INTRODUCTION

The Making of a Concept

During the two years that Teresa Harris worked as a manager at Forklift Systems, an equipment rental company, Charles Hardy, the company's president, often insulted her and made her the target of unwanted sexual innuendos. Charles asked Teresa on several occasions, in the presence of other employees, "You're a woman, what do you know?" or said things such as "We need a man as the rental manager"; at least once, he told her she was "a dumb-ass woman." Again in front of others, he suggested that the two of them "go to the Holiday Inn to negotiate Teresa's raise." Charles occasionally asked Teresa and other female employees to get coins from his front pants pocket. He threw objects on the ground in front of Teresa and other women, and asked them to pick the objects up. He made sexual innuendos about Teresa's and other women's clothing.

When Teresa complained to Charles about his conduct, the latter expressed surprise that Teresa was offended, claimed he was only joking, and apologized. Based on his promises that he would stop his behavior, Teresa stayed on the job. But then the behavior began anew: While Teresa was arranging a deal with one of the company's customers, Charles asked her, again in front of other employees, "What did you do, promise the guy some sex Saturday night?" Shortly after this incident, Teresa collected her paycheck and quit.[1]

Is this sexual harassment? Actually, it depends on when and where the behavior took place. Before 1993, when the U.S. Supreme Court ruled in favor of Teresa Harris in *Harris v. Forklift Systems*[2] reversing the Court of Appeals for the Sixth Circuit, Charles Hardy's behavior was arguably not severe or pervasive enough to constitute sexual harassment under American law. Less than twenty years before that, the term "sexual harassment" did not exist in the United States or in American law. Today, the meaning of sexual harassment in the United States is still in a state of flux. However, the behavior that Teresa Harris suffered at the hands of Charles Hardy falls squarely within one of two legally recognized forms of sexual harassment: hostile environment, in which a boss or colleague creates an abusive or hostile environment by making unwanted sexual comments, demands for sex, sexual jokes, or sexist insults that are "sufficiently severe or pervasive as to alter the conditions of a victim's employment and to create an abusive working environment."[3] If Charles Hardy had told Teresa Harris that unless she gave in to his sexual advances he would fire or demote her or take away some of her job benefits, she would have been subject to the second kind of sexual harassment: quid pro quo sexual harassment.[4]

Though the concept of sexual harassment has spread across the globe, it still means different things in different places.[5] For instance, during the time the research for this book was conducted, French law only recognized the quid pro quo version of sexual harassment, so that the kind of behavior suffered by Teresa Harris would not be sexual harassment under French law.[6] Unlike American law, which defined sexual harassment as a form of group-based discrimination, French law framed it as a form of interpersonal violence. This legal framing was preserved in subsequent legal reform, suggesting that predictions about cultural and political convergence across the globe[7] are incomplete.

These national legal differences stem from the fact that although feminists demanded sexual harassment laws in both countries, they encountered distinct political, legal, and cultural constraints and resources. Particularly important were understandings of group-based discrimina-

tion and discrimination law in the United States and the salience of hierarchical boundaries, interpersonal violence, and anti-American sentiment in France. As is shown in subsequent chapters, these legal differences have had a far-reaching impact on wider social understandings of sexual harassment in the two countries. Rather than simply reproducing national legal definitions of sexual harassment, however, American and French corporations and the press responded to national sexual harassment law based on their own institutional practices and traditions, as well as external constraints and resources. Likewise, national legal definitions of sexual harassment greatly informed the way in which individuals conceptualized sexual harassment. However, individuals also innovated upon legal definitions to varying degrees, based on the extent of their training in the law combined with the degree to which legal definitions coincided with broader, taken-for-granted social assumptions about right and wrong.

