**Non-sexist sexual humor as 'quid pro quo' sexual harassment**

**Abstract**

Although many researchers from the fields of law, sociology and psychology have already outlined the connection between sexist humor and improper sexist behavior (such as tolerance towards sexual misconduct, the exclusion of women from the working community), scholars have yet to address the problematic nature of non-sexist sexual humor, that may, in some cases, constitute sexual harassment.

This paper attempts to fill the gap in scholarly writing – creating a distinction between two kinds of humorist sexual harassment. The first, and the more familiar type, sexual harassment using sexist humor. The second, so far unaddressed type – sexual harassment using non-sexist sexual humor.

Here, using a pragmatic-linguistic analysis of sexual humorous expressions, we will argue that even sexual humor that is *not* of a sexist nature should, in some cases be considered an inappropriate sexual advance, or a "quid pro quo" sexual harassment in the work place.

**Introduction**

In academic literature, there is ample treatment humorous sexual harassment, noting that sexist jokes are the most common form of sexual harassment in the workplace.[[1]](#footnote-1) However, while some scholars believe sexist humorous expressions should be considered as constituting a "hostile environment" in the workplace,[[2]](#footnote-2) there is no scholarly reference to problems that may arise from the use of *non-sexist* sexual humor in the work place.

Furthermore, the existing literature, both legal and otherwise, does not address the possibility that even non-sexist sexual humorous expression, may – given certain circumstances - constitute ‘quid pro quo’ sexual harassment.

The aim of this essay is to discuss non-sexist humorous expressions as "quid pro quo" sexual harassment, using a pragmatic-linguistic analysis of these expressions.

In the first part of the paper, we will distinguish sexist humor from sexual humor, addressing the possibility of overlapping types of humor. The next part will address current views on humorous sexual harassment. Here, we will also create a distinction, that has not yet been made, between sexist humorous sexual harassment, and non-sexist humorous sexual harassment. Our main argument will be that not only sexist humor can constitute sexual harassment (by virtue of it being derisive, misogynistic, humiliating), but rather that all humor addressing sex and sexuality, even in a way that is not misogynistic or derisive, may constitute harassment, as it can be interpreted as an inappropriate sexual offer in the workplace.

In the next and main part of the paper, we will establish our argument by specifying the goals and social uses of sexual humor, and by examining its pragmatics. here, we will suggest that sexual humor is often used as a sexual “innuendo” or as a "polite" sexual advance, that may be viewed, in some circumstances as constituting a "quid quo pro" sexual harassment.[[3]](#footnote-3)

1. **Sexist humor, sexual humor and non-sexist sexual humor**

The common definition of sexual humor refers to it as all types of humor dealing with various sexual aspects: sexuality, sexual relations, genitals etc.[[4]](#footnote-4) This type of humor is often referred to also as "dirty jokes".

 Unlike sexual humor, that is focused on sex and sexuality, the main topic of sexist humor can be defined as gender roles. Of course, it may include reference to sex or sexuality, but its presentation of these topics is must consist or rely on misogynistic or sexist views – whether it presents unflattering stereotypes of women,[[5]](#footnote-5) represents solely the male perspective,[[6]](#footnote-6) based on sexist assumptions[[7]](#footnote-7) or use sexist beliefs to add "fun" to the joke.[[8]](#footnote-8)

In other words, not *all* sexist humor is also sexual humor. A good example for a joke that is sexist but not sexual can be:

Q: Is Google male or female?

A: Female, because it doesn't let you finish a sentence before making a suggestion.

This joke relies on a sexist view of women's behavior ("They don't let you finish a sentence") but has no reference to sex or sexuality.

On the other hand, some (but not all) sexual humor can be *also* sexist humor. A good example for a joke that is *both* sexist and sexual can be:

There's a new drug for feminists on the market to cure depression, it's called Trycoxagain.

Here, we can see a joke that bluntly refers to sexuality ("Cock", "lesbiens"), and also relies on a chauvinistic perception of women ("feminists are grumpy women that just need a man"). For the purpose of this paper, this type of jokes will be defined sexual-sexist jokes, to which our discussion of sexist jokes applies as well as the following discussion on sexual jokes.

