions, it is also necessary to return to the question of their (im)mutability. Olsen (2009) (cited in Mackay, Kenny, and Chappell 2010) emphasizes that institutions tend toward stability, favoring change coming from within over change coming from external forces. While Olsen acknowledges the role of power differentials in the ability of individual institutional actors to create change, Mackay, Kenny, and Chappell expand this idea to recognize the extent to which this power differential creates biases based on gender. They articulate the ways in which behaviors and characteristics typically gendered as female are maligned, while simultaneously being expected of and imposed upon women. This imposition extends to the point where women are punished if they conform too strongly with expectations and punished if they do not conform enough. Power to change, according to Mackay, Kenny, and Chappell, is granted based on conformance to prescribed gendered norms, but granted in greater measure for men who conform to masculine norms than women who conform to feminine norms, for even when these women conform, the female norms themselves are granted less value, and thus power, than the masculine ones.
The ability to exercise power within institutions, and specifically within legislative and other political institutions, is integral to an individual’s ability to control their professional outcomes, whether through professional achievements, or simply through seeing the goals of their work achieved. For women, whose power is often made contingent on their conformance with gendered norms, defending their purported ‘equal’ status in these bodies may seem impossible if they hope to continue working in said spaces after. Refusing to conform to norms of submission and silence imposed upon women (by speaking up about sexual harassment) would threaten a woman’s ability to hold, gain, or wield power, and in turn, to see policy passed. By making women’s ability to wield power and see policy or professional goals achieved contingent on conformance to gender norms, these institutions place extreme obstacles on their path to reporting. Sen. Patty Murray’s experience is a paramount example of this dynamic. Though Murray held significant power, herself being a legislator, that power was only as great as her ability to wield it. Had she chosen to speak out against a popular senator for something many would see as a non-event, she would have hurt her ability to do her job and exercise her power and seen little return (in the form of a response) on her risk.

*Institutions, Responsiveness, Prevalence, and Silencing*

To understand the forces that act on a woman’s decision to report or not report an instance of harassment or assault, it is necessary not just to know the background on the actual instance, but to know the culture of the spaces in which it occurred. Thanks to the combination of formal and informal power (or lack thereof), the fear of harassment and the ramifications of reporting do not go away when women achieve greater positions of
power, because increased formal power does not make up for a lack of informal power. Women with greater formal power or higher economic statuses or education levels are more likely to report experiences of harassment, and more likely to be aware of the available resources and options for reporting. Despite this, their overall reporting is still low, and they still often chose to stay silent instead of reporting as a means to protect their jobs (McLaughlin, Uggen, and Blackstone 2012).

The fear of negative impacts on work environment or employment status are far from theoretical, though. Both men and women experienced negative or worsened job conditions and outcomes when they responded assertively to experiences of harassment (Bergman et al. 2002). Summarizing existing scholarship, Bergman et al. (2002) show assertive responses to harassment to be productive not of positive change, but rather, damaging to “job, psychological, and health status” (230). This results from blowback the reporter experiences in response to what is perceived as their unreasonable decision to report (i.e. overreacting, misunderstanding, etc.) - particularly if the accused is in a higher position in the organization. Here, again, Patty Murray’s story serves as an example. While as a senator, Murray was herself powerful, she was still relatively new, and would have been accusing a senator who was both much more senior than herself, and extremely popular. Taking this step, in her position, was not worth the risk or harm it could cause. These negative outcomes can present in many forms, too, including coworkers or superiors making the reporter’s job more difficult to do, assigning more, worse, or harder work, ostracism or further harassment in the workplace, and more. Considering this, is it actually reasonable for women to run the risk of further trauma for the slight chance of reward?
Offermann and Malamut (2002) further explore the impact of organizational culture on reporting decisions, specifically addressing the theory that perception of an organization’s culture as one where “harassment and associated behaviors, such as reporting incidents, are [either] rewarded, punished, or ignored” is particularly influential. More specifically, they address how this perception of organizational culture shapes perception of the contingent relationships between organizational tolerance of harassing behaviors and reporting behaviors. In organizational climates tolerant of harassment, the relationship between harassment and sanctions is perceived as weaker, while that between complaints and career disruption or other backlash is stronger. This means that in tolerant organizations, there is a stronger perception that perpetrating harassment will not be punished, and that reporting harassment will be punished. Organizational tolerance, in this case, addresses all organizations, in that all organizations have a given level of tolerance for harassment, be it low or high. A tolerant organization, though, would be one which either rewards harassing behaviors with positive feedback or reinforcement or ignores them and allows them to continue unopposed. Citing Brooks and Perot (1991), they argue that in tolerant organizational climates, “employees perceive weak contingencies between sexual harassment and sanctions and strong contingencies between complaints and backlash or career disruption”, which in turn have the effect of suppressing reporting behaviors (885).

Beyond general organizational culture and tolerance, it is also necessary to consider the role of leaders in dynamics related to harassment and reporting. Offermann and Malamut further address this element of the reporting decision by accounting for levels of organizational hierarchy and the extent to which a harasser’s place in this
hierarchy relative to their target influences reporting. They find that in cases of harassment by a supervisor or a unit leader, perceived intolerance of harassment by senior organizational leaders encourages reporting and promotes better reporting outcomes for claimants. Overall, if leaders at any level are perceived within their organizations as being responsive to reports and “as honestly making efforts to stop sexual harassment”, this will support the establishment of a positive organizational climate around reporting and increased comfort coming forward (891). In the context of the legislature, I see the roles of organizational culture and hierarchy as particularly important. Because hierarchy and status between legislators and all others present in legislative bodies is so extreme, the difference in power reflects this structure. Legislators hold far more formal power than anyone else in the legislature, and when combined with any informal power they may hold, this makes them extremely hard to challenge.

Finally, Marin and Guadagno (1999) articulate the role of perceptions of system efficacy in reporting decisions. Citing previous scholarship, they show that women often choose to simply try and ignore harassing behaviors, rather than reporting formally, attributing this behavior to the poor perception of existing systems efficacy at addressing harassment. Many women chose to not report because they did not believe their reports would be handled effectively or dealt with at all. Beyond this, many women who did file formal complaints report that they did not feel the formal reporting systems were adequate in their response. The combination of these factors served to dissuade women from reporting their experiences.

I argue that organizational tolerance is significant particularly in the way it engages with formal and informal power. Because different types of harassment typically
overlap with different marginalized identities lacking informal power, organizational
tolerance of harassment in turn amplifies the impact of lacking informal power. Women
in a tolerant organization can then be understood to experience harassment because of a
marginalized identity, which is permitted by the organization because it is uninterested in
protecting their marginalized identity, and would then be less likely to report because
their lack of formal power makes it riskier for them to do so. Organizational tolerance
serves to reinforce the disempowerment of already marginalized individuals who already
have less informal power.

**Interpersonal Mechanisms of Formal and Informal Power**

In considering the ways formal and informal power present within interpersonal
relationships, and particularly between perpetrators of sexual violence and those
experiencing it, I chose to name these specific dynamics as *mechanisms*. These
mechanisms refer to the multiple ways differences in formal and informal power can be
enacted between two people. I argue that the examples included in this section highlight
the ways sexual violence is enacted by and against individuals – they are the actual
behaviors exhibited, and the people targeted with violence.

To explore the forms they take, I identify two particular examples - the theory of
the Vulnerable Victim and the Power Threat, also described as contrapower harassment,
and the commodity model of sex, which manifests particularly as gatekeeping behaviors.
The first, the theories of the Vulnerable Victim/Power Threat and contrapower
harassment, explore how the formal power an accuser holds may influence both the
reasons and the ways they experience harassment, and her ability to report that
experience. The second, the commodity model of sex and the theory of gatekeeping, explore how perpetrators exercise and manipulate their formal and informal power, demanding sexual favors from women and tying the decision to tolerate or report harassment to a woman’s potential professional opportunities or success.

*The Vulnerable Victim and the Power Threat*

More than just being used to understand from where power originates, Rospenda, Richman, and Nawyn’s (1998) dynamics of formal and informal power can be used to understand who holds power over whom in a workplace. Theoretically, it is possible to understand the two separately. In the context of workplace sexual harassment and assault, though, they must also be taken together, to account for the influence of workplace hierarchies in combination with informal power relationships that exist both within and beyond the workplace.

McLaughlin, Uggen, and Blackstone (2012) propose a two-part construct to understand how harassment plays out in workplaces between individuals with different levels of formal and informal power, which they call the Vulnerable Victim and the Power-Threat. To first illustrate how the constructs of Vulnerable Victim and Power-Threat play out in real life, we can refer back to the cases of US Rep. Nolan’s staffer Jim Swiderski, Sen. Schoen, and Rep. Cornish. In the case of Mr. Swiderski, we see the Vulnerable Victim represented by numerous young female interns and junior staffers. These women, within the power structure of their office, are in lower-ranked positions, thus holding less formal power than their harasser, while additionally lacking informal power over him due to their gender and age, among other possible sources, and are thus
placed in a more *vulnerable* position. We then see their vulnerability exploited by a significantly older and more organizationally senior man with a great amount of power to shape their employment prospects. Brodey (2018) quotes multiple accusers referencing instances in which Swiderski would use his power to get away with otherwise unacceptable behavior, and to make it clear to his targets that they would see harm come to their careers if they reported him, at one point telling one of the young women “you need me.”

The accusers in the Schoen and Cornish cases, on the other hand, illustrate the Power-Threat. Each of the accusers in these cases held a significant amount of formal power - the accusers were a state legislator, a candidate for State House, and a lobbyist. The legislator and the candidate, in entering (or seeking to enter) the historically male-dominated world that is the state legislature on equal footing with the men there, overstep their assigned gender roles. Similarly, because the lobbyist deems herself qualified to tell male legislators what they should do, she seeks to claim more authority and power than she is allotted as a woman. Their high levels of formal power ran counter to the gendered expectations placed on them, and as such, posed threats to Schoen’s and Cornish’s power, both formal and informal.

The Vulnerable Victim lacks both formal *and* informal power, putting them at a double disadvantage due to their professional status, as well as to their disempowered identities. They may be newer to the organization, have less experience, be in a more subordinate position, or lack job security. They are also likely women, people of color, younger people, from lower economic or income brackets, or hold other historically marginalized identities. All these factors combine to put her at greater risk of harassment
and make her less likely to seek redress. The Vulnerable Victim is also the image most commonly represented in popular culture and assumed to be present in instances of harassment or assault. Because she has relatively less formal and informal power, those with more formal or informal power are more easily able to harass, abuse, or otherwise exploit her, because she lacks the power necessary to fight back.

In contrast, the Power Threat represents people who, in spite of a lack of informal power due to their membership in any given marginalized group, have achieved some level of formal power within their organization. Because their formal power places them above others with more informal power than themselves, they are seen as not ‘staying in their place,’ and as a threat to those with more informal power but less formal power. This idea of the successful professional woman being viewed as a threat to her male co-workers or subordinates is also supported by De Coster, Estes, and Mueller (1999), who find that women perceived as status seekers or as threatening male monopolization of organizational resources experience greater harassment.

The Power Threat model can also be understood by way of the concept of contrapower harassment, originally proposed by Cleveland and Kerst (1993). The authors posit that people with less informal power who achieve positions of greater formal power are at risk of experiencing contrapower harassment, which targets people who defy the accepted norms or expectations of people of their race, gender, or other identifying characteristic. Expanding on this theory, Rosenda, Richman, and Nawyn (1998) argue that previous scholarship failed to address how formal and informal powers intersect in contrapower harassment. The authors particularly emphasize the fact that organizational power and position alone is not able to explain contrapower harassment. This is because
contrapower harassment necessitates that the target of the harassment have less informal power than their harasser. They experience this harassment precisely because of the way their formal and informal powers conflict, where their lack of informal power cancels out the formal power they do hold. Thus, harassment by people in subordinate positions of those in superior positions can only be explained by understanding formal and informal power in connection, as the phenomenon itself is a product of both.

**The Commodity Model and Structural Sexual Violence**

In professional workplaces and cases of sexual harassment, two principle types of gatekeeping present themselves most frequently -the perception of gatekeeping by women of male access to sex, and gatekeeping by men of professional opportunities or success for women. Representations of perpetrator-accuser relationships often portray them as ones where the person experiencing harassment is expected to submit to or tolerate harassment in order to maintain or gain access to professional opportunities. This relationship has appeared already in the theory of the Vulnerable Victim experiencing harassment - someone with less formal and informal power, who is unable to reject advances or defend themselves against harassing behaviors at risk of jeopardizing their job (McLaughlin, Uggen, and Blackstone 2012). It also appears in the case of Jim Swiderski, then a staffer for Congressman Rick Nolan, who used his combined formal and informal power as a high-level senior male member of Nolan’s staff, to ensure that the women he harassed would not speak out, for fear of losing the professional opportunities he granted them in exchange for their silence. These examples illustrate gatekeeping behaviors, or the commodity model of sex, where sex is perceived as a
commodity being withheld from men by women, which women must then trade for access to the power and opportunity that men control.

At its most basic level, gatekeeping (as in the ‘gate keeper’) refers to the controlling or limiting of access to resources. Resources, in this context, could be meetings with important people, major projects, networking opportunities, support for legislation, and more. The theory of gatekeeping was first established by Kurt Lewin (1948) (paraphrased in Shoemaker 1991), and brought to prominence by David Manning White’s (1950) application of gatekeeping in media and communications, to understand the power media entities hold in determining what news does or does not get seen by the public. Macaulay Miller (2008) defines gatekeeping as based in a commodity model of sex and sexual relationships between men and women, where the woman is the supplier and the man the demander (35-37). In this paradigm, women are expected to ‘give it up’ (‘it’ being their body/sex) to men in exchange for something (kindness, respect), or simply because he expressed interest. Her interests and desires are not part of the equation.

Beyond simply reinforcing a heteronormative model of sexual relationships (there is no clear supplier or the demander in a relationship not made up of one cisgender man and one cisgender woman), the commodity model reinforces myths about sexual violence, and about rape in particular. By framing sexual fulfilment as something to which men are entitled but from which they are kept by women, their actions are always justified by their deservingness of the commodity itself. Man is conceived as already having paid for sex in his acknowledgement of and kindness to woman, and her denial in response is unjustified, allowing him to take the commodity by force. Further, if at any
point the woman (supplier) gave the man (demander) the impression that his payment (kindness, recognition) was accepted, she has then accepted his payment in full and he is permitted to lay claim to the commodity. In these ways, the woman’s sexuality and body are framed in the gatekeeping model as *things* that could never truly be violated, because they were never hers to begin with - rather, they were always the man’s, either on hold waiting to be picked up, or already paid for and his to take.