THE IMPORTANCE OF NAMING SEXUAL HARASSMENT

The past three decades have seen an influx of women into the paid labor market[8] and growing legitimacy of the *idea* that women are equal, rather than subservient, to men. The greater acceptance of the concept that women are men's equals has made sexual harassment laws possible, and the existence of such laws has, in turn, further legitimized and enforced gender equality. Coined in 1975 by American feminists,[9] the concept of "sexual harassment" assumed a worldview in which women were not always flattered by sexual attention but could instead be extremely aggravated by it. By labeling as "sexual harassment" the way many men treat their female coworkers as sex objects, feminist activists and, later, the courts suggested that sexual or sexist aggression should not be an unavoidable part of women's employment. In so doing, they challenged cultural assumptions about gender (the social implications of being a man or a woman), sexuality, and the workplace.[10] Moreover, this new label potentially transformed the way women who are ogled, proposi-

tioned, or groped at work experience and respond to such behavior, as well as their level of outrage or self-blame. Likewise, naming sexual harassment transformed how the men who ogle, proposition, or grope them regard their own behavior and the sense of entitlement or guilt they feel. The belief that such behavior is wrong arguably serves to prevent some men from committing such acts at all.

The formulation of sexual harassment as a concept and a body of law *at all*, as well as the particular way it is conceptualized, thus has important implications for gender equality, for expectations and behaviors linked to sexuality, and for what sorts of social interactions are considered appropriate or desirable in the workplace in particular and in other public and private spheres more generally. Yet, we know very little about how and why this term has been transformed so quickly from an esoteric phrase to a taken-for-granted concept. The bulk of American research on sexual harassment assumes a priori that there exists a particular definition of sexual harassment, one usually based on current legal doctrine. In so doing, these studies take current legal definitions for granted rather than examining how they are historically and nationally contextual. They lose sight of the fact that earlier in United States history "sexual harassment" meant something different or nothing at all. They do not examine the meaning sexual harassment has outside of the courtroom or for different individuals. Moreover, they do not capture how, given different institutional or ideological conditions such as those found abroad, we may have ended up with a very different understanding of what "sexual harassment" entails and why it is wrong.

THE INADEQUACY OF ESSENTIALIST NATIONAL CHARACTER EXPLANATIONS

That sexual harassment is conceptualized differently in the United States and France makes intuitive sense to many people. Americans having lived in France share anecdotes about France's more "laissez-faire" sex-

ual environment, where physical touching and sexual banter is still a common and even valued feature of French workplaces. Others talk more critically about how in France the climate is more sexist and oppressive for women, and sexual coercion and humiliation remain commonplace, to the detriment of female workers. Few French are surprised to hear that sexual harassment is taken more seriously in the United States. For many, this information coincides with their impressions of American workplaces as repressive and intolerant of sexual innuendo. For others, the United States is "ahead of" France in matters of gender equity. For many, the United States is a country of contradictions, a place where workplaces are both more women-friendly and also dangerously invasive of people's personal lives.

However, when people venture to explain such national differences, they usually appeal to essentialist accounts of national character, which explain national variation as the product of exaggerated and ahistorical "cultural" differences. The mass media in both countries affirm that Americans are uptight and puritanical compared to the French, who are more at ease with matters sexual. For instance, a *New York Times* article on sexual harassment policy in France[11] reports:

> When one thinks of France, certain images spring to mind. The accordion. Foie gras. Ah, yes, the French lover, whose seductive skills have long seemed as much a birthright as a good Bordeaux. Eroticism has helped define the country. The disclosure by the former president, François Mitterrand, of a decades-long relationship with a mistress created barely a ripple — and when it did, it was an approving one.

This article and others like it gloss over the fact that surveys show that most French *dis*approve of marital infidelity.[12] Indeed, they say nothing about how this disapproval kept Mitterrand's extramarital affair a dirty secret during his lifetime. More importantly, however, reports such as this one treat cultural differences as widely agreed upon and unchanging.