However, as stated in the introduction, this paper mainly addresses the undiscussed problems rising from the use of non-sexist sexual humor, as this type of humor is often considered completely harmless to women. Sexual humor which is not sexist does not preach hatred of women or prompts chauvinistic perceptions but merely deals with issues of sex and sexuality. Thus, the is no reason to denounce it. Quite the contrary. This humor implies a healthy sexuality and liberal thought.

An example for such a joke can be:

Husband: I want you to tell me when you have an orgasm.

Wife: But you said not to call you when you're at work…

This joke refers to sexual relations ("orgasm"), but seems not to rely on sexist views, but rather on stereotypes concerning the sexual boredom of married life.

The proposed definition for non-sexist sexual humor will therefore be based on elimination – non-sexist sexual humor is humor containing sexual aspects, but not sexist views or perceptions.

We begin, then, by examining the current views on sexist and sexual humor as sexual harassment.

1. **Sexist and sexual humor as sexual harassment – current views**

It is customary to assign the term "sexual harassment" mainly to types of behavior which take place in the work place, and are perceived as a infringing women's rights to equal opportunities in the work force.[[9]](#footnote-9)

Sexual harassment's is usually categorized within two types: 'quid pro quo' and 'hostile environment'.[[10]](#footnote-10) The conditioning of professional opportunities in meeting one's sexual demands is usually categorized as 'quid pro quo'; while a 'hostile environment' includes demeaning behaviors, which humiliates women as such, in a way that significantly damages their professional functioning or enjoyment of their professional endeavors.

A 'quid pro quo' harassment could be, for instance, one's boss demanding her sexual compliance in order to keep her job, while a 'hostile environment' harassment usually refers to a work environment containing misogynistic or sexist comments or references.

It is customary to classify sexist humor in the work place as possibly constituting sexual harassment of the 'hostile environment' type, [[11]](#footnote-11) if any.[[12]](#footnote-12) Much of the writing and research on sexist humor has focused on the damaging effects it has on women. Thus, sexist humor has been argued to preserve women's inferior social status,[[13]](#footnote-13) to promote tolarence to discrimination and sexist behavior, [[14]](#footnote-14) and to cause discomfort, disgust and sometimes mental distress to women.[[15]](#footnote-15)

However, there is no scholarly writing addressing the possible classification of all types of sexual humorous expressions (even non- sexist ones) as "quid pro quo" harassment – This, due to the possible interpretation of such expressions as a sexual invitation.

Therefore, In the next section, we wish to argue that despite its harmless appearance, in certain cases, non-sexist sexual humor may constitute an inappropriate sexual offer, making it potentially harassing, for instance, when it is presented as part of workplace relations.

In the next part, we will present various uses of sexual humor. This examination will allow us to explore the purposes it carries, in an attempt to understand which purpose is actualized in various social situations, and thus, understand when sexual humor is legitimate, and when it is inappropriate.

1. **The Use of Sexual Humor**

In a content analysis of orally transmitted humor in New York, made by Winnick in 1963,[[16]](#footnote-16) 17 percent of the jokes identified were concerned in sexual matters, This percentage was significantly greater than any other category. How can we account for the prominence of sexual themes in the world of humor? Academics have outlined several functions realized using sexual humor.

1. **Sexual Humor as a way of Discussing “taboo” Subjects**

According to Mulkay,[[17]](#footnote-17) humor is often employed to deal with topics which are important on one hand but are also difficult to handle within the serious mode, on the other hand. Thus, sex, much like bowel movements, for example, or nudity, have 'restricted passage' within the serious mode.[[18]](#footnote-18) Mulkay believes the very use of the term “dirty joke”, in order to describe a joke dealing with sex, reveals the “taboo” on discussing sex in company. Unlike the clear limits of the serious discourse (among other things, this discourse demands us to avoid the use of rude words or restricted topics), the limits of humorous discourse are more flexible, allowing us the discussion of sexual themes that are barred from “serious” discussions, where they're are considered illegitimate and usually unacceptable. Thus, when the discussion is “marked” as “humorous”, it allows us more freedom to raise otherwise “forbidden” sexual topics.[[19]](#footnote-19)

Needless to say, that humor does not void all social limitations on discussing sex. Therefore, for example, jokes dealing with sex tend to be told in single-gender groups, in a relaxed atmosphere, when the participants are calm. However, even outside such groups, participants in a discussion which deals with “inappropriate” subjects may insist that their words not be taken seriously, and that they did not cross the boundary towards inappropriate discussion.[[20]](#footnote-20)