The commodity model of women as gatekeepers and suppliers of sex to the male demanders gains a new dimension within hierarchical workplaces. Women continue to be viewed as gatekeepers of sex, but with the added dimension of men in positions of power using those positions to increase the ‘exchange value’ of sex. Macaulay Millar goes on to identify the ways in which the exchange of property (sex) within the commodity model may be shaped by unequal balances of power between the involved parties, stating:

[property transactions] are often not equally advantageous, and depend on bargaining power. Since some duress and coercion are common, in order for commerce to flourish it is necessary to have rules about when someone is struck with the bargain they made, even if they regret it or never really liked it in the first place. This is what rape apologists do every time: defend the transaction by holding the unhappy participant responsible, emphasizing her agency, minimizing coercion, and insisting on the finality of bargains. (37)

Here, Macaulay Millar’s highlighting of the role of coercion is particularly important in the workplace context, because it engages with the differential levels of formal power organizational members may have. Those with greater formal power, who hold some level of control over access to professional opportunities, project assignments, or the success of a person’s professional work (in the case of politics, a bill, for example), hold greater power in the commodity relationship because, should they choose to use these opportunities to bargain for sex, do not risk losing anything should the exchange not turn
out in their favor. The women, though, should they choose to exchange sex for opportunities, sacrifice some ownership over their sexuality, but should they choose to withhold sex, lose professional opportunities.

When both individuals in the exchange hold a commodity desired (or needed, as in the case of professional opportunities) by the other, I argue that Macaulay Miller’s supplier-demander relationship no longer applies in the same form. Assuming the woman perceived as withholding sex is competent or excellent at her job, the professional opportunities over which her supervisor holds control should be hers by default. Within the commodity model, though, they are no longer within her ease of access. Instead, professional opportunities become an additional commodity to be exchanged, but rather than being granted on the basis of professional excellence, are granted by payment of sex, with the expectation that the woman will continue working at the same level, but now will be paying more (sex and work combined) for less (the same opportunities). The woman must exchange something to which the male demander has no claim in order to get something to which she does have claim.

This phenomenon appears in the cases of women harassed by Jim Swiderski, a staffer of US Rep. Rick Nolan (Minnesota), described in Chapter 1. One accuser, a college intern given the pseudonym Rachel, recounted how Swiderski would give her special projects and closely supervise her work, all while also harassing her - sending inappropriate texts, groping her in the hallway, and more (Brodey 2018). Another intern, given the pseudonym Amanda, shared her experience of Swiderski simultaneously harassing her via Facebook message, and offering her professional opportunities, prior to her start in Rep. Nolan’s office. Brodey (2018) continues Amanda’s recounting, saying
that “Once [she] got the internship and started in the Washington office, Swiderski attempted to position himself as a gatekeeper of important work and professional advancement.” In linking his granting of professional opportunities to Rachel’s and Amanda’s allowance of his harassment, Swiderski made that professional success conditional on their continued allowance. In this way, he made it necessary for Amanda and Rachel to exchange the ‘commodity’ of their acquiescence to his harassment in exchange for that which he controlled - their professional futures.

This notion of the gatekeeper presents in pop culture as well - a notable example being the 2017 song *Gatekeeper* by artist Jessie Reyez. Reyez’ song tells the story of her relationship with popular music producer Noel ‘Detail’ Fisher, wherein he attempted to gain sexual favors from her in exchange for professional success and connections while she was still newer to the music industry (Holmes 2018). While *Gatekeeper* came out in 2017, it was not originally linked to Reyez’ experience with Detail, until allegations were made against the producer by two aspiring artists in 2018, at which point Reyez, along with artist Bebe Rexha, chose to speak out on Twitter in support of the women and share their own experiences. In each woman’s case, Detail used his position as a well-known producer with powerful connections to attempt, and succeed at, sexually harassing, extorting, and raping young female aspiring artists. Reyez’ lyrics in *Gatekeeper* serve as an illustration of the power dynamic between the man holding the power and access to opportunities (in this case, Detail), and the woman being forced to decide what she is willing to give up or put up with for professional opportunity.
Conclusion

Sexual harassment is never simple or straightforward - the literature reviewed so far shows this. Questions of who experiences it, who perpetrates it, how the person experiencing it responds, and how their response is received, are all shaped both by the person’s own identities and position within organizations, and by forces outside themselves. In spite of this, in conducting this literature review, a few central themes stand out as the most impactful, and as being the most helpful in seeking to explain why women choose to report or not report harassment. The first and most foundational of these is my theoretical framework of formal and informal power, which articulates the ways in which power is granted, as well as how different types of power interact with one another. Specifically, it highlights the fact that formal power, gained through organizational hierarchy, job titles, and the like, can never make up for or cancel out an individual’s informal power or lack thereof (gained through things with social value, such as race, gender, sexuality, etc.). The second and third are the two principal forms that formal and informal power take on - systemic manifestations and interpersonal mechanisms. Systemic manifestations of formal and informal power are larger than the individual people impacted by them, instead influencing things like institutional and organizational culture and the reasons violence is committed against specific individuals or groups. Interpersonal mechanisms, on the other hand, represent the specific ways differences in formal and informal power play out between individuals, such as the granting or withholding of professional opportunity on the condition of sexual favors, as well as how formal and informal power influence who is harassed, who harasses, who harasses whom, and who has the agency to report.
While I see the examples of both manifestations and mechanisms of formal and informal power as strong examples of how both types of power play out at different levels, I do not mean to suggest that the forms I have described should be seen as exhaustive. Because combinations of formal and informal power are completely distinct from one person to the next, it is impossible to compile a complete list of every way these types of power take present themselves. Rather, these examples should be understood as an example of some of the ways power can present itself, both in systems and between individuals. The Vulnerable Victim and Power Threat, for example, represent two of many unique power dynamics that can exist between a perpetrator and an accuser.

In the following sections, I will address the methods by which I explore my hypothesis, as well as my findings from my own research. In doing so, I will continue to return to these theories, highlighting the ways they are illustrated and reinforced in my findings. The framework of formal and informal power will continue to serve as the framework through which I interpret my findings and will be informed by the examples I have explored in the previous sections of this chapter. As has been illustrated in the past chapter, these theories are closely related and hard to separate from one another. With this in mind, I will attempt, rather than separating them, to emphasize how they are distinguished from others, while still highlighting their connections.
Chapter 3

Methodology

“who’s more important to the member? Their staff person, or their constituency who wants this bridge? Well I hate to say it, but again, it’s pervasive. I mean, unless that member is really committed to... has a moral compass that’s really straight... not gonna happen.” - Participant #1

To explore my central question of what forces lead women to report or not report, I use a combination of data analysis and in-person interviews. The first part, my data analysis, reviews allegations of sexual harassment against state legislators from across the country made public during the height of the #MeToo Movement (October 15, 2017 to December 2018). The second is composed of interviews conducted with women who have worked in the Minnesota State Capitol in some capacity since the year 2000. In this chapter, I will review my research methodology and the importance of both components of my research.

Data Collection and Analysis

Expectations and Goals for Data Collection

The purpose of this data collection and analysis is, principally, to understand how different power dynamics act upon women experiencing harassment to silence (or not silence) them in sharing or reporting their stories. To this end, my unit of analysis is neither the male legislator being accused, nor the female accuser, but the accusation or case itself. I use ‘Time’, representing the amount of time women chose to wait before reporting, as my dependent variable. I made this decision because, while my overall research focuses on the reasons women choose not to report, data on these cases is not available publicly. To my knowledge, this data does not yet exist at all for US state
Because of this limitation, I identified time waited as the best proxy for the decision to not report, as women who waited longer before reporting may have been influenced by the same factors as those who do not report.

I have also identified seven qualitative variables which I believe account for different manifestations of formal and informal power that I anticipate may impact the amount of time women choose to wait before reporting, as well as one quantitative variable, which I use as a frame of reference to identify how strong of an impact each of the other variables have on reporting time (Table 1). By and large, I expect that cases where accusers lack formal or informal power will increase the amount of time they wait before reporting, while their having more formal or informal power will decrease in time waited before reporting. In the following sections, I will address these expectations in greater detail, as specific to each individual variable.

Composition of Data

I collected data on public allegations of harassment and assault made against state legislators across the US between January 1, 2000 and December 18, 2018, with all data compiled from news reports or official reports from state legislative bodies. My data are limited to this timeframe to ensure that each allegation was made within relatively similar cultural contexts, with a variable controlling for cases made public before and after the advent of the #MeToo Movement, which I will discuss in greater detail later. These data are comprised of individual allegations of harassment made against cisgender male state legislators by cisgender women who had some kind of professional relationship with the legislator. They are not comprehensive of all allegations made against state legislators in legislatures.
this timeframe, as only those allegations of harassment or assault occurring between two people who have a professional political relationship are relevant to my research. There have been numerous allegations made against legislators in this timeframe by people who did not have professional political relationships with the legislators against whom they raised allegations (i.e. ex-girlfriends, Uber drivers), but these will not be included in my data, as they would not have been affected by the same power dynamics as those who had professional relationships with their harassers or abusers. These allegations represent both women who were harassed by a given legislator once, as well as those who may have experienced multiple instances of harassment by the same legislator over a longer period of time. Additionally, though I have no way of knowing for certain, it is very likely that additional allegations were made against legislators that were not publicly reported outside the legislature, which I am thus not able to include in this data set.

Some cases reported during the #MeToo Movement are excluded from my data. In the majority of these cases, this is because there was not adequate information publicly available, and as such, it would have been impossible to effectively compare them to those with more data. Particularly, cases were not included if the year of the first instance of harassment was not made public, or if more than half of the variables by which I analyze the data were not publicly available. In the latter case, the accuser was typically not named in the press, and their experience was described only very generally (i.e. ‘three other women said Senator Z-man harassed them’).

Cases were also excluded if they did not fit the parameters of an allegation made by a cisgender woman against a cisgender man (i.e. were made by a cisgender man against a cisgender woman, were between two cisgender men or women, or involved a
transgender or nonbinary person as either accuser or accused), to maintain consistency across the types of power dynamics experienced by the accuser. Accounting for these parameters results in a relatively small overall population - as such, my sample population is in fact the entirety of my population, in that it is the entirety of the cases that are both publicly available and fit the within the parameters of my research. They are, though, only a subset of all cases of harassment by cisgender male legislators of cisgender women they have professional relationships with, a population that includes cases that were reported only within the legislature but not publicly, as well as those that were never reported, and those that were reported publicly to some extent, but with limited detail publicly available.

In making these exclusions, I recognize that many experiences of harassment are left unaccounted for. This includes cases that were never made public and those that were public but did not fit my parameters. Because I have chosen to only include cases where the accuser is a cisgender woman and the accused is a cisgender man, I’m unable to account for the experiences of people who do not fit within the cisgender female accuser/male accused binary. This decision was made not because these people and relationships are not also influenced by many of the forces I have addressed in the previous chapters or anticipate seeing in my own analysis. Rather, it was made simply because of the high rates at which cisgender men harass cisgender women, and the availability of data about these cases - very few cases involving accuser/accused relationships not between a cisgender woman and a cisgender man, respectively, have been made public. Beyond this, gendered power dynamics (among many forms of power) would act differently upon these individuals, and thus differently inform their abilities to report their experiences.
Plans for Analysis

The most important element of my data analysis is the central question through which I will be viewing my analysis - how do certain characteristics of a case of harassment appear to influence the amount of time a woman chooses to wait before reporting? To address this, I will work to identify which factors most greatly increase or decrease the amount of time waited between the alleged harassment and reporting.

The first variable, ‘Time’, is my dependent variable, and represents the number of years passed between the first instance of harassment and the public allegation. Time will be the unit of measurement I use to identify how strong of an impact each variable has on time waited before reporting. The other seven variables each serve to represent a certain dimension of formal or informal power which I believe to be present in the state legislative context and anticipate could have an impact on reporting times (Table 1). Each of these variables is based on a specific hypothesis about why that characteristic would lead a woman to wait a longer time to report her experience. At the same time, each variable is also based on the assumption of the accuser’s fundamental fear that they will not be believed or will experience repercussions from reporting. Instead of addressing whether women hesitate in reporting because of fear of the results a report will have, this research aims to address whether specific characteristics themselves impact waiting time. This can also be understood as asking if specific characteristics are more likely to make women fear the outcomes of reporting.

Each of these variables reflect an individual’s relative formal and informal power. The variables identifying whether the accuser was also a legislator at the time of the harassment, whether the accused was the accuser’s supervisor, and if the accuser was a
lobbyist, journalist, or candidate, speak to the accuser’s formal power within their respective state capitol. Race speaks to the relative informal power of the accuser as gained by their racial identity. Post-MeToo identifies if the case was made public after the advent of the #MeToo Movement, and acknowledges the impact that this cultural moment could have on reporting. A variable I call First identifies if the accuser was the first to make a public allegation against the accused, recognizes the impact of camaraderie and knowledge of the possible outcomes of an allegation, a manifestation of informal power. Finally, Corroborated identifies if the accuser’s allegation is corroborated by witnesses or evidence, granting her informal power through credibility. My analysis seeks to identify the variables which appear to have the greatest impact on increasing or decreasing wait time between harassment and reporting. Based on my findings in my literature review, I anticipate this data to show that cases where the accuser has less formal or informal power will have longer mean wait times before reporting than those where the accuser has greater formal or informal power. This expectation is based in my review of literature on the ways formal and informal power promote or prevent reporting. More broadly, it is based in the way the combination of the two types shapes an individual’s ability to maneuver within a given organization or cultural space (French and Raven 1959, Mechanic 1962, Rospenda, Richman, and Nawyn 1998). From an understanding that different amounts of formal and informal power, when combined, produce differing abilities to freely move through an organization, I draw my expectation that cases where the accuser holds less formal or informal power will lead to her having a longer wait time before reporting.
<table>
<thead>
<tr>
<th>VARIABLE</th>
<th>TYPE OF POWER</th>
<th>HYPOTHESIS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post-MeToo (harassment was reported post-MeToo)</td>
<td>Informal</td>
<td>Accusers who report after the advent of the #MeToo Movement will have longer wait times, as the creation of the #MeToo cultural moment will ‘bring women out of the woodwork’ and increase their report times</td>
</tr>
<tr>
<td>AccuserLeg (accuser was a legislator at the time of the harassment)</td>
<td>Formal</td>
<td>Accusers who themselves were legislators when they experienced harassment will be more likely to report harassment quickly because their power/status will allow them to be taken more seriously</td>
</tr>
<tr>
<td>Race (defined as ‘appears white’ and ‘does not appear white’ because very few reports of harassment allegations specifically address race, and because appearance (being/ not being white-passing) is what defines who has race-based informal power)</td>
<td>Informal</td>
<td>Women of color would be more likely to wait for greater amounts of time because it is more likely they will not be believed than for their white counterparts, due to the extent to which their race takes away informal power</td>
</tr>
<tr>
<td>Corroborated (the allegation is corroborated via a witness, evidence (photos, etc.), or via a formal investigation that found the allegation to be credible - in this case, the result of the investigation shows evidence exists, even though it is not public)</td>
<td>Informal</td>
<td>Women who have something or someone to corroborate their allegation will be more likely to report their experiences quickly because it would be harder for them to be discredited or not taken seriously.</td>
</tr>
<tr>
<td>Supervisor (does the accused have direct supervisory (hiring/firing) power over the accuser)</td>
<td>Formal</td>
<td>Because the accused has direct supervisory power, and thus hiring/firing power, over the accuser, she is more hesitant to report because of the possible negative ramifications for her job.</td>
</tr>
<tr>
<td>First (was the accuser the first person to make a public allegation against the accused)</td>
<td>Informal</td>
<td>Because the accuser was the first person to make a public allegation against the accused, they will be less likely to report because they believe they are unable to anticipate what the response will be (if they will be believed or not) and lack any sense of camaraderie with other accusers.</td>
</tr>
<tr>
<td>Lobbyist/Journalist/Candidate (the accuser was a lobbyist, journalist, or candidate for office at the time of the harassment)</td>
<td>Formal</td>
<td>Because lobbyists, journalists, and candidates lack formal power within the legislature, and because their ability to do their jobs is highly contingent on positive relationships with legislators and staff, they will wait longer before reporting for fear of hurting their jobs.</td>
</tr>
</tbody>
</table>