In fact, culture, whether this term is used to denote norms, values, beliefs, expressive symbols, or any number of the "totality of man's products,"[13] is multivalent and highly contested.[14]

The issue of sexual harassment is fascinating from a sociological point of view precisely because it represents a crack in previous configurations of gender and sexuality, a place where cultural change is taking place. The popular French view that Americans are obsessed with sexual harassment because they are "puritans" fails to account for how ideas about what are appropriate and inappropriate ways for men to treat their female coworkers or subordinates have changed tremendously in the past several decades. As an American woman in her seventies told me recently: "When I was working, my boss used to chase me around his desk. It happened when we were alone in the office and I hated to go into his office to ask him something because of that, but other than that, he wasn't a bad guy." This woman's comments reveal the extent to which cultural expectations about work, gender, sexuality, and hierarchical authority have changed in the United States during her lifetime. The formulation of sexual harassment as a social problem is part of this process. As such, it needs explaining, and the ahistorical supposition that Americans are puritanical and the French are sexually permissive will not do.

Indeed, the "permissive" French have had laws against sexual harassment since the early 1990s and the "puritanical" Americans have prohibited sexual harassment not because it is a form of deviant sexuality but because it compromises women's employment opportunities. According to American jurisprudence, employers can be held liable for sexual harassment occurring among employees and be made to pay compensatory and punitive damages under Title VII of the Civil Rights Act of 1964, which makes it illegal to discriminate on the basis of race, color, religion, sex, or national origin.

In contrast, under French law, a male supervisor who fires a female subordinate because she refuses to have an affair with him has committed a penal misdemeanor, for which he alone (and not his employer) is

held responsible. His action is not condemned as an instance of sex discrimination.[15] Rather, this man has committed a misdemeanor akin to the crime of rape by using his authority as supervisor to try to coerce a woman into having sexual relations with him, much as a rapist uses physical force to compel his victim into having sexual relations. Indeed the connection between sexual harassment and rape is made in the French penal code, which classifies sexual harassment with rape, sexual battery, and exhibitionism in the section on sexual violence, rather than with group-based discrimination. While rape is a *crime*, however, the other three, including sexual harassment, are *délits* (misdemeanors), which are tried in a different court and carry much lighter penalties. Although the sexual harassment penal statute allows for a maximum penalty of one year behind bars or a fine roughly equivalent to $14,000, actual sentences typically involve only suspended jail sentences of two months, a couple of thousand dollars in fines, and small compensatory damages paid to the plaintiff (usually less than the equivalent of $3,000).

These distinct legal approaches have important material consequences, including the kind of relief a victim of sexual harassment can receive, the likelihood that employers will take preventive or remedial measures against sexual harassment, as well as the kinds of punishment sexual harassers can expect. Moreover, these legal distinctions affect the ways in which people understand the harm done when they or others sexually harass or are harassed and how seriously they take such behavior. More generally, these legal approaches shape a variety of taken-for-granted understandings of political rights, acceptable and unacceptable behavior, and social responsibility, to list a few prominent examples.

While legal institutions have shaped both American and French conceptions of sexual harassment, sexual harassment is not solely a legal issue in either country. American employers have created their own rules and regulations that define sexual harassment differently from American law. Within such companies, some behavior, like sexist jokes or comments that fall short of the legal test of severity or pervasiveness, is considered sexual harassment in the company. Moreover, rather than con-

demn the behavior as sex discrimination, many American human resource departments condemn sexual innuendo of any kind because it is considered to detract from the bottom line and standards of professionalism. Likewise, the American mass media, which also play a role in defining sexual harassment, often lose sight of the discrimination component when they report on high-profile sexual harassment cases as sexual and often political scandals.

That sexual harassment is a form of interpersonal violence, rather than a form of sex discrimination, is the dominant view in French law and corporations. Some French feminist activists, however, have promoted an analysis of sexual harassment as a form of sex discrimination. These activists have also argued that the French Parliament should prohibit the kind of behavior that American courts classify as hostile environment sexual harassment, an argument with which many French people agree.[16] Finally, the French media reports focus on *American* sexual harassment scandals as revealing American excesses of litigiousness, feminism, and puritanism.