1. **Sexual Humor as a Means of Conveying Information on Sex**

Another function of “dirty” humor, is as a carrier of sexual information, attitudes and emotions.[[21]](#footnote-21)

As part of “serious” discussion, there is limited ability to convey such information, and this explains the turn to a “joking” state. This way, sexual jokes assist in transmiting knowledge on subjects that are intriguing for the group but are “difficult” to communicate in the serious mode. For example, here is a joke presented in Mulkay's study, as told by a twelve-year old girl shared to her friends:[[22]](#footnote-22)

There was this woman and she went into a shop and she said 'Have you got any Tampax?' and the man said 'Paaardon?', She said 'Have you got any Tampax?' And he said, um, 'Pardon?' And she goes 'Have you got any Tampax?' He said 'Sorry, can you speak a bit louder I cannot hear you.' She said 'Have you got any bloody Tampax?' and he goes, 'Sorry, we do not sell second hands'.

In this case, the joke is highly relevant as a mechanism of conveying information (this is also the reason why teenagers are drawn to sexual humor). This joke deals with issues related to the monthly period, and the one telling it, a twelve-year-old girl, is close to the age of sexual maturity. This joke gives young girls important information on a subject which is becoming increasingly relevant to them, at this stage of their lives.

Another joke presented in Mulkay’s study, which also demonstrates the use of jokes for purposes of conveying information among adolescents, deals with a woman who arrives with a baby to the doctor’s office. Mulkay presents the transcript of the girls’ conversation, whose friend is telling them a joke:

"A: At the doctor's this woman with a baby…

Doctor asks, 'Is he breast-fed or bottle fed?', 'breast-fed', she says. 'Right',

he says, 'strip to your waist.' When she'd took her clothes off, he started to

touch her boobs.

B: (giggles)

C: (giggles)

A: then he started to suck 'em. 'No wonder this baby's ill. You've got no

milk.' 'I'm not surprised', she says, 'it is my sister's baby.' 'Oh dear you

should not have come then.' 'I did not till you sucked the second one' hahaha.

B: Eh?

A: She did not come until he sucked the second boob

B: oh hhe hahah

C: heheyhehe"[[23]](#footnote-23)

In this case, it can clearly be seen how sexual humor realizes a goal of conveying information. The first punch line of the joke, the one dealing with a misidentification (when the women says it is her sister’s baby), is completely ignored by the girls. The punch line which results in the girls’ laughter, is the one related to the significance of the female breast in having sex, but here too, the humorous “catharsis” arrives late. At first, right after the joke ends, B and C do not laugh, and B even asks for a clarification (Eh?). Only after girl A provides this clarification, the two girls laugh. The misunderstanding demonstrates that information has been conveyed here. Thus, according to Mulkay, the girls learned that one can arrive at sexual satisfaction by touching the breasts (and in my view, it can be understood that they also learned the double meaning of the word “come” in English – which can also mean achieving orgasm).

Truth be told, it cannot be ascertained what the girls made of the joke, since humor, by its very nature is not “clear” or “determinate”. It is exactly these properties which allow it to be so suitable for conveying information regarding sex and sexuality. Through the use of humor, the “consumers" of information can receive it without admitting their ignorance regarding sex, since the lack of understanding is not necessarily ascribed to ignorance.[[24]](#footnote-24)

The problem with this method of conveying information, according to Mulkay, is that it leaves to the hearers the task of separating between facts and fantasy or fabrications. Jokes of this kind leave it to the adolescents to separate between truth and fiction and requires them to have interpretational skills. To this would like to add, especially if we rely on the sexist joke above, that conveying the information can result in wrong, and possibly dangerous, sexual information (for example, it follows from the joke above that women enjoy rape). The dangers in sexist humor have already been described in the previous sections. It can only be assumed that when it comes to children or adolescents, the damage of sexist humor is even greater.[[25]](#footnote-25)

1. **Sexual Humor as Sexual Offer**

The anthropologist and folklorist Alf Walle[[26]](#footnote-26) provides an overview of occurrences in an all-night diner – on the spectrum between formal interaction and sexual offers ("pick-ups"). Walle concludes that there is a five-component typology that can best present the continuum of client-waitress interaction:

*Institutional Behavior*: Empirical observations are explainable through reference to the roles provided by the public place. In this case the roles are that of the patron and client - the waitress is a paid employee and the male customers are patrons of the diner. This behavior includes waitress behaviors such as serving or preparing of food, taking orders, accepting payment for services rendered, and the corresponding behaviors of the customer.