Table 1
Capitol Interviews

*Why Interviews? Why Minnesota?*

The inclusion of interviews in my research felt necessary as their addition contributes actual first-hand perspective on the reasons women do or don’t report, which data analysis alone cannot do. Interviews conducted with women who have worked within the State Capitol have the potential to provide unique insight into the experience of being a woman working in this environment, a perspective that journalistic interviews typical of reporting on sexual harassment allegations may fail to capture. The inclusion of interviews also ensures that I am able to focus on the questions which are most relevant to my research - specifically, those around power dynamics and reasons for reporting or not reporting, rather than the actual details of the harassment. I see these interviews as having the ability to provide a perspective specific to the state legislative context. They also have the capacity to illustrate the multiple stories and experiences which occur within one community and cultural context, and to hear extremely current accounts that have the potential to have been shaped by the surge of reports made during the #MeToo Movement. They will also provide first-hand accounts and reflections specifically focused on the role of power dynamics in reporting.

I identified the Minnesota State Capitol as my case study because of the its ease of access, and because, in already knowing a few members of the community I hoped to interview, my task of using snowball sampling to find interview participants was possible. Beyond this, the Capitol is a good case study in which to examine power dynamics, as it has had multiple allegations of harassment in the past year, showing dynamics of power and harassment to be relevant within its cultural context. At the same
time, it is far from the only state legislative body that has seen multiple allegations come out in the time since the advent of the #MeToo Movement. Minnesota has also seen far fewer allegations than some states - both in number of legislators accused (four state legislators in Minnesota compared to seven in California that fit my parameters), and in total number of allegations (Minnesota had six, compared to Tennessee’s twenty that fit my parameters).

Parameters for Inclusion

My study population is women working in the Minnesota State Legislature. It is particularly significant that these interviews are conducted solely with cisgender women. Limiting interviews to cisgender women ensures that they will be speaking from more similar experiences of formal and informal power than their male counterparts. At the same time, it also limits the different experiences I can understand, and the conclusions I can draw about power dynamics, and does not account for how anyone who does not identify as a cisgender woman might experience power dynamics (either of gender or otherwise) in the Minnesota State Capitol. To ensure a relatively similar cultural context and work experience, I chose to interview women who had worked at the Capitol at some point since the year 2000. Within my case study of the Minnesota State Capitol, a person who has worked at the Capitol is defined as:

- A member of the State House or State Senate
- A staffer or intern (of any kind, within the House, Senate, Governor’s Office, or other part of the Minnesota State Government based in the Capitol complex).
- A building employee
- A lobbyist, journalist, candidate, or other person in a position not directly employed at the Capitol, but for whom the successful completion of which time spent at the Capitol is a necessity

Any women who fit within these categories, and who are formal staff at their place of employment (including temporary or part-time staff, but excluding interns, pages, and other similar positions) is eligible to participate. Similarly, because I do not aim to make these interviews broadly generalizable, but rather hope they can serve as a starting point for further research, my target number of participants was five. Women participating did not necessarily need to have experienced sexual harassment at any point during their time at the Capitol. Rather, women simply needed to feel comfortable answering questions about power dynamics as they present(ed) in the Capitol. This choice was made based on the fact that the actual focus of my research is not the prevalence of harassment, but the impacts power dynamics have on reporting, and because it was completely possible that women could have experienced gendered power dynamics without ever having experienced harassment.

**Sampling**

Using snowball sampling, I conducted interviews first with women with whom I have personal relationships and have worked in the legislature since 2000, and then with those who they recommended to me. To minimize undue pressure to participate, I first ensured that the participant recommending prospective interviewees was sure these people were comfortable being contacted. If they no longer worked together, or did but the recommender did not hold formal power over them, I reached out directly to the person and, with permission, shared the recommender’s name. If the recommender was
unsure the person would be comfortable being contacted, I let them confirm with the person before sharing their contact information. For recommenders who were still in supervisory or superior ranks or positions in their workplaces (whether at the Capitol or elsewhere) relative to those they recommended, I did not share their names with those they recommended.

This decision was made in part to combat some of the very power dynamics I will discuss in the following chapters, wherein women feel pressured into saying yes to or silently allowing comments, advances (physical or otherwise) and sexual acts, in spite of their actual desire to not allow or engage in these acts. More simply, where they feel pressured into giving consent - this, though, is by its very nature not true active and informed consent, as the person giving it is doing so for fear of what will happen if she does not, not because of her genuine desire to give consent. In my broader thesis, this takes the form of sexual harassment; in the case of my interview outreach, it is the request by myself that they participate in the interviews. To prevent this power dynamic from coming to fruition, I deliberately chose the cases under which a prospective participant could be told the name of the person who had recommended them. My two central concerns in conducting outreach were that a woman could feel pressure or fear because I, a stranger, was reaching out to her to talk about sexual harassment, which could easily be misread as “I, a stranger, know you were sexually harassed”, or would feel pressured into participation because of her relationship to the person who recommended her.

To address the first concern, I first added very explicit language in my introductory email stating that I was not only seeking to interview women who *had*
experienced harassment, but women who could speak to the culture of the Capitol. After that, I determined that, to establish my own credibility and trustworthiness, as well as to give the prospective participant context for how it was I had decided to contact her. My response to the second concern grew largely out of my response to the first, in that it became relevant when I decided to share the names of recommenders with the women they recommended. I determined that women could be told the names of their recommenders, or have recommenders reach out to them before sharing their names, so long as the two no longer worked together, or if they did, that the recommender did not have supervisory power over the woman being recommended. If the latter was the case, the recommender’s name would not be shared, but if it was not, her name could be shared with her consent.

Focus of Questions

My interview script was comprised of seven unique questions, along with sub-questions (‘why/why not?’) and follow-ups for two of the most central questions. Though some questions initially allowed for a yes/no answer, all were made more open ended, if not by the initial question then by follow-up or clarification questions. In these interviews, I asked participants about their experiences of sexual harassment at the Capitol, as well as their knowledge of others’ experiences (had they/others experienced harassment? If so, did they report? Why/why not?). I also asked open-ended questions about the culture of the Capitol, if they believed harassment was a problem there (and why/why not/how), their perceptions of how responsive others at the Capitol would be to reporting, if they believed the current climate around reporting might have allowed
women to feel more comfortable coming forward, and if they believed power dynamics of any kind influenced harassment, either in who experienced it or who reported it. These questions were asked in the order described above and were always prefaced by defining the terms ‘unwanted sexual attention or contact’ and ‘person who works in the Capitol’. The former refers to any form of attention or contact that is unwanted or unsolicited and sexual in nature, be it physical contact, gestures, oral or written communication, or otherwise. The latter refers to the same positions that have previously been described - elected officials, staff of elected officials, staff in other parts of the Capitol, building staff, lobbyists, journalists, and legislators - anyone who has to spend a significant part of their working time in the Capitol.

Analysis

I looked for recurring themes across each response and between responses as a means to understand the forces that were most impactful in shaping reporting decisions across all my participants. In doing this, I also took note of specific experiences, statements, or reflections that stand out as unique or unlike those shared by the majority of participants’ responses, and particularly of any that appear to contradict statements made by other participants. Analyzing my interviews in this way gives me the opportunity to see if the power dynamics other scholars have referenced as being present play a significant role in the experience of sexual harassment in the Capitol.
Chapter 4

Data Analysis

“I had a lot of people reach out to me from around the state with their own stories. Women that were upwards of 70, who had worked in male-dominated careers, to women as young as 16, and it was just geographically spread out, age spread out, experience, so that was overwhelming. I wasn’t sure what to do with this knowledge... It was a little bit overwhelming. I became the keeper of all of these stories.” - Participant #4

In attempting to understand the forces that inform upon women’s decisions to report or not report experiences of sexual harassment and assault in legislative bodies, I directly examine allegations within those bodies. With this in mind, I have conducted an analysis of allegations made publicly against members of state legislators across the country, analyzing time between alleged harassment or assault and public allegation in relation to a selection of variables I expect to influence the amount of time accusers wait before reporting harassment. Specifically, these variables are rooted in different dimensions of the identity of the accuser which grant the accuser greater or lesser amounts of formal and informal power.

Composition and Collection of Data

My dataset for this analysis is comprised of 136 individual allegations. In each case, my dependent variable is the amount of time the accuser chose to wait before reporting, while my independent variables are the different characteristics of the individuals, in relation to one another and in a broader sociopolitical context (listed in detail in Chapter 3 and reviewed below). I chose to use the passage of time as my dependent variable because, while my actual interest is in the reasons women do not report assault and harassment, data on these cases is not, for obvious reasons, publicly
available. As such, by using passage of time as my dependent variable, I made an effort to account for the data I lacked access to by looking at each variable in relation to how long the accuser chose to wait. Within this decision is the assumption that many of the forces which might cause a woman to wait longer before reporting are the same as those which would cause her to not report at all. All data for each case were compiled from allegations made public in news publications or public legislative reports.

Beyond the variables they address, these 136 represent a significant amount of data not used within my actual analysis. The cases span twenty-eight states, and the states themselves also vary in their presence in the data set. Many states had only one harassment allegation made, or only one legislator accused (once or multiple times). Others, though, had far more - California had the most individual legislators accused, with a total of seven, while Tennessee had the most total allegations, with a total of twenty-two. Tennessee is also significant in that all twenty-two allegations were made against the same legislator. The timing of initial instances of harassment ranged from 1996 to 2018, while all the public allegations were made between 2009 and 2018. Overall time waited before reporting ranged from less than a year to twenty-one years. The average number of allegations made against an individual legislator was 6.7, and ranged between a low of one and a high of twenty-two.

The case themselves represent allegations from student interns in their late teens and early twenties, to staffers (both junior and senior), to popular candidates, to lobbyists and journalists at all levels of power, to female legislators (also both junior and senior). The experiences described varied as well, comprising hugs that were too tight or too long, to one-time and repeated groping, inappropriate texts and requests, and forced kisses, to
rape, and everything in between. Stand-out stories include that of Jeremy Durham, the Tennessee Representative already described who was accused of harassment and assault by twenty-two individual women (Office of the Attorney General of Tennessee 2016). Another stand-out is the story of California State Assemblymember Tony Mendoza, then 36, bringing a 19-year-old intern to an out of town conference without informing her that no other staff were attending, then booking them adjoining hotel rooms and inviting her to drink with him in his room despite her age (Luna 2017).

In reviewing these numbers and stories, though, it is important to recall that they are representative only of the 136 cases included in my data set, not of all allegations made within this period. Allegations were made against state legislators by young parishioners at their churches, by Uber drivers, by former peers from their college years, and by ex-partners. They were also made by women from within legislative circles who chose not to share the majority of their stories publicly. Further, even these cases those cases that I was not able to include likely fail to represent all allegations, as I have no way of knowing how many allegations may have been reported but never made public.

**Variable Selection**

My eight total variables account for the influence of formal power within legislative bodies (recognizing both differences in power between those based within and outside legislative bodies, and differences present between those based within the legislature), as well as differences in informal power (as gained based on race and perceived credibility of allegations). I selected these because they were the ones most directly rooted in formal and informal power dynamics. AccuserLeg (where the accuser,
as well as the accused, is a legislator), Supervisor (indicating accused was supervisor of accuser), and Lobbyists/Journalist/Candidate (indicating accuser was a lobbyist, journalist, or candidate) speak to the formal power the accuser has within the legislative body. Accusers who are legislators are much more likely to have equal or similar power to the accused legislators, whereas those accusers who are directly supervised by the accused have significantly less formal power, and those who do not have as direct a work relationship likely fall somewhere in between. Regardless of their relative formal power, though, all of these people are protected by some form of workplace anti-harassment protections, at least on paper if not in practice. Lobbyists, journalists, and candidates, on the other hand, are not covered by such protections and are extremely dependent on positive relationships with legislators in order to successfully do their jobs (reporting on the legislature, lobbying elected officials to see policy passed, seeking campaign endorsements and other support from elected officials).

Beyond these variables, I identified a number of additional variables accounting for the race of the accuser, if their accusation is corroborated, if they were the first person to speak out against the accused, and whether they reported before or after the advent of the #MeToo Movement, that I anticipated as having an effect on reporting wait times. Race serves to identify a major source of systematic and group power dynamics. The indicator ‘First’ represents accusers who were the first to publicly make allegations against the accused, and accounts for the power and sense of solidarity gained through relationships with other survivors (or the lack thereof). Post-MeToo is included as a means to understand the impact of cultural moments promoting harassment reporting, making it possible to differentiate cases by when they became public, and consider other
variables in relation to whether the cases they represent came out before or after the advent of the #MeToo Movement. Finally, it is important to account for informal power gained through ‘credibility’ - having verification of the truth of one’s claims (Corroborated) or being justified in raising allegations based on the severity of the alleged experience (Repeat).