The view that current American conceptions of sexual harassment are the product of a natural evolution toward a more gender-equal society overlooks how these particular understandings of sexual harassment are situational. Indeed, the contrast with France shows how a different institutional, political, historical, and cultural context can foster an extremely different conception of sexual harassment. The way sexual harassment is understood and addressed has important consequences for gender equality, sexuality, and the workplace, yet we know very little about why and how this problem has been conceptualized differently in different countries. This book seeks to answer this question, using as case studies the United States and France, major industrialized democracies with strong commitments to civil rights but which have adopted different definitions of sexual harassment. Not only important in its own right, this question is also useful for shedding light on the more general question of how social meaning is created, reproduced, and challenged.

GENERAL ARGUMENT OF THE BOOK

I argue that, in both the United States and France, the career of "sexual harassment," as social concept, body of law, and object of company rules, has been shaped by concerted efforts on the part of local social actors, like feminists, to change taken-for-granted assumptions about gender, sexuality, and the workplace. I thus embrace the concept of "social agency," or the idea that social actors have "free will" or autonomy to change their social environment. However, I further argue that the key social actors involved in struggles over legal and nonlegal definitions of sexual harassment were constrained and enabled by *social structure*, *relations among institutions and countries*, and *cultural and political traditions* specific to their national and institutional context.

"Social structure" is a sociological concept that refers to stable patterns of social behavior or rules that limit what sorts of conduct are possible or likely in a given social context. Social structures are often conceptualized as contained within particular institutions, such as the courts or the legislature. However, interconnections among different institutions, which vary cross-nationally, have had important implications for the conceptualization of sexual harassment and other social problems, as have interactions between the United States and France, an aspect too often neglected by cross-national research. By "cultural and political traditions," I am referring to collective customs, beliefs, and reasoning that govern everyday interactions or, more specifically, political behavior. My distinction between social structure, relations among institutions and countries, and cultural and political traditions is a heuristic device, a useful starting point for unpacking complex social behavior. In reality, as the empirical data will show, the lines among these concepts are often blurred. For instance, institutions are often considered the building blocks of social structure. However, they can also be analyzed as practical norms in routine activity.

Legal systems function as social structure by dictating who can make

or change laws (such as lawmakers, judges, lobbyists, dictators, and so on) and through which processes (such as legislative debates, court precedent, decree, and so on). A common-law system, like that of the United States, for instance, allows courts discretion in building case law through jurisprudence to an extent that is unparalleled in a civil law system, like that of France. In the case of sexual harassment, the common-law system provided American feminists a valuable entryway into the lawmaking process that their French counterparts did not enjoy. This structural opportunity also entailed inherent constraints. For instance, to win their case, American feminists and lawyers have had to make a *legal* case in U.S. courtrooms that sexual harassment violates an existing statute. For strategic and intellectual reasons, they chose to build sexual harassment jurisprudence on Title VII. This, in turn, has compelled them to stress certain aspects of the harm of sexual harassment, such as group-based discrimination and employment consequences, and downplay others, such as sexual violence and behavior outside of the workplace. Preexisting laws, such as Title VII in the United States, were thus also part of the social structure that influenced the ways in which sexual harassment could or could not be legally defined.

French feminists faced different structural opportunities and constraints. Because of French legal structure, the avenue for legal reform lay not in the courts but in Parliament, especially in 1991 when a *window of opportunity* emerged in the form of penal code reform. Here state feminists (feminists employed by the state, in roles such as minister or secretary of women's rights, or as independent lawmakers) were obliged to engage in political compromise to get sufficient support for their bill, a standard practice of the parliamentary process. In French parliamentary debates, state feminists thus narrowed the scope of the sexual harassment bill to target only quid pro quo forms of sexual harassment and framed[17] the problem as an abuse of hierarchical power rather than gender discrimination in order to convince their (male) socialist colleagues to vote for their bill. French feminists were less able to build on discrimination law, as it was narrowly defined, poorly enforced, and lacked

legitimacy in France. Rather, the French sexual harassment penal statute was ultimately inscribed in the preexisting section on sexual violence, a placement that had consequences for how the wrong of sexual harassment would be conceptualized and addressed.