*Impersonal Behavior*: Includes the common courtesies determined by the situation. This level of interaction includes answering impersonal questions, engaging in trivial conversations in which few if any value judgments are made, and performing simple favors such as giving someone an already read newspaper.

*Personal Behavior*: Includes behavior which solicits and utilizes information of a personal nature. This type of behavior includes one or both parties talking about their personal lives, beliefs, social arrangements, and so forth. Personal behavior includes treatment of the other person as a specific person, not merely as a member of a formal category (customer or waitress).

*Sex-Role Behavior*: Includes behavior which requires or presupposes the actors to adopt their respective sexual-roles. It involves activities such as non-serious flirting or adoption of culturally expected sex roles such as a male in a role of 'mechanic' advising a 'naive' female regarding her car. This sex role behavior does not necessarily imply sexual interest in the other person, but merely that the sex roles are appropriate.

*Intimate Behavior*: Includes behavior which is related to a physiological/psychological sexual interest of one or both parties. Due to the specific setting of a diner, this level can include only that behavior which leads to a meeting after the waitress is released from work.

According to Walle, a party interested in arriving at the stage of intimate behavior can use various categories of behavior to “collect information” on the other party. In other words, they can “climb” their way from institutional behavior to intimate behavior. This way, if at some point the other party wishes to reject the pick-up, it is easier to do so in a way which does not seem like an explicit rejection, along with its humiliating effects. For example, if a client is interested in a waitress, and tries to “climb” up the behavioral ladder, the waitress could gently reject the courtship (for example, by saying she is busy and cannot talk), in a way which makes this rejection less explicit, and thus, less humiliating for the client.

Walle goes on to claim that the initiating party's humor can indicate the behavioral stage in which the parties are situated. For example, *general humor*, the kind which includes only subjects which are universally accepted as “in good taste”, is an indication that the interaction is currently at the impersonal level; *topical humor*, that is, humor which includes reference to subjects which could be controversial, demonstrates a shift to personal behavior; and *sexual humor*, which is the most intimate level of humor, marks a shift to sex role behavior.

Thus, the topic of the humorous performance often served as a general indicator of the level of interaction at which the joke teller and audience are operating, also allowing the joke teller to gather information on the chances of his 'pick-up' attempt, without taking the risks of an explicit sexual advance. This way, any rejection of the 'pick up' attempt does not reflect directly on the joke teller, since the it was not explicitly made.

Walle goes on to claim that rejection in these cases is done by denying humor. Thus, all the waitresses in the diner enjoyed sexual humor and often employed it among themselves and with customers. But on certain occasions, these same waitresses would feign embarrassment or shock when a customer would tell such a joke. The negative response varied from the humorous "Oh, my virgin ears" to threats to call the manager or the police. In such cases the waitress pretended the joke was objectionable because giving the appropriate response (laughing) would have transformed the customer/ waitress relationship to the sex-role level of interaction. The easiest method of preventing such a transformation was for her to refuse to interact at sex-role level by pretending to dislike sexual humor. This type of response usually occurred if the waitress believed a male was attempting to pick her up when she wasn't interested in him. By failing to interact at the sex-role level of interaction, she usually squelched the male's pickup attempt without his having to face a clear-cut rejection.

Although Walle’s observations were made only in an all-night diner, scholars have analyzed the dynamics described by Walle as relevant to a broad spectrum of interactions outside the diner or pick-up bar scene.[[27]](#footnote-27)

1. **The Problem with Sexual Humor – Sexual Humor as Quid Pro Quo Sexual Harassment**

In the previous section, we saw the variety of purposes fulfilled sexual humor. It seems that for this paper's analysis, the purpose of a sexual humor as a sexual offer is problematic, as in certain circumstances, such a offer is improper and may constitute sexual harassment.

1. **The Pragmatics of Sexual Humor as Sexual Offer