**Expectations**

Prior to conducting my data analysis, I expected that lack of formal or informal power on the part of the victim would result in longer wait times. More specifically, I anticipated cases where the accused was a direct supervisor, where the accuser was not a legislator, or where she was a lobbyist, journalist, or candidate to present longer wait times, on average. Similarly, in cases where the accuser did not appear white, where she lacked corroboration of her allegations, where she was only harassed once, or where she was the first to make a public allegation were also expected to produce longer wait times. I also expected that the cultural prominence of the #MeToo Movement would positively influence the decision to report, likely prompting women to report who likely would not have were it not for the prominence of the movement. Because of this expectation, I also anticipated that average wait times across post-MeToo cases would be longer, as the effect of prompting more hesitant accusers to share their stories would likely *bring cases out of the woodwork*, as it were, by giving them strength in numbers that they had previously lacked.

I base my expectations on articulations of formal and informal power identified in my theoretical framework (Chapter 2), and particularly on work by French and Raven
In their explorations of formal and informal power, these scholars highlight the ways that factors like race can grant or limit access to informal power. I also base these expectations on understandings of institutionalism and institutions, particularly focusing on Olsen (2009) (cited in Mackay et al. 2010) and on Mackay et al. (2010) and their articulation of the immutability of institutions and their opposition to those they perceive as attempting to change them. Mackay et al. (2010), along with Mahoney and Thelen (2010: 4), Hall and Taylor (1996), and Tallberg (2003) also illustrate the masculinist nature of political institutions in particular, and the ways these institutions tend to either privilege male voices and traditionally masculine behaviors over feminine ones, or explicitly reject women’s voices and experiences. Within this framework, women speaking up about sexual harassment would not just be speaking up within institutions that do not want to create space for their voices. Rather, their speaking up would itself be perceived as an attack on the dominant masculinist culture, which allows cultures of sexual violence to persist.

Though this literature does not speak directly to the amount of time women wait to report, I consider it to be explanatory of wait time before reporting. The same forces can be understood to be at play both when women wait to report and when they don’t report at all, meaning that literature on why women don’t report can still be valuable to understand why they wait to report. I base this interpretation in the same logic as that of my decision to use wait time as my dependent variable. Because it is not possible for me to collect data on women who did not report, I used wait time as a proxy for not
reporting, based on the belief that the forces keeping women from reporting are the same as those causing women to wait before reporting.

**Analysis and Findings**

Starting from a simple analysis of time passage using a univariate visualization (Fig. 1), I found the data on time waited before reporting to be strongly skewed toward shorter times, with the majority of times between incident and accusation between zero and 2.5 years and a few outliers with upwards of 20 years (time was measured only by whole calendar year, meaning a woman whose first instance of harassment was in the same year she reported would be counted as waiting zero years, regardless of the number of months she waited). The mean time passage between incident and accusation for the whole data set, regardless of any specificities about the accuser or when the allegation was made, was 3.6 years.

In my bivariate analyses of time and each variable, I found Post-MeToo to have the most impact on time waited before reporting, among all variables. This means that for women who reported after the #MeToo Movement gained prominence in October 2017, their having reported after this point was a greater predictor of how long they had waited before reporting than any other variable. These women waited an average of 1.96 years longer than those reporting before and after the advent of the #MeToo Movement, from a

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1 While this dataset was compiled as part of my broader honors thesis, much of its actual analysis was conducted as a part of my final project for Introduction to Statistical Modeling (Math 155) with the approval of my thesis advisor Prof. Julie Dolan and my statistics professor Prof. Brianna Heggeseth, as well as the support of my project partner Shannon Dohr.
mean wait time of 2.17 years for those reporting pre-#MeToo, and 4.35 years for those reporting post-#MeToo. While this may appear counter to my expectations that the #MeToo Movement would promote reporting, it in fact supports that very expectation.

My principal expectations for Post-#MeToo were that the change in reporting culture would lead more women to report harassment, thanks to the combination of increased awareness of harassment and related issues, increased public support for survivors, and increased overall numbers of women reporting (producing a greater sense of community or camaraderie amongst survivors). My findings support my original expectation that the #MeToo Movement could have the effect of bringing cases out of the woodwork, prompting reporting by women who had previously felt unwilling or unable to take the associated risks, due possibly to newfound community with other survivors, increased public support, or otherwise.

Of the overall dataset, 71% of cases were reported publicly after October 16th, 2017, meaning that of 136 cases reported over an 18-year period 2000-2018, 97 were
reported in the final 15 months. In post-#MeToo cases, which ranged from zero to twenty-one years, 50% waited between 1.5 and seven years to report, while those pre-
#MeToo had a range of zero to eight years, with 50% waiting 1.5 to three years to report, further showing that women reporting in this period typically waited longer to share their experiences, as well as supporting my expectation of #MeToo’s floodgates-like effect on reporting. All together, these findings are important in that they give support to the belief that culture around harassment reporting is influential in women’s actual reporting decisions. The fact that nearly ¾ of the cases in my dataset became public during the last 15 months of an 18-year period, in conjunction with the two year mean increase in wait time between pre- and post-#MeToo cases, speak to the powerful impact that changes in reporting culture have had on willingness to report. The #MeToo Movement has, in its less than two years of public prominence, created a culture around reporting positive enough to bring forward women who had waited as long as twenty-one years since their initial harassment experiences before speaking out.

Though Post-MeToo appeared to be the best predictor of how long a woman would wait to report, I did observe positive relationships supporting my expectations for cases where the allegation was corroborated, when the accuser did not appear white, when she was a lobbyist, journalist, or candidate, and when she was the first to report. This means that the relationships I observed supported expectations that accusers who had less formal or informal power when compared to all accusers were likely to wait longer before reporting than accusers who had more formal or informal power. All these findings support the basis of my original expectations, as rooted in different levels of formal and informal power. Only the results for accusers who were legislators showed the
<table>
<thead>
<tr>
<th>Variable</th>
<th>Change in Mean Wait Time (in years)*</th>
<th>Relationship Between Variables</th>
<th>Expectation</th>
<th>Type of Power</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harassment reported Pre-/Post-MeToo (‘Post-MeToo’)</td>
<td>1.96</td>
<td>Increase in wait time before reporting if reported post-MeToo</td>
<td>Mean wait time for post-MeToo reports will be longer - <strong>confirmed</strong></td>
<td>Informal</td>
</tr>
<tr>
<td>Accused is Accuser’s Supervisor (‘Supervisor’)</td>
<td>1.12</td>
<td>Increase in wait time before reporting if the accused is the accuser’s supervisor</td>
<td>Being harassed by a supervisor will increase an accuser’s wait time - <strong>confirmed</strong></td>
<td>Formal</td>
</tr>
<tr>
<td>Accuser is/is not first to make a public allegation against the accused (‘First’)</td>
<td>1.00</td>
<td>Increase in wait time before reporting if the accuser is the first to report</td>
<td>Being the first to publicly report will decrease an accuser’s wait time - <strong>confirmed</strong></td>
<td>Informal</td>
</tr>
<tr>
<td>Accuser is/is not a legislator (‘AccuserLeg’)</td>
<td>-0.80</td>
<td>Decrease in wait time before reporting if the accuser is a legislator</td>
<td>An accuser being a legislator will decrease her wait time - <strong>not confirmed</strong></td>
<td>Formal</td>
</tr>
<tr>
<td>Accusation is/is not corroborated by evidence or a witness (‘Corroborated’)</td>
<td>0.75</td>
<td>Increase in wait time before reporting if the accuser can corroborate her allegation</td>
<td>Having corroboration of her allegation will decrease an accuser’s wait time - <strong>confirmed</strong></td>
<td>Informal</td>
</tr>
<tr>
<td>Accuser is/is not a lobbyist, journalist, or candidate (‘Lobbyist/Journalist/Candidate’)</td>
<td>0.70</td>
<td>Increase in wait time before reporting if the accuser is a lobbyist, journalist, or candidate</td>
<td>Being a lobbyist, journalist, or candidate (rather than working formally within the state capitol) will increase an accuser’s wait time - <strong>confirmed</strong></td>
<td>Formal</td>
</tr>
<tr>
<td>Accuser appears/does not appear white (‘Race’)</td>
<td>0.43</td>
<td>Increase in wait time before reporting if the accuser does not appear white</td>
<td>Accusers will wait longer to report if they do not appear white - <strong>confirmed</strong></td>
<td>Informal</td>
</tr>
</tbody>
</table>

**Table 2**

* Cases sorted by actual year value, not by number value
**Confirmed/not confirmed**

opposite relationship to what I anticipated, meaning that women who were legislators were more likely to wait longer before reporting than those who were not. In Table 2, I
include the difference in means for each variable, and will explain the meaning of each difference in the following paragraphs.

**Implications and Connections to Existing Scholarship**

After Post-MeToo, Supervisor appears to have the greatest influence on reporting time, with a difference in mean reporting times of 1.12 years between women who were harassed by someone who was not their supervisor, and someone who was. The variable Supervisor was included to account for the formal power held by supervisors over their subordinates, and the extent to which this was expected to influence their reporting decisions, in that they would be more likely to fear retribution from reporting against a supervisor. The positive difference in means supports my expectation that women who were harassed by their supervisors would wait longer to report their experiences, while the difference of 1.12 years shows that this difference is not negligible, but instead shows that on average, women who were harassed by supervisors waited a full year longer to report than those who weren’t.

The next most impactful of those variables was First, with a positive difference in mean wait times of 1.00 years, meaning that the women who were the first to make a public allegation against the accused had a mean wait time one year longer than those who were not the first. First accounts for the way women who are not the first to make a public allegation may benefit from a greater sense of community with other accusers, greater public support, or greater knowledge of how they will be perceived or received by the public. This, in turn, means that women who are the first do not have access to or benefit from any of this knowledge or community. Because they have less capacity to
predict how their accusations may be received and have less of a guarantee of allyship (with other accusers), they may be more hesitant to report. They may also be hesitant to speak out because of the possibility that their being the only public accuser will be read as their being the only accuser, decrease their likelihood of being believed or taken seriously, or other similar forms of dismissal.

Corroborated, with a difference in mean wait time of 0.75 years, is the third most impactful in terms of how long women will wait to report. This means that women who lacked corroboration of their allegations (a witness, texts, emails, photos, etc.) had a mean wait time 0.75 years longer than those who could corroborate their allegations. Corroborated controls for credibility, as understood through the woman’s ability to prove the truth of her allegations. This perception, both internal and as perceived by others, of credibility (or lack thereof) in turn serves to represent a form of informal power - having incontrovertible evidence of the truth of their allegations increases women’s informal power. The positive mean difference in reporting times supports the idea that lacking the informal power (credibility) gained through being able to corroborate one’s allegations leads women to wait longer before reporting.

Lobbyist/Journalist/Candidate, similar to Supervisor, represents a dimension of formal power gained through position within the hierarchy of the legislature. Because much of the work lobbyists, journalists, and candidates do involves getting legislators or other legislative staff to commit to supporting legislation (lobbyists), share information (journalists), or provide campaign or public support of some kind (candidates), these women are extremely dependent on maintaining positive relationships with legislators and legislative staff. In this way, they lack formal power within the legislative bodies
because legislators and legislative staff hold significant power over their professional outcomes. At the same time, because they are not formally legislative employees, they also lack any of the formal anti-harassment protections that cover legislators and legislative employees, and thus do not have the same ability to speak up against harassment by these people without experiencing negative professional ramifications. With this in mind, the positive difference in mean reporting time of 0.70 years between women who are lobbyists, journalists, and candidates, and those who aren’t, supports the expectation that these women will choose to wait longer before reporting because their lack of formal power gives them reason to fear their careers will be harmed if they report, because their level of power does not insulate them from possible blowback.

Finally, Race showed a positive difference in mean reporting time between those who appear white and those who do not, of 0.43 years. While this is the smallest difference in means, it still provides some support for the expectation that women who do not appear white will choose to wait longer before reporting experiences of harassment. This speaks to the difference in informal power held by women based on their race, with white women holding more race-based informal power than women of color. Because women who appeared white had a shorter mean wait time than those who did not appear white, the results shown in this dataset align with my original expectations that lacking race-based informal power would lead women to wait longer before reporting harassment.

One variable of the total seven did not align with my original expectations – AccuserLeg, where the accuser herself was a legislator. In spite of its lack of alignment, I still believe its implications support my overall expectations for this dataset, wherein
having less formal or informal power would produce longer wait times before reporting. My original expectations for this variable were that women who were themselves legislators would have lower mean wait times before reporting, because their positions of power (as legislators) would grant them greater job security than women who did not have the same titles or apparent levels of power. This expectation, though, failed to account for the way the formal power held by female legislators, gained through their titles, fails to negate their lack of informal power. Referring back to scholarship on dynamics of formal and informal power (French and Raven 1959), it is clear that formal power, no matter how great, cannot make up for a lack of informal power. While my expectations did not actively ignore this, they were based only on the question of which women would feel more able to report, based on their own levels of informal power. I did not consider, to the extent necessary, the informal power men in the legislature and the public hold, and how this would inform female legislators’ decisions.

Within this, I believe my expectations also failed to recognize the extent to which election to public office places the individual in some ways both under a microscope and on a pedestal at once. Legislators whose identities limit their capacity to gain informal power (women, people of color, differently abled people, immigrants, and more) have their lack of informal power placed under a microscope for the public to scrutinize up close. At the same time, by being elected, they are placed within a given set of expectations - those which fit within what is normatively expected of their less powerful identities. Significant scholarship on women in positions of power, and women in elected office specifically, has demonstrated the extent to which women (as well as people of color and other marginalized identity groups) are expected to perform, or to comport
themselves in a specific way while in the dominant public eye (in this case, male). With this in mind, a female legislator who chose to speak out about harassment, who is already under a microscope as a woman (among many possible reasons), would be breaking from any performance she had created of ‘appropriate public femininity’ by speaking out against a man. Speaking up about harassment would thus put her position of power in jeopardy, negatively impact how the public perceives her, and mark her as an outsider within the legislature – one who will not conform to the accepted form of femininity.