Other institutions are governed by their own sets of rules and routines. The American mass media, often controlled by business and dependent on advertisement revenues, are under great pressure to produce news that sells, making sexual harassment scandals particularly compelling. Due largely to the more narrow scope and recent passage of sexual harassment law in France as well as greater legal constraints on the media, there were no home-grown French sexual harassment scandals before 2002.[18] However, the French press, which also faces intense competition, has found that American scandals make for titillating stories with a moral: beware of "American excesses." Corporations tend to be driven by profit-maximization, assuming that the government does not heavily subsidize them. In the case of the United States, this has led corporations to address sexual harassment largely as a practice that can hurt the bottom line, not only through costly lawsuits but also by affecting reputation and employee productivity.

The courts, corporations, and mass media have further interacted in ways that have increased attention to sexual harassment in the United States. By holding employers liable for sexual harassment occurring in their workplace, American sexual harassment law has accorded employers with "ownership"[19] of this social problem to a far greater extent than has French law, which holds only individual harassers, and not employers, legally responsible for their behavior. In the United States, corporate responses to the law can have a feedback effect on the courts.[20] For instance, American corporations initially enacted sexual harassment policies and training programs in the hopes that they could be used to shield themselves from liability. Over the years, the U.S. courts have officially recognized these policies as important elements of an affirmative defense against employer liability.[21]

By reporting on the most expensive sexual harassment lawsuits, the

mass media inflate the perceived risks of legal action for employers, thereby increasing the odds that companies will take preventive action.[22] According to several commentators, media reporting on Anita Hill's accusations against Clarence Thomas and her treatment during the Senate hearings facilitated President Bush's signing of the Civil Rights Act of 1991, which greatly strengthened sexual harassment law, in particular by allowing plaintiffs to sue for punitive damages.[23]

In addition to their structural aspects, laws also function as *cultural symbols* that legitimize *cultural and political traditions.*[24] For instance, the existence of affirmative action and Title VII makes Americans likely to think that group-based discrimination, such as racism or sexism, is an important source of inequality, or at least to see race and gender as salient social categories.[25] Even if they believe group-based discrimination is exaggerated or that antidiscrimination law goes too far, Americans will, on the whole, be more familiar with the concept than their French counterparts, who have neither a political history of civil rights equivalent to the American movement nor strong employment discrimination laws.[26] This means that Americans are more likely to conceptualize a range of behavior, including sexual harassment, as forms of gender discrimination. The French, on the other hand, are more likely to conceptualize inequality in terms of class divisions and hierarchy, since ideas about class struggle and abuse of power are embedded in French social history and are perpetuated by state institutions like the French Communist and Socialist parties. Similarly, America's developed antidiscrimination jurisprudence institutionalizes and legitimizes expectations that (labor) markets should be fair, a more important and central belief in the United States, where there is a low degree of "decommodification" and a high degree of liberalism, than in France, where there is greater suspicion of the market.[27]

Based on peoples' perceptions of dominant cultural and political traditions, individuals also have different expectations about what their peers are willing to believe or do. For instance, even though the French state-feminist supporters of the 1991 sexual harassment bills were per-

sonally sympathetic to the argument that sexual harassment is a form of gender discrimination and violence against women, they framed the behavior as a form of hierarchical abuse because they thought this argument would resonate more with their male Socialist colleagues. Sometimes there is a considerable gap between what members of a community personally believe and what beliefs they ascribe to their peers, so that groups of people may act contrary to their own wishes because they falsely believe they are conforming to the larger group.[28]

These cultural differences have been accentuated by "boundary work"[29] on the part of French individuals. For instance, French lawmakers engaged in "boundary work" against the United States by drawing on the French media's representations of the "excesses" of American sexual harassment law to argue that French law should be more cautious in its approach to sexual harassment. According to the official French Senate report: "Recent press articles report that in [the United States] 'simply holding the door open for a woman can incite a severe reprimand,' and that most men admit to being very wary in interacting with women in the workplace."[30] The desire to avoid alleged American excesses was one of the reasons given by this senator, in his report, for limiting the scope of French sexual harassment laws. In his words: "It is certain that the excesses that are a product of exaggerated protective concern against sexual harassment in North America motivates the preference for a more restrictive but more realistic definition." Such negative perceptions of American responses to sexual harassment have also raised concern among French judges and the public at large about the danger of falling into "American excesses," a fear that has increased the stigma attached to sexual harassment victims and their advocates.[31]

This study follows in a tradition of work in cultural sociology, in which cultural attitudes and cultural content cannot be understood divorced from the organizational contexts in which they are produced.[32] While most studies focus on one institutional setting, this research triangulates among several, concentrating especially on the law, mass media, and corporations. It seeks to make sense of larger national pat-

terns by examining how key national institutions have addressed sexual harassment, as well as the ways in which their respective approaches interact with each other.

I focus on four key groups of actors, including (1) feminist scholars, activists, and associations; (2) lawmakers, judges, and lawyers; (3) journalists and public figures; and (4) human resource managers and union activists. I examine how the actions of these social actors have been enabled and constrained by the three main institutional settings that have been primary sites for the conceptualization of sexual harassment: (1) the law; (2) the mass media; and (3) corporations.

METHODS AND DATA

This study draws on several sources of data, which were collected using multiple methods. First, I examined the major French and American sexual harassment legal texts, including statutes and jurisprudence. Second, using a detailed coding scheme and statistical analysis, I analyzed over six hundred randomly sampled articles about sexual harassment from the French and American press, published in 1975–2000. Third, I conducted almost sixty in-depth interviews with feminist activists, public figures (including Catharine MacKinnon, Phyllis Schlafly, Camille Paglia, Marie-Victoire Louis, Françoise Giroud, and Elisabeth Badinter), lawyers, human resource personnel, and union activists. Rather than a representative sample of French and Americans, the respondents are cultural entrepreneurs, who, through their jobs or volunteer activity, are likely to have a particular impact on the conceptualization of this social problem. I use the interviews with the activists to help reconstitute the legal and social movement history of sexual harassment. I also draw on the interviews with the activists, public figures, lawyers, human resource managers, and union representatives in my analysis of the actual meaning laws and press reports have for victims of sexual harassment and their advocates.

I further draw on the interviews with human resource personnel and

union activists to examine the meaning of sexual harassment in the workplace of large multinational corporations. These respondents were employed in one of four work sites, including an American or French branch of an American multinational that I call "AmeriCorp," or an American or French branch of a French multinational that I call "Frenchco." In the case of the United States, I draw on secondary literature to put my findings from the American branches in a larger perspective. Because there is no comparable literature on French corporations, I conducted a series of short telephone interviews with representatives of twenty-three French branches of large multinational corporations. I draw on these to evaluate how French corporations respond to sexual harassment laws.[33]

BOOK OUTLINE

The next chapter, "Sexual Harassment Law on the Books: Opportunity Loss v. Violence," examines how and why American and French sexual harassment laws differ by body of law and definition of harm, scope, and remedy. In both countries, key social actors (feminists in both countries, lawyers and judges in the United States, lawmakers in France) mobilized for sexual harassment laws, but they encountered very different structural constraints and resources, institutions and institutional networks, and cultural and political traditions. These different national contexts, as well as global politics (namely negative French sentiment towards the United States) shaped the goals and strategies of social actors and, ultimately, the sexual harassment laws that ensued. In the United States, political traditions of antidiscrimination, a product of the 1960s civil rights movement, as well as antidiscrimination statutes and jurisprudence, made it particularly likely that American feminists would successfully conceptualize sexual harassment as a form of sex discrimination. In France, the legal system did not offer a ready-made mechanism like civil rights laws. On the other hand, two other kinds of resources were decisive: (1) the importance given to hierarchical boundaries,

which are also institutionalized in French law; and (2) anti-American rhetoric, developed by the French media, on which certain influential lawmakers drew to argue that American sexual harassment law should not be taken as the model for France.