The greatest takeaway from these findings is their implications for the understanding and application of the taxonomy of formal and informal powers to the legislative context. With the exception of my findings about women who were themselves legislators, all my variables presented longer wait times for those accusers who held identities or whose allegations had characteristics which granted them less formal or informal power than other accusers. This particularly reinforces the theory of power as gained through not just formal positions, but through things with sociocultural value, like gender and race (French and Raven 1959). These findings all also align with my expectations, with the single exception of those about accusers who were legislators. This, though, does not mean it doesn’t support my overall expectations. In composing my original expectation for this variable, I was viewing accusers who were legislators as having more formal power relative to accusers who were not, but I failed to consider their relative lack of informal power relative to male legislators. As such, while this finding doesn’t support my expectation for the individual variable, it does align with my overall expectations of how differences in formal and informal power would influence reporting decisions.
The fact that accusers who were themselves legislators had a longer mean wait time than those who were not further enforces the importance of informal power. Referring back to Rospenda, Richman, and Nawyn’s (1998) expansion of the formal and informal power theory, their understanding of formal power as unable to make up for a lack of informal power is particularly important in understanding why female legislators waited longer to report than women who were not legislators. Even though women in these positions have gained significant formal power, their gender still manages to disempower them. Placed within the context of literature on the Old Boys Club and on institutional culture overall, this finding is particularly important. It reinforces the theory that women in such organizations are expected to conform to masculine behavior norms, to permit those norms to proceed unopposed, and to not draw undue attention to themselves (Mackay, Kenny, and Chappell 2010, Mahoney and Thelen 2010).

My findings for accusers who were lobbyists, journalists, and candidates also speak particularly clearly to Rospenda, Richman, and Nawyn’s (1998) theory about the intersections of formal and informal power. Because women in these positions lack both formal and informal power, they are doubly disempowered. The strong showing in my findings about these women (with the second largest change in mean wait time across all my variables) emphasize the impact that this double disempowerment has on women in such positions.

My finding that women who were first to report typically waited longer than those who were not first also aligns with this understanding of power compounding, though in a different way. As Rospenda, Richman, and Nawyn recognize that formal and informal powers can compound within an individual to doubly disempower them, I argue that the
reverse can also happen, but across multiple individuals. In considering the shorter mean wait times of women who were not first to report, I see this theory as explaining how their respective formal and informal powers to build up among one another, and in turn allowing them to speak out with greater power. Individually, each woman may not have had significant formal or informal power. In finding common experience with other women, though, the power she did have was combined with that of any other woman who spoke out against the same legislator, giving more power to their combined stories of harassment.
Chapter 5

Interview Analysis

“I think it just is a perfect breeding ground for sexual harassment” - Participant 5

Broadly, my goal in conducting interviews was to understand the cultural and power dynamics present within legislative bodies which are not visible from an outsider’s perspective, and to learn how these inform women’s decisions to report or not report harassment (see interview questionnaire in Appendix 1). Specifically, I sought to understand the culture of the legislature (and the presence and influence of both gender and power dynamics within it), the prevalence of harassment and the common responses to it, both in terms of reporting decisions and responses by leadership or other people within the Capitol sphere, and how experiences of harassment and reporting differ depending on the unique position and identities of each woman. Generally, my expectation was that women would identify different manifestations of formal and informal power as shaping reporting decisions, using different, more standard language (rather than that of formal/informal power), but still recognizing the extent to which women in many ways lack power relative to their male counterparts, keeping them from reporting harassment.

In total, I conducted interviews with five different women. These women represent different generations, races, positions within the Capitol, amounts of time spent working in the Capitol, and backgrounds prior to entering the Capitol. As such, while they all worked in the Capitol at some point within the 2000-2018 timeframe, they manage to represent a diverse range of experiences within and outside this space, creating
a broad range of perspectives on its culture. As I address what the women I spoke with shared with me in the following pages, I have also taken various precautions to ensure their anonymity. The first of these is my choice to identify them each as ‘Participant #X’, numbered purely based on the order I have included them in this text, rather than the order I conducted the interviews in, or any other signification of the number. I have also excluded details that could potentially be used to identify individual women.

Findings

I have attempted to distinguish those themes which were specifically mentioned most frequently, and will address other sub-themes, which came up less often, within these sections. To contextualize this, I will identify a few overarching themes from which all the others originate, as a means to understand the general tone of the interviews, and their perspectives on power within the Capitol. Among the five women I interviewed, all said they had experienced harassment or assault at some point in their time at the Capitol, and three of the five said they had never reported. One of the two women who had reported also specified that, while she had reported two experiences of harassment, there were others she had chosen not to report. In spite of the small size of my sample, though, this reporting percentage is actually fairly consistent with national reporting statistics. Of my interviewees, 60% chose not to report, relative to the nearly 80% of rapes and sexual assaults that go unreported nationally (US DOJ Bureau of Justice Statistics Report on Criminal Victimization, 2016: Revised 2016). It is also important to note because between 87% and 94% of employees experiencing harassment choose not to file any sort of formal complaint (EEOC Report of Select Task Force on the Study of Harassment in
the Workplace 2016). The implication of these comparisons is that, even though the 60% non-reporting rate present in my interviews is striking, it’s likely an underrepresentation of the actual non-reporting rate.

One of the principle themes mentioned was the unequal distribution of power. Though not always expressed in such words, this theme arose frequently in each interview, in discussions of power held by legislative leadership, differences in power between men and women, power gained with seniority, and more. The culture of the Capitol also appeared repeatedly in interviews, both in the form of who dictated what this culture would be, and in the dominant cultural response to harassment. Finally, fear of retribution also played a major role in reporting decisions - either active, through specific structural actions like losing a committee chairship, support for a piece of legislation, or a campaign endorsement, or more passive, through informal blacklisting, loss of political allies, and the like. Though in reality it is impossible to disconnect any of these themes from the others, it is easier to isolate certain stories as particularly demonstrative of two out of the three themes - unequal distributions of power, and the culture of the Capitol. Fear of retribution, though, runs as a constant theme throughout every story, as it is, in essence, a product of experiencing both the unequal distribution of power and the dominant Capitol culture. As such, I organize the remainder of this chapter into two overarching sections, organized around the unequal distribution of power and the dominant culture of the Capitol, with fear of retribution running as a constant through both.
Unequal Distributions of Power

More than any of the other central themes I identified, the stories told in the following section highlight the theme of unequal distributions of formal power within the Capitol, particularly through their illustrations of who holds the majority of the power within the legislative body, and how many doors are opened or closed depending on how much of that formal power one has. They speak, too, of the unequal distribution of informal power, by demonstrating how much of legislative culture and relationships are based on unwritten norms, codes and rules, and showing who gets to set them for others. At the same time, though they still speak strongly to my other core theme of the culture of the Capitol as a major force in deciding whether or not to report. All, though some more strongly than others, articulate how powerful positions and titles grant those who hold them the informal power to dictate what the cultural norms should be. Finally, through all this, the theme of fear of retribution remains present in the ability of these individuals, who hold such significant formal and informal power, to manipulate their power to help or hurt the professional prospects of women who choose to report harassment.

The Power of the Legislative Leadership

One of the themes most consistently mentioned is the power of positionality at the Capitol. Positionality, in this case, refers to the power granted based on an individual’s formal, hierarchical power within the body. This formal power is typically accompanied by a title - something like ‘Senator’ or ‘Representative’, ‘Majority/Minority Leader’, ‘Speaker’, a chairship of an important committee in the legislature (like Finance or Tax),
and may also combine with different types of informal power to further increase the power these individuals hold. For staffers, the addition of ‘Senior’ before a title, or even simply a title associating the individual with a powerful elected official, can also grant additional informal power in addition to any formal power gained. This formal power grants these individuals the capacity to exert their will on both legislators and staffers, among others, and in this way shape the actions of the legislative body as a whole. Beyond this, though, these titles grant the power to determine professional outcomes and successes for those over whom they hold power, and to set the culture for the whole of the legislature.

Reflecting on her more than twenty years at the Capitol, Participant #1 said of the Capitol that “the culture [was] very hierarchical, even up until the time I left” less than ten years ago, continuing to say that “the leaders of the caucuses are… you know, essentially, for lack of a more original term, they really are like gods, and… you know, whatever they say or do, or the culture that they display themselves, trickles down.” The legislative leadership, and particularly those elected officials in positions like Majority Leader, Minority Leader, and Speaker of the House (among others), were consistently described as being those who dictated the culture of the Capitol. As such, if these leaders were perceived as being unreceptive to reports of sexual harassment, or of permitting or perpetuating a culture of harassment, as Participant #1 later suggested, this culture would ‘trickle down’ through all levels of the legislature. Further, if they were perceived as permissive of those who would seek revenge or retribution in response to a claim of harassment, or if they would do so themselves, this culture and practice was also allowed to persist.
In the context of the Minnesota State Capitol, these trickle-down cultural norms took on a form extremely permissive of harassment and of perpetrators, and uninterested in hearing complaints from those experiencing harassment. Participant #2 described the culture of the Capitol during her time there as one of “winks and sweet words and looks”, while Participant #3, in more explicit terms, described it as a place where

People are always looking at you… like I would wear clothes that showed no cleavage at all, but people are always staring at my chest, if I wore lipstick people would stare at my mouth… It was… it was… wild. Like just… there were a couple of guys I felt safe with, but I guess you do… like any time that you’re in the hall, you feel like… I felt like I was on display, and like I needed to be put together before leaving my office. Just constant people hitting on you.

The image both women paint of the Capitol is, in the plainest terms, one where harassment was simply a part of the culture - something regular and everyday, not always huge, aggressive, or deeply threatening, but nonetheless impossible to ignore.

Beyond their capacity to set cultural norms, participants explained the way legislative leadership has the capacity to decide lower-level leadership titles, and to determine success of different proposed legislation, and how this acts as a deterrent to reporting. This formal power manifests as appointing committee chairs and hiring staffers who, though officially nonpartisan, are likely to have the same political inclinations as, and act in accordance with, the leadership that appointed them - and who, if they choose not to, will almost certainly be fired. These people, in turn, extend the capacity of the leadership to dictate policy and decide the success of proposed legislation. For female legislators seeking to chair committees, female legislators and staff seeking support for a piece of legislation, and other women similarly impacted by the leadership’s power,
reporting under these circumstances, to a leader who might not be amenable to your report, could threaten your ability to do (or succeed at) your job, or to keep it at all.

Positive relationships with leadership also have the capacity to grant power and protection simply by association. Being on good terms with or working closely with top legislative leadership was described as leading to greater levels of respect from other legislators and staff, thus granting greater informal power. Participant #1 articulated this dynamic clearly, stating that “if you’re perceived to be associated to this particular member who is powerful, maybe this person is the Tax [Committee] Chair or the Finance [Committee] Chair, well, then maybe some of the staffers will treat you a little bit more respectfully than they would treat, for example, [a new, young female staffer]” - from her perspective, association with powerful leaders (or powerful legislators in general) granted not just privilege, but a significant amount of protection that you would not otherwise have access to. Falling in or out of favor with the leadership thus has a huge impact on professional opportunities, the success of professional projects, job security, and overall work environment for women considering reporting harassment.

More than anything, stories describing the power of the legislative leadership exemplifies the amount of control those in positions of significant formal and informal power can exercise over those who have less of either or both type of power. This disparity in power, or the reality of one individual exercising control over another, models particularly clearly theories such as the Vulnerable Victim (McLaughlin, Uggen, and Blackstone 2012), where a person with significant formal and informal power is able to exercise control over someone less powerful than themselves. It also typifies what Participant #5 described as “the perfect breeding ground for sexual harassment” - one
with extreme power disparities, where those in leadership can completely dictate the fate of those below them, and more than this, can enforce the silence of those in subordinate positions, for fear of losing access to professional opportunities. This power dynamic manifests the perfect breeding ground for gatekeeping behaviors, where members of the leadership withhold opportunities, or threaten the loss of opportunities already granted, if the woman being harassed does not continue to tolerate, or choose to not report, the harassment (Macaulay Miller 2008).

Seniority and the Difficulty of Cultural Change

Further echoing the power of the leadership, the role of seniority (as previously discussed) is integral to both the culture of the Capitol, and to who holds power within the unique cultural space it creates. Unlike leadership titles and election certificates, though, seniority in the Capitol grants unwritten, informal power to the holder. There is no formal documentation or legitimization of this power in the form of titles or the like; instead, the informal power of seniority manifests in the leeway and power over others granted to senior members and staff. Further, seniority grants power to senior staffers, not just to senior legislators. As in the case of the leadership, the majority of the most senior members of the legislature and those working at the Capitol are older men. As the most senior members, in conjunction with the leadership (with which they overlap significantly) they set the cultural norms that new legislators and staffers enter into. This gain in power is not based in the individual themselves, so much as it is based in the way cultural norms in the Capitol are dictated by those who have been there longest, and in the relationality of the Capitol. Because senior members have been there longest, they get
to define what ‘Capitol culture’ is and have the most and the longest-standing relationships, relative to other members and staff.

With seniority, these people also gain both a level of impunity from any disciplinary action, and the power to see retribution done to those who would speak out against them. This impunity is gained not through any formal pathways, but simply by the fact that other legislators will be less willing to hold the perpetrator accountable. The case of Jim Swiderski, Rick Nolan’s staffer, exemplifies this in the fact that Swiderski’s accusers had to jump through many hoops and put significant pressure on many people in order to get Swiderski fired. Even once that was achieved, though, he was still given a going-away party, a quiet scandal-free retirement, and a consulting position on Congressman Nolan’s campaign. In this way, senior legislators and staff are able to sexually harass and perpetrate gender discrimination with impunity.

Seniority also becomes relevant in the Capitol both in considering its’ history, and in considering the knowledges that members and staff enter the Capitol with. For its entire history, the legislature has been dominated by white men, and continues to be so today - 64 of 201 total state senators and representatives are women (48 in the House, 16 in the Senate). As Participant #4 pointed out, women didn’t begin being elected to the State Legislature until the early 1920s, and even then in small numbers. The extremely gradual addition of women into the legislature has meant that their ability to create cultural change through their inclusion has been similarly gradual. Speaking to the immutability of the Capitol culture, Participant #4 says that as that [male-dominated] culture has changed [with the election of more non-male legislators], people who had it one way and were totally fine with that are like ‘uhhh I have to change now? I have to be appropriate?’. Change is hard, even
good change, and so I think there’s this resistance to like… changing, and there are people in the legislature who have been there since before I was born, and they’re like ‘what do you know, I’ve been here for 32 years, and now you want to change how everything goes’

This recognition is important particularly because it goes beyond speaking to how seniority dictates culture and identifies the way it serves to perpetuate that culture. When members or staff stay at the legislature for long periods of time, they often maintain the same cultural norms as those they encountered when they first started. This means that, for those who have worked there or served in the same office for upwards of twenty or thirty years, they may be enacting a version of appropriate workplace culture and interaction completely out of step with cultural norms outside the Capitol.

The prevalence of antiquated knowledge and norms extends, too, to the knowledge legislators and staff bring into the Capitol. For those who have not worked outside the Capitol since the 70s, 80s, or even the 90s, they may not have had to go through any substantial anti-harassment training, or any training that parallels the ones run by many workplaces today. As Participant #4 pointed out in relation to her statement above, the legislature only very recently started running anti-harassment trainings with information about reporting and support services for new members and staff very recently. As such, any member or staffer who started prior to these trainings being instituted may have little to no understanding of the meaning of consent, definitions of sexual harassment, what appropriate office behavior is, or the like.

Finally, seniority allows the persistence of outdated tactics specifically designed to suppress complaints of sexual harassment, as well as workplace discrimination of all kinds. Multiple women specifically noted the way there have historically been, and to
some extent continue to be, positions and individuals within departments like Human Relations, who are specifically (if unofficially) tasked with brushing complaints under the rug.

In both the impunity of senior legislators and in their ability to dictate cultural norms, the power of institutionality is central. Institutions, once created, are difficult to change, due not just in part to their sheer size, but to the fact that they have only become institutions through time, stability, and few major changes (Olsen 2009). This means that those who have been there longest both uphold the cultural norms existent when they entered and react against new norms that incoming members attempt to create and impose upon the whole of the institution. Institutions also particularly favor change from within, meaning that if the dominant majority in legislative bodies continues to be men who are senior both in time spent in the legislature and in actual age, they will continue to be the ones who dictate the culture of the institution itself.

**Contingent Positive Relationships**

The relationship between outsiders, legislators, and their staffers, presents an additional level of complication. Because these positions are extremely or entirely dependent on relationships with legislators and staffers (lobbyists seeking support for legislation, journalists seeking a source, candidates seeking endorsements), reporting against such people would place these relationships, and their professional success, on thin ice. This dynamic represents the way informal power through access to resources (policy support, journalistic sources, campaign endorsements) can be used to control those who need said resources - in essence, a basic supply/demand relationship. This
power differential was illustrated in Chapter 4, in my findings showing that a woman being a lobbyist, journalist, or candidate produced the second greatest difference in mean wait time, relative to those who held other positions. Participant #4, among multiple women I interviewed who echoed similar themes, stated that for one of her experiences of harassment, she chose to report at the time of the incident because she “wasn’t elected yet, he was leaving the House caucus that I was trying to get into, [and they didn’t] have the same Senate district”, meaning that there was no jurisdiction covering the both of them. Participant #5 made a similar statement, that “Most of the folks who have not reported are candidates, who are still trying to get in, journalists who write stories about assault and harassment, but don’t feel like they have a mechanism to report”, and that they “don’t trust that anything will happen, and that it will be worse for them if they speak out.” In both statements, the speaker gave voice to the instability and insecurity that was guaranteed for women in these positions, who were not protected by either informal power or by formal protections instituted by the legislature.

While the experience of lobbyists, journalists, and candidates is not one that I ever found formally articulated in the literature I reviewed, it does nonetheless align strongly with the theories of formal and informal power, and particularly with the ways in which the two types of power intersect (French and Raven 1959). Within the legislature, women in these positions lack both formal and informal power, and so have neither a formal title or position to protect them, nor informal power from cultural clout or social status. To this extent, the position of the female lobbyist, journalist, and candidate in relation to the male legislator, staffer, or the like, can be seen as being inherently based in a gatekeeping
relationship which, though not by nature also rooted in the commodity model of sex, can easily move in that direction (Macaulay Miller 2008).

The relationship of lobbyists, journalists, and candidates to those they work with in the legislature, regardless of the gender of either party, is necessarily a gatekeeping relationship because the person in the legislature will still be able to do their job largely unhindered on their own, but the lobbyist always needs support for legislation, the journalist always needs sources, and the candidate always needs political support and donations. With the gender dynamic added to the mix, women who are already in a vulnerable position of lacking formal power in the legislative body and needing more than they have to give in the gatekeeping relationship just because of their position lose further informal power, but now, from the perspective of the man she is seeking policy support, a quote, or a donation from, she has another chip she can place on the bargaining table - sex. It is at this point that the commodity model of sex and the gatekeeping relationship intersect for female lobbyists, journalists, and candidates.

_Election Certificates and Legislative Impunity_  

Election certificates held by legislators are another explicit manifestation of formal power. As articulated by multiple women in their interviews, the election certificate acts not just as a recognition of electoral success, but as a shield for the legislator, granting them a level of job security and untouchability impossible to attain in unelected positions. Because legislators are essentially hired and fired by their constituents and are only truly evaluated every election cycle (at most, every two years), they are extremely hard for colleagues to hold accountable or discipline. The disciplinary
actions that can be taken against a legislator are largely limited to stripping of leadership titles (like committee chairships), some form of verbal admonishment, or participation in anti-harassment trainings - while expulsion from the legislature is also possible, it is highly unlikely, and would require broad support within the legislature via a vote to expel. As such, the only guaranteed means of disciplining a legislator would be through the eye of the public - publishing information about them that is negative enough to either see get them voted out of office, or to pressure them into early resignation. Participant #4, having been a member of the Minnesota State Legislature herself, speaks to this dynamic, saying

"elected officials in particular, our bosses are our constituents, and the only time you come up for review is every two or four years, and if you’re not sexually harassing your constituents or on some front page of your paper, how will you face consequences for it? And your leader can choose to take consequences if you’re in the majority, by taking a chairmanship away…. you can get kicked out of your caucus, you can be expelled from the legislature, it just takes an insane amount of votes, and I don’t think they would do that, really, it would have to be a pretty extreme circumstance"

Her emphasis on the practical impossibility of expulsion from the caucus or the legislature is particularly important in considering why legislators are so untouchable.

Expulsion is highly unlikely, but there are few options between expulsion and just a slap on the wrist - the only one that has clear professional implications being the loss of a chairship. Beyond this, other disciplinary action may be inconvenient or annoying, but doesn’t have limited impact on the professional or personal opportunities of the accused, and so would fail to have much effect. This is the case because the disciplinary actions that can be taken against legislators are themselves limited, and often require a vote from either the party or the relevant chamber of the legislature. Because legislators are elected
by the public, rather than hired by a manager, they cannot simply be demoted, fired, suspended, or many other similar steps that can be taken against a typical employee.

Discipline in the public forum, though, draws attention to those doing the disciplining as well as to the legislator themself. Since public discipline requires such a risk from the person doing the disciplining, then, it is also highly unlikely. There is also no guarantee that the story shared (in this case, harassment) will have as negative an impact as desired, and could fail to force the legislator out, while drawing undesired attention to the person sharing the story. As such, this option fails to substantially increase legislators’ accountability, and further places legislators above those working in unelected positions in the hierarchy of the Capitol. Beyond simply being located above, or holding more hierarchical, formal power than staffers or other non-electeds, legislators are not able to be disciplined under the same disciplinary procedures as others in the Capitol. Except under the most extreme circumstances, legislators’ elected status protects them from firing, suspension, pay cuts, and demotions. This mean that, if there is no real possibility of discipline, there is little incentive for maintaining good behavior.

Participant #4, who herself had been an elected official, also echoed the power of the election certificate not just as a means for men to get away with harassment, but as a level of protection allowing women to report harassment with less fear of retribution. She particularly identified her feeling that, in having an election certificate, she was protected from much of the possible negative impacts that women with less formal power than herself might experience in reporting. She also identified this as one of the forces that drove her to report. Before reporting, she had known of another woman with less formal power who had been harassed by one of the same men she had been harassed by. In
sharing her reasons, she shared her recognition that this woman did not have the same capacity to report or protections from retribution, and in recognizing this, she saw it as her responsibility to report her own experience of harassment by this man, in recognition of the fact that other women had also been harassed by him, but would not be able to say anything because of their position at the Capitol.

Echoing similar themes to those discussed in stories about both the power of the leadership and the importance of seniority, the role of the election certificate highlights the way formal power (French and Raven 1959) grants legislators a certain level of impunity. At the same time, though, Rospenda, Richman, and Nawyn’s (2008) theory of the intersections of the two powers, and the extent to which no amount of formal power can cancel out a lack of informal power, arises particularly in considering the risk faced by female legislators or women in other senior positions if they chose to speak out about harassment, or do anything else that ran against the cultural norms dictated by the male leadership.

Sexual Harassment as Sex Discrimination and Gendered Violence

Beyond recognitions of the formal power structure and the unequal distributions of power present within it, women also shared stories of power in general. These stories, in particular, are important because they underscore the way these women understood the events and interactions they describe - as men saying to them ‘I have power over you.’ The stories in the following subsection address the meaning of power within the Capitol, as well as discussions of harassment and discrimination that was not explicitly sexual but was definitively gendered in nature. The latter part, gendered (but not necessarily sexual)
discrimination, is in this case particularly important in its demonstration of structural violence at work. While these stories may not appear as explicitly related to my thesis as those concerning harassment that is more explicitly sexual, they still help explain gendered power dynamics in the Capitol and their influence on reporting decisions.

In generally discussing power dynamics at the Capitol, Participant #4 succinctly stated that “People who are politicians tend to like power, and sexual harassment and assault and all of those things are forms of asserting power”. At its base, as she expresses, sexual harassment is not about sex or sexual desire, but about power, and about asserting power over another person. Sexual harassment, legally, is considered to fall under the umbrella of sex discrimination, which refers to any form of discrimination (whether sexual in nature or not) based on a person’s sex, not just on the pretense of sexual attraction (United States Equal Opportunity Employment Commission 2019). She continued, saying that “any sort of asserting dominance over somebody else is acknowledging I have power over you in this way”, and in this recognizes the extent to which the relationship of harasser/harassed cannot exist without the existence of a difference in power between the two. With this in mind, it is also necessary to consider the ways sex discrimination manifests in the Capitol beyond the explicitly sexual.

While participants gave numerous examples of sex discrimination, some were more clear-cut or obvious than others, and one in particular stands out above others. Participant #1, in speaking about the culture of the Capitol, described the experience of being in a meeting where she was the only woman, in which the men she was meeting with never once greeted her or made eye contact with her. This could be understood just as a failure of basic professional etiquette, but the gendered element of it is critically
important - Participant #1 was the only woman in a room of just five men, all in positions of power, and received this treatment within this specific context. This story, particularly when taken in the context of stories told by other women I interviewed of the small forms of harassment and disrespect, as well as the systemic undermining by leadership of formal avenues for reporting, speak to the culture of sex discrimination in the Capitol. When considered in relation to common stories from women in all fields of being generally demeaned and disrespected by their male coworkers, the presence of sex discrimination in the Minnesota State Capitol appears more clearly as part of a broader trend, rather than a fluke present in a single state.

The extent to which sexual harassment is not based in actual sexual desire (or in the belief by men, however inappropriate, that their advances are just normal flirting) can also be seen in who is harassed. Participant #4 emphasized the importance of her sexual orientation in relation to her harassment - she was harassed by a male legislator in spite of the fact that she is lesbian and has been married since before she began her time at the Capitol. In her case, in spite of the fact that she made it very clear from the beginning (not just by expressing a lack of interest, but by her very sexuality and relationship status), she still experienced harassment. For her, it had been very clearly established that a sexual or romantic relationship was not a possibility, by her sexuality and relationship status. This means that, unless the perpetrator believed his harassing her would lead her to change her sexuality (this act in itself would be a form of discrimination, as it is based in sexual orientation), there can be no belief that his actions could lead to a sexual relationship. She also spoke to the possibility that he believed he was ‘simply being nice’, an idea which she rejected on the grounds that sexual comments are not appropriate
‘nice’ comments to make to a coworker or in a professional setting (a belief affirmed by the US Equal Employment Opportunity Commission). This leaves one option to explain his behavior - power, and the desire to enact power over her. By demonstrating his ability to speak in this way, and to say what he wanted about her with the expectation that nothing would happen to him, he emphasized his relatively greater informal power over her lack thereof.

The stories above, as discussed already, are most clearly reflective of the theory of structural violence (Galtung 1969, Kligerman 2010), referring to violence committed or power exercised against an individual or group specifically because of an identity they hold (racial, gender, sexuality, etc.). In this case, that violence or exercise of power is targeted based on the gender of the people experiencing it. These relatively smaller shows of disrespect, of language, actions, or gestures that seek to diminish the status, work, or capabilities of women, exemplify structural violence. Their clarity as examples of structural violence is further amplified by the fact that they cannot be misunderstood as being based in a desire for sex. Instead, by leaving no other explanation for the cause of the discrimination, they strip the act of its disguise as something sexual or based in desire.

_Power and Reporting_

As a general consensus, the women I interviewed agreed that that perception of power, and the feeling of having less power than the person you were being harassed by, was a hugely influencing factor in the decision to report or not to report. For staffers, the decision of whether or not to report meant considering both the formal and informal
power of legislators and staffers alike; for legislators, it meant asking what the leadership
might be able to do to you if you reported; for lobbyists, journalists, and candidates, it
meant considering how much you had to lose if you lost the informal relationships you
had developed. From what these women shared, though, it is clear that these power
dynamics were far from hidden, though - in fact, it seems that they were ever-present, and
really quite obvious. Participant #3 (herself a former staffer) even went as far as to say,
referring to the legislators, that “You do get the sense that they are more important,
always”. She continued, saying “I definitely allowed more to happen with an elected
official than I would with a regular person…”, and that “If it was a coworker, yes, I
probably would have been more apt to, because I didn’t feel they had power over me, but
I did feel an elected had power”. Her differentiation between how she would respond to a
coworker as compared to an elected official highlights the role of power in her
experience, and in her choice to not report. Because of her perception that the elected
officials she worked with were more important than her, she chose not to speak about
something that could hurt them, and in turn cause them to hurt her.

Further acknowledging the role of generally perceived power dynamics, and
specifically addressing the fear of repercussions from reporting, Participant #1 attributed
her belief that sexual harassment was a problem at the Capitol to “comments, but the
power dynamic too, was such that you wouldn’t dare… you know, respond to someone
harshly, because there could be, you know, backlash, so, you know, best to just grin and
bear it and walk away and try to stay away from that person.” This fear of repercussions
that Participant #1 describes underlines the impact of women perceiving power dynamics
between themselves and their harassers, and the belief that should they report, said power difference will come back to hurt them further.

The challenge of advocating for oneself presents an additional challenge for women considering reporting. Reflecting on her own position of power as a more senior staffer, Participant #2 said she would have been more comfortable advocating for another woman than speaking up for herself, stating that “It’s easier to go to bat for someone else than for yourself, in anything. And, because I created relationships with these powerful chairs, and they knew me, that I feel I could go to them if it was for someone who worked for me, versus just me.” This comment particularly speaks to the extent to which the fear of reporting arose not so much from simply discussing harassment publicly or advocating on behalf of survivors, but of taking the personal risk of speaking out against a specific individual, and of the voluntary vulnerability necessary in taking that step. Putting oneself on display, in this way, required significantly more risk and vulnerability, even in considering speaking to those Participant #2 was in close relationship with.

Participant #5 also addressed the importance of camaraderie as, in her own experience, a means to gain power. She stated that when she chose to report, it was because she had realized that she and multiple other women all had stories about the same person and had all previously tried to report and not seen any results. In realizing the similarity in their experiences, though, they gained strength in numbers that they had not previously had. This in particular reinforces my expectations and my findings from my data analysis, showing women who were the first to report to have longer mean wait times than those who were not first. Because they were able to find community and build
power from their shared experience, they were able to be heard and feel confident in coming forward in a way that they hadn’t previously.

The explicit connections drawn by many of the women I interviewed between who held power and who was able to speak up for themselves, and by this measure who was able to report, were striking. More than anything else, they speak to the very notions of formal and informal power, and how having or lacking them changes what you’re able to do, as well as when, and how, you’re able to speak. They also address the intersections of the two types of power, and the fact that no matter what, formal cannot cancel out informal (Rospenda, Richman, and Nawyn 1998). Even for those women who gained greater formal power and had strong positive relationships with senior men or leadership, that power still did not grant them the freedom or the confidence in their status and relationships to report their own experiences. At the end of the day, their lack of informal power still won out. At the same time, looking at Participant #5’s experience, I see it as basing particularly in theories of informal power, and in Rospenda, Richman, and Nawyn’s (1998) recognition of the ability of these informal powers (either having or lacking them) to compound within individuals. Using this theory, I expand it to include the ability for informal power to compound across individuals, as an explanation of how this sense of camaraderie grants increased power, or increases the ability to report, or probability of reporting.

*The Culture of the Capitol*

The second of the three central themes I identify as being discussed repeatedly throughout my interviews is that of the culture of the Capitol. This theme, as with both
others, represents one of the forces repeatedly identified as having the most influence on reporting decisions by the women I interviewed. The stories in the following sections highlight specific elements of Capitol culture, and describe the ways each of these elements impact and often dissuade women from reporting. As with the theme of unequal power distributions, it is also impossible to isolate the impact of Capitol culture from the other forces described in my interviews. The culture of the Capitol is in itself a product of the unequal distribution of power, wherein the dominant cultural norms are dictated by those who hold the greatest formal and informal power. Within the theme of Capitol culture, too, runs the constant theme of fear of retribution. Women considering reporting must contend with a culture that is designed in fundamental opposition to this consideration. Their ability to navigate these systems with ease may be increased or decreased depending on their relative amount of formal power, or by forms of informal power granted by identities other than gender. In spite of this, though, they will always lack informal power relative to their male counterparts in the legislature.

Normalization of Sexual Violence

As a product of who holds the most power within the Minnesota State Capitol, a specific set of people - typically men - are allowed to dictate what the culture of the Capitol should look like, and how it should treat all those present in that space. Beyond this, though, they combine formal and informal power to dictate what should be considered normal. In this case, part of what is normalized as ‘just part of being at the Capitol’ is sexual harassment. Women should expect to be harassed, and men should expect to be able to harass and experience no repercussions. This normalization was
addressed in every interview I conducted, both implicitly and directly, with the consensus that sexual harassment was a normalized part of the culture of the Capitol, and that women were expected to simply put up with it, brush it off as ‘just part of the job’. Participant #2 gave a particularly succinct summary of her experience of the Capitol, saying that “the culture was… you know… don’t say anything, because it’s nothing. It’s just the way it is.” This normalization serves to perpetuate the harassment itself, but further, it attempts to convince women that harassment is something they should simply expect and tolerate; that it is an integral part of the culture, and that there is nothing that can be done, so they shouldn’t bother speaking up.

Some of the implications of this normalization are obvious, and consistently expressed across my interviews - women will feel that they have no capacity to say no to harassment or to report it formally, this harassment will continue, and it will continue to marginalize women within a space that purportedly seeks their involvement. One less obvious effect of this normalization, though, is the extent to which it convinces women that what they are experiencing is not problematic and is not widespread. This can be seen in Participant #3’s response to the question “do you think sexual harassment is a problem at the Capitol?”. After having shared in earlier questions that she had experienced harassment herself and had known other women who also had, and having gone as far as to say “I think [being sexually harassed] is a very common experience for everyone, and I just don’t know any woman who wouldn’t have felt this at some point during her career there”, she initially hesitated to say yes to my question. In reflecting on why that was, she shared that her hesitation came from the fact that she didn’t report, and the fact that she “never put the brakes on”. Her hesitation, as she reflected, is a testament
to the level of normalization of harassment in that space - the belief that to call something a problem, she had to have reported it, and in turn that if she hadn’t reported it, that meant it was not bad enough to be called a problem. It is in this way that the trickle-down cultural creation by legislative leadership and senior members functions to normalize a culture of sexual harassment.

These reflections on the normalization of sexual violence at the Capitol are a testament to the impact of organizational tolerance (Offermann and Malamut 2002, Brooks and Perot 1991, Marin and Guadagno 1999). The cultural assumption of normality and acceptability attached to sexual harassment that is described in these stories does not promote the idea of reporting. Rather, it frames reporting, or refusing to tolerate harassment in any capacity, as utterly unreasonable, and as a dramatic overreaction. This means that women who chose to report would risk being perceived as fulfilling such popularly accepted female stereotypes as being overly emotional or sensitive and unable to tolerate a little bit of adversity or being too stuck up and unable to take a compliment. Beyond all this, though, the normalization serves to tell women experiencing harassment that if they choose to report, they will get nothing. They will not see action taken against their harasser, nor will they see cultural shifts seeking to dismantle the normalization of harassment.

*Old Boys Club Culture at the Capitol*

The nickname ‘Old Boys Club’ has been used to describe a huge range of communities, ranging from completely social, to academic, to all different professional fields. One of the spaces it is most frequently applied to, though, is US politics, and
particularly, US legislative bodies at both the state and federal levels. It is in this
description, too, that the clearest representation of the culture of the Minnesota State
Capitol appears. The Old Boys Club culture, in great part, is the product of combined
formal and informal powers - formal powers, allowing those in power to manipulate the
systems around them to ensure they do as desired, and informal powers, rooted
particularly in access to resources (not physical resources, but things needed by those they work with). Because the networks of power in the Capitol are based largely around men, these men control access to resources needed by their non-male counterparts. In the previous sections of this chapter, I have addressed the hierarchy of power within the Capitol. In this section, I will expand on what the culture created by that leadership looks like.

The Old Boys Club, as it exists in the Minnesota State Capitol, is in many ways self-creating and self-sustaining. In its relationship to the themes previously mentioned of seniority, the power of the leadership to shape and define normal and appropriate culture, and the normalization of sexual harassment, it works to create a work environment that is only attractive to those like the people who have created it, and where only those same people can succeed without struggle - (white) men. Beyond this, though, the Old Boys Club creates a genuinely club-like atmosphere, complete with initiation rituals, events where participation is not mandatory but is highly recommended, a specific approved way to present oneself, and the expectation that you will go along with whatever the club’s leaders say. Participant #3 said this particularly clearly, stating “I thought it was my job to look good, and to disarm people into giving me information that they might not have normally. I don’t know that that was everyone’s experience, but that was mine. And it
definitely was an old boys club.” She continued, saying “I felt that I needed to kind of fit in with the good old boys, and to not be… like a drag, or like a bitch, and let people kind of just carry on and feel they could trust me, so again I could get information or manipulate them into something. Not something sexual, but something work-related. So it was very much a culture of work hard play hard.” In this statement, and particularly in mentioning the “work hard play hard” culture of the Capitol, she highlights some of the most central themes and experiences present within the Old Boys Club phenomenon. Specifically, those are the need to be ‘one of the boys’, and in this, the need to make or put up with jokes that go against what you would do or say naturally, to go along with whatever the dominant behavior patterns are, in order to maintain positive relationships and build trust with male coworkers. The “work hard, play hard” component of #Participant 3’s statement, though, hits on another element of the Old Boys Club structure - norms of socialization.

As Participant #3 highlighted already, she felt a need to appear ‘cool’ or like ‘one of the boys’ to achieve success - for her, that meant frequently attending functions that, though not mandatory, were highly recommended, and necessary to building relationships and getting work done in that space. Examples of these that she gave were frequent happy hours after lobby days hosted by different groups - Duluth Days at the Capitol, Carpenter Days at the Capitol, and the like. There would also be dinner events and galas, with paid meals and drinks, all of which would involve drinking significant amounts, and then by getting up the next morning to do the same thing again. Throughout these events, she said, it was also a process of “let the guys kind of leer at you, hug you, kiss you, put their arms around you, ‘hahaha it’s all so funny and fun,’ and then I get stuff
for free, and then I hope to advance.” This, in particular, highlights some of the experience she described of feeling like it was her “job to look good, and to disarm people into giving [her] information that they might not have normally.” The need to tolerate sexual harassment, or to almost offer oneself up for harassment in order to gain information, opportunities, support of legislation, and the like, perfectly highlights the Old Boys Club culture of the Capitol.

The prominence of socializing as a part of Capitol work and life was also highlighted by Participant #4, specifically reflecting on how it related to her role as an elected official. Speaking to a tradition that all freshman legislators are expected to participate in, she said

all [the freshman legislators] have to throw the other legislators a welcome to session mixer right away at the beginning of session, part of the biennium, and…. we debated something on the house floor that day, and then we went to The Lexington where we had it, and we were literally in a wood-paneled bar, having drinks and appetizers and all laughing together, and I was like ‘this is exactly what people think we do’… we don’t do that all the time, just one time, but so some of it is kind of what you’d expect, you know…. there’s so much that needs to get done that there’s a lot more that happens outside the public view. Some is probably good, a lot of it’s probably not good, but it can be a really backroom deal-y.

The notion of backroom deals, in this context, is particularly important, and again highlights the need to participate in those circles in order to have access to information, opportunities, support, negotiations, and more. Were legislators or staff to opt out of participating in events like this, they may in turn miss out on vital deal-making or negotiation opportunities by assuming that such work would not take place at what would appear to be a standard social event.
Relationality, and the importance of relationships in politics, was also identified by participants as a part of the Old Boys Club culture of the Capitol. Participant #4 particularly highlighted this reality, reflecting on the effect that positions of power in the legislature have on personalities, and on how people interact, saying:

“it’s like a 1960s, 1950s type vibe. Very much a boys club, old boys club. Very… you know, politics is very relational, and so people who are politicians tend to be very relational, so I feel like you see personalities at their extremes, or at the excess. You know, we work really hard for a really short amount of time, really long days, really… kind of… a lot of opinions and a lot of emotions, and maybe that’s what brings it out in people… I always say that being elected doesn’t change who you are, but it really amplifies who you already are.”

This highlighting of relationships is particularly important in considering how much it would impact a woman’s career if she were to harm or lose a relationship with a powerful figure in the legislature. The huge importance of relationships in political spaces places an even higher premium on maintaining them positively, than if they were just functionally necessary for getting tasks done at work. This fact, too, has been emphasized in different words in previous sections - in the importance of maintaining positive relationships with leadership and with senior members and staff, to ensure access to leadership positions, support for legislation, political support and protection, and the like.

Relationality also comes up in discussions of the drinking and social culture of the Capitol, in its own way. The expectation of socialization and the need to socialize to build and maintain relationships and to gain access to information and opportunities highlights this. It becomes necessary to maintain not just positive professional relationships, but positive social ones as well. For women, if they choose to reject a romantic or sexual advance (something that under most circumstances would be considered exclusively personal, not professional) they threaten not just their personal
relationship with the individual they are rejecting, but their professional relationship as well. Returning to discussions by Participants #3 and #5 earlier in this section, this relationality is highlighted in the need to participate in social events to ensure access to crucial opportunities for negotiation, and to maintain relationships with legislators and staff. Being in these spaces, too, meant deciding what you were willing to tolerate as a woman. Participant #3, continuing to discuss the social circles present within the Capitol, stated that

part of being in that circle is to…. talk like, walk like, be like, and so I’m seeing this happen where we’d be out for dinner, and it would be ten guys and three women, and we’re all having this really great conversation… one guy can sit down and is just gross… and everything he’s saying is just a little bit misogynistic, and it just changes the dynamic, and then the dudes closest to him will either turn in and join, or turn away to not be in it, but you can’t be in that circle without being like that, and so I think, when I think of the Old Boys Club, right, it’s just like, how often are you willing to buy into the patriarchy to be close to power?

This question, that Participant #4 closes this statement with, of “how often are you willing to buy into the patriarchy to be close to power” is a critical one in considering the meaning of the Old Boys Club culture as it presents in the Capitol. For women in the Capitol, much of the work of building and maintaining positive relationships with coworkers, according to these women, relies on how much sexism or how much harassment you are willing (or able) to tolerate in order to get to what you want. Her question, at the same time, also seems to ask - if you put up with a lot, you may maintain those relationships, but at what will you lose? What will you really gain? And is that small measure of power gained really worth all that will have to be tolerated to gain it?

The question Participant #4 asks also highlights how the Old Boys Club culture fits into frameworks of formal and informal power. In tolerating sexism, misogyny, or
sexual harassment, a woman is by necessity giving up a small amount of informal power by giving up her right to demand the treatment she desires. At the same time, though, she is gaining a different type of informal power by playing into the expectations placed upon her by the men around her, who hold more informal power than she does. She is gaining access to their networks of informal power by allowing them to treat her as they wish and gaining access to some of the relationships and opportunities she needs to succeed in her job.

The image of the Old Boys Club described here mirrors perfectly those described in the literature around such cultures. As Participant #4 explained, women did not begin being elected to the Minnesota State Legislature until 1922, sixty-five years after its founding. Since then, the ratio of men to women has only increased very slowly. As a result, the Capitol culture that was first shaped by men has stayed largely the same since its inception, thanks to the overall nature of institutions as being extremely difficult to change (Olsen 2009). From this foundation of immutability comes Tallberg’s (2003) description of boys club cultures and environments. Tallberg describes these cultural spaces as being ones where social support is provided through a mixture of formal and informal relationships where masculinity is held as superior to femininity. Then themes Tallberg emphasizes, of importance of relationships and the preferential treatment of masculinity over femininity, are clearly illustrated in these stories.

**Party (Dis)Loyalty**

One of the unanticipated themes that arose multiple times was that of party loyalty, and how the need for, or expectation of, party loyalty shaped reporting decisions.
Participant #3, in reflecting on her own reasons for not reporting, stated that she based part of her decision on how reporting against an elected official in her own party would reflect on her own party at a time when her caucus held only a slim majority. In the end, while other factors also influenced her decision, she chose not to report in part because from her perspective at the time, “someone hitting on me isn’t worth a house majority”. Other participants also shared this reflection, characterizing it as disloyalty - that, to Participant #2, “it would be a sense of huge betrayal for the whole party if you were to report it”. The expectation of party loyalty represents both formal and informal power, in the capacity of party leadership to take action against women who speak out (formal), and their ability to do harm to the woman’s public image by limiting public displays of support or revoking contingent positive relationships (informal).

Participant #4 shared another dimension of party loyalty, stating that when she came forward to report, part of her decision was based on her desire to ‘clean up’ her own party, on the grounds that it would be wrong for her or other members of her party to speak out against sexual harassment if such harassment was still occurring within and being done by members of her own party. In their own ways, decision not to report for fear of hurting the party, and the decision to report in order to clean up one’s own party, speak to the desire to protect the caucus. The former, while more explicitly exemplifying the desire to protect, also degrades the actual foundation of the party, and the authenticity of its support for survivors. At the same time, the desire to ‘clean up’ the party, while to some may be read as a willingness to cause public harm to the party, also speaks to a desire to protect the party from speaking or acting inauthentically, by unjustly claiming
support for survivors and perpetuating a culture of sexual and gendered violence and discrimination.

The importance of party loyalty is not, in itself, explicitly described in any of the literature I reviewed. Nonetheless, I see it as being clearly based in parts of this literature, and specifically in literature relating to institutions and institutionalism. Within the legislature, the parties can themselves be understood to function as institutions within institutions. As a result, in the same way the larger legislative institution has long-cemented norms established by its founders, as well as a strong opposition to any change (Olsen 2009), so to do the parties. This means that, if a woman chose to speak out against a member of her own party, not only would it be seen as attacking her party (by causing bad press), she would also be breaking with established norms of silence, rather than reporting.

Conclusions

One of the most critical conclusions to be drawn from these interviews is the extent to which the male-dominated nature of the Minnesota State Capitol informs every part of its culture and function. This means that even when women have significant amounts of formal power, or when men don’t, these quantities of formal power are less important than their informal power, which for the woman will almost inevitably be less. This lack of informal power, in turn, will cancel out any gains of formal power she achieves. Beyond this, the outsized power of male legislators over women who are not legislators (as described by multiple women I spoke with), a power dynamic
representative of the majority of harassment cases I discuss in this paper, leads women to hesitate significantly before reporting, or never report, for fear of retribution.

By and large, while both sections of this chapter are distinct, they say the same thing - women will almost always have less power in one way or another, and this will suppress their ability to report harassment. This presents in the power of the leadership (predominantly male), the power of seniority (senior members are largely male), in the impunity gained through election certificates (men hold most of these), and in the importance of positive relationships (since men control all the avenues of power, they also control relationship outcomes). As such, the takeaway from each section is more or less the same, in that each section tells us that men typically have more power than women, and that this power differential keeps women from reporting, and allows men to perpetrate harassment against them.

One point of analysis that is not made as explicit in the majority of the stories shared in my interviews is the presence of a type of informal gatekeeping. This is present particularly in the stories Participants #3 and #5 told of being expected to tolerate sexism and harassment in order to gain ‘a seat at the table’ as it were - putting up with kisses, comments, and over-long hugs, and the like, to gain support for legislation, to be part of an important negotiation, or simply to maintain a necessary professional relationship. In the necessity of exchanging tolerance of harassment for these professional opportunities, a manifestation of the commodity model of sex presents itself. Women, in this model, are expected to exchange their tolerance of (or even positive affirmation of) harassment in order to gain opportunities. If they choose to not tolerate this behavior, they are refusing to pay for the good that is professional opportunity. To understand this, I propose a
framework wherein, when entering the Capitol, men perceive women as signing a manner of contract - a contract promising to the male-dominated culture that she will tolerate harassment in exchange for opportunity. In rejecting advances or saying no to harassment, then, she is seen as breaking this unwritten contract with the male-dominated Capitol culture.

While this application of gatekeeping and the commodity model of sex is not explicitly mentioned in any of my interviews, the stories told do align with the framework and components proposed by the model. More than this, though, the conception of power that I propose serves effectively to help explain why women so often experience retribution for reporting. If women, on entering into the Capitol and similar spaces, are perceived by the men in these spaces as signing an unwritten contract to tolerate harassment in exchange for being allowed to work there and being given opportunities, then reporting this harassment breaks the contract. Further, the idea of a contract aligns with literature showing men being perceived as owning and having exclusive right to and dominion over political spaces, and of women being seen always as interlopers (Tallberg 2003). This, in turn, aligns with theories of Contrapower Harassment and of the Power Threat role in the Vulnerable Victim/Power Threat model, wherein women experience harassment because they are perceived as taking power that is not deserved or not meant to be theirs, and in turn threatening male power and dominance. At the broadest level, it also supports the theory that sexual harassment, rather than being based in sexual desire, is based in a desire for power and domination, and a desire specifically to exercise power over and dominate women. Women in the Capitol and in other similar legislative bodies are thus always perceived as overstepping
their place or stepping out of line - as breaking their contract with men, and with
patriarchal power. Harassment is only the natural progression of this breach in contract.


Chapter 6
Conclusions, Implications, and Possibilities for the Future

“we just have to keep talking about it, because people feel... when people feel alone, the already-skewed power dynamics get even more difficult to overcome, and the more that the young people and women and victims of all sorts... in politics, feel like they're the only ones, it's just much less likely to get reported, and it doesn't change” - Participant #5

Focusing on the ways that gender power dynamics manifest between perpetrators of sexual harassment and sexual violence and those experiencing it, this project seeks to understand how these forces influence women’s decisions to report, or not report, sexual harassment and assault in United States state legislative bodies. Starting from a theoretical framework of two types of power, formal and informal, I combine data analysis of public harassment allegations across the US, and interviews with women who have worked in the Minnesota State Capitol, to explore the effects of formal and informal power on reporting decisions. In these processes, I found increases in time waited before reporting among women with less formal or informal power, as illustrated in my data analysis. From my interviews, I learned about how the same power manifestations and mechanisms of formal and informal power played out in the lives of women in the Minnesota State Capitol. In all these findings, I consistently discovered many of the very same themes I found in my initial review.

I argue that formal and informal power, and particularly the gendered forms of these power dynamics, lead women who experience harassment or assault to not report their experiences. My findings, combined, show the numerous ways different combinations of formal and informal power, particularly when placed within a heavily
male-dominated system, can operate to silence women. The consistency with which my data analysis shows women with less formal or informal power waiting longer to report supports my initial argument that the same forces serving to keep women from reporting would also lead those who did report to wait longer before doing so. The stories shared in my interviews, in turn, provide a striking visualization of what it is to be a woman in the Minnesota State Capitol, and the extent to which that small community mirrors the dynamics described in my literature review and illustrated in my data analysis. In both cases, women consistently have their work diminished, have the validity of their experiences questioned, and risk harm to their career prospects whenever they think about speaking out.

In my introduction, I identified one general and one specific question that would guide this research, and one hypothesis that would center it. These questions were ‘what are the forces present in state legislative bodies that lead women who have experienced sexual harassment or assault to report, or not report, these experiences’, and ‘how the power dynamics between the person experiencing assault or harassment and the person allegedly perpetrating it, influence reporting decisions’ (2-3). My hypothesis was that I would find normative gendered power dynamics to lead women to not report their experiences of harassment and assault, and that these findings would also show the use of gendered power by men not just to achieve sexual gratification but to exercise power over women (3). I believe my findings strongly support this hypothesis, as well as helping to begin to answer my initial guiding questions. Beginning to answer these questions, I identify differentials in formal and informal power between men and women as one of the central forces preventing reporting in legislative bodies. I also consider this dynamic
of formal and informal power to be explanatory of the principle way power dynamics present in these relationships.

In a narrow sense, the implications of these findings are that, even though parts of the existing scholarship on gendered power dynamics, and on formal and informal power specifically, are less recent, their central themes hold true today. Cisgender men benefit from a type of gendered informal power that is impossible to achieve for cisgender women. While this power may at times additionally combine with other forms of informal power, or with formal power, it remains present no matter what other types of power the holder has or lacks. On the other side, no matter how much formal power they gain, or if they hold other forms of informal power, cisgender women are never able to cancel out or make up for their lack of gendered informal power. These combinations of power manifest in different ways from person to person, and between people. Consistently, though, they manage to keep women from reporting their experiences of harassment or assault, for fear that their lack of power will lead them to experience further harm from reporting.

More broadly, these findings imply the necessity of systemic change for anyone who seeks to improve women’s ability to report harassment or assault, or beyond this, to decrease the frequency with which they experience harassment and assault at all. Gender discrimination and sexual harassment and assault in legislative bodies, from the stories told in my interviews and compiled in my data analysis, are far from anomalies. Rather, they are practically par for the course, as illustrated in Participant #3’s statement (also quoted on 96) that “I think this is a very common experience for everyone, and I just don’t know any woman who wouldn’t have felt this at some point during her career.
there.” It is a culture of pervasive harassment, assault, and discrimination, where women are consistently made to feel that the only option they have is to brush it off and try to keep going.

I see the possibilities for the future of this as being particularly in increasing its scope on three fronts. The first of these is simply trying to increase the number of voices heard in the research itself. Due to limited time and resources, neither my data analysis or my interviews were as comprehensive as I would have liked. As such, future research could benefit from conducting similar interviews in greater numbers, either concentrated in one or a small number of state legislatures, or in many more. Data analysis could also be expanded, both in the types of analysis conducted, and in who is included in the data set (i.e. differentiating between accusers who worked in the legislature or otherwise had a professional relationship with the accused).

The second place I see room for expanding my current scope is in examining whose experiences we seek to understand in the legislature. The allegations that have come out during the #MeToo Movement have not been made up exclusively of male perpetrators and female accusers, meaning that in conducting research, we should not assume this to be the only gender dynamic or relationship in which harassment occurs. Rather, further research should seek to better understand how gender dynamics and formal and informal power act on all bodies in state legislative bodies, not just cisgender ones in heteronormative, male dominated relationships between the (male) perpetrator and the (female) accuser.

The third place I see the need to increase scope is in the impacts and intersections of different types of informal power. Specifically, I see race, sexuality, and age as those
which would most benefit from further exploration. As Participant #4 previously
articulated, she felt that, as a lesbian woman of color, her sexuality had more impact on
her experience of harassment than her race did. Participants #1 and #2 also particularly
highlighted age as important, both in who is most likely to be harassed, and in its frequent
alignment with seniority. Because younger women are typically also in positions with
less formal power and have less informal connections, they are more vulnerable than
more senior women both because of their age, and because their lack of seniority or
relationships gives them little support if they try to report against someone more powerful
than themselves.

In the time since I began working on this thesis, the waves of allegations brought
forth by the #MeToo Movement have not stopped. They have continued across the
country at all levels of government, and around the world as well. This has been a
complicating factor for my research, in part because it means that my data analysis,
conducted at the end of 2018, does not include every single case it could have, had I
conducted it days before completing this research. Allegations have come out against
politicians at higher levels, too, though - most recently, as of April 2019, against former
Vice President and likely 2020 Democratic presidential candidate Joe Biden, not of
harassment but of continually and repeatedly touching women inappropriately and
violating appropriate bounds of personal space. This is a conversation that started before I
began writing, and will continue even when I no longer do. It is with that fact in mind -
the desire for future conversation - that I have completed this thesis.

I hope this research can serve not just to see this conversation continue, but to
expand it, and to change the way it is had. My findings about the importance of power
both in the experience harassment and assault, and in the decision whether or not to report it, add necessary dimension to existing conversations centered around prevention of harassment and assault and improvement of response protocols. Rather than being constrained to these parameters, they seek to dismantle the systems of power and inequality that such behaviors and experiences originate from. Bringing discourses of power into conversations about sexual and gendered violence and discrimination is what is necessary to prevent such patterns in the future. My research is by no means all that is needed to achieve this dismantling of oppressive systems. I do believe, though, that it is a step in the right direction.
Appendix 1 – Interview Questionnaire

Terms to define before interview:

- Unwanted sexual attention or contact - any form of attention or physical contact that is unwanted or unsolicited and sexual in nature, be it physical contact, gestures, oral or written communication, images, or otherwise
- Person who has worked in the Capitol - anyone who has either been employed within the Minnesota State Capitol, or who worked in a capacity which had them spending a significant amount of time in the Capitol (includes elected officials, staffers, people employed by/at the Capitol, lobbyists, and candidates for state office)

Questions
1. Have you ever experienced unwanted sexual attention from or contact with another person working in the Capitol? [Specify: same definition for the other person as for the interviewee themselves]
   a. IF YES: Did you choose to report your experience?
      i. IF YES: Why?
      ii. What was the response?
   b. IF NO: Why not?
      i. If the same thing had happened more recently, do you think, given the current climate, that you would have chosen to report?
2. Did the culture of the Capitol or your knowledge of others’ experiences reporting, in Minnesota or in other states, influence your decision?
   a. IF NO: Proceed to next question
3. Do you know anyone who has experienced unwanted sexual attention from or contact with another Capitol employee?
   a. IF YES: Do you know if they chose to report their experience?
      i. IF YES: Do you know why?
         1. IF YES: Do you know what the response to their report was?
         2. IF NO: Proceed to next question
      b. IF NO: If the same thing had happened more recently, do you think, given the current climate, that they would have chosen to report?
         i. If NO: Proceed to next question
4. Could you tell me a little about the culture of the Capitol?
5. Do you think sexual harassment is a problem at the Capitol?
   a. Why/why not?
   b. How so?
6. Do you believe others in the Capitol would be receptive or responsive to reports of unwanted sexual attention? If so, what kinds of offices or positions are those people in? [DON’T NEED TO NAME INDIVIDUALS]
7. Do you think the current climate around reporting has allowed more women to feel comfortable coming forward?
8. Do you believe power dynamics of any kind influence the culture around sexual harassment, either in who experiences it, or who chooses to report it?

9. IF THEY: Answered ‘NO’ to Question 1 - If you experienced unwanted sexual attention in the Capitol, would you report it?

10. IF THEY: Answered ‘NO’ to Question 1.a.ii. - Has the current climate around reporting ever caused you to think about reporting?
    a. IF YES: Why?
    b. IF NO: Why not?
Works Cited