Chapter 2, "Sexual Harassment Law in Action: Legitimacy and Liability," examines the legal and corporate environment of sexual harassment.[34] This chapter shows how the differences that exist in sexual harassment laws have been compounded by the very different status sexual harassment has as a body of law and a social problem in each country. Briefly, the interviews demonstrate that the issue is taken much more seriously in the United States than in France. This chapter attributes this finding to national differences in cultural attitudes towards sexism and money, corporate cultures, legal differences (not limited to sexual harassment law), and the way in which national institutions, like courts, corporations, and mass media, interact or overlap. I further show how French social actors have reinforced these national differences by drawing symbolic boundaries against the United States.

Chapter 3, "Sexual Harassment in the Press: National Scandal, Pride, or Superiority?" examines how six of the main American and French presses have reported on sexual harassment. The American press has focused primarily on stories of sexual harassment as political scandal by covering accusations against high-profile political figures, like Supreme Court Justice Clarence Thomas or President Bill Clinton. Despite this focus, a substantial proportion of the American press has framed sexual harassment as an important social problem and a women's issue. The French press has reported less on sexual harassment than the American press, and when it has, it has focused on *American* rather than homegrown scandals. Analyses further show that when reporting on sexual harassment in the United States, as compared to reporting on France, French journalists are more likely to discredit plaintiffs and trivialize sexual harassment as a social problem, focusing instead on "American excesses" of feminism, puritanism, and litigiousness. As will become clear in the following chapters, the way the French media has presented

sexual harassment as an "American problem" effectively discredits feminist activists, plaintiff lawyers, victims of sexual harassment, and others who are exposed to this problem in France. These patterns of reporting reflect both different "realities" in each country, such as the different scope of national sexual harassment laws and litigation, and media routines that favor simplification, individualism, symbolism, and "gotcha journalism."[35]

Chapter 4, "Discrimination, Violence, Professionalism, and the Bottom Line: How Interview Respondents Frame Sexual Harassment," analyzes how the interview respondents conceptualize sexual harassment. Three principal frames emerge: (1) a "discrimination frame," in which sexual harassment is condemned as a form of sex discrimination in employment, which was most common among the American respondents, especially the activists; (2) the "violence frame," in which sexual harassment is wrong because it is a form of interpersonal violence, which was more common among the French respondents; and (3) a "business frame," also common among the American respondents, especially human resource personnel, according to which sexual harassment is wrong because it is not "professional" and does not "add [economic] value" to companies. Chapter 4 thus complements Chapters 1 and 3 by demonstrating the extent to which individuals draw on public representations of sexual harassment produced by the legislature, courts, or mass media to make sense of this issue and the ways in which they innovate upon public definitions. This chapter reveals that strong national patterns exist but that individuals also demonstrate creativity as they improvise upon official definitions of sexual harassment.

The Conclusion, "Institutions, Framing, and Political Power," summarizes how the institutional patterns explored in Chapters 1–4 play out in the United States and France. I discuss the ways in which the law, corporations, and media interact, as well as how the interview respondents draw from different "cultural toolkits,"[36] depending on their national and institutional context. I conclude this chapter by discussing some of the lessons this study holds for sociology and by considering the politi-

cal implications of debates regarding how sexual harassment should be defined.

As this book was going to press, French lawmakers revised French law to address sexual harassment among coworkers, and a scandal erupted around alleged incidents of sexual harassment in higher education. I address these events in the Epilogue, "Plus ça change, plus c'est la même chose." I argue that although these incidents seem to suggest that France is finally coming to resemble the United States in matters of sexual harassment, closer analysis reveals that important cross-national differences persist. For instance, although legal reform extended French sexual harassment laws to coworker harassment, it reinforced the French framing of sexual harassment as a form of interpersonal violence, rather than as an instance of group-based discrimination, and did little to reinforce employer liability. Media reporting on charges of sexual harassment in higher education revealed that for many French social commentators "universal" or gender-neutral questions of professors' power over students and class inequalities, and not sexism or sexual violence, remain the fundamental problems at stake. The events of 2002 also reveal that anti-American rhetoric remains an important political strategy for discrediting those who try to address the problem of sexual harassment in France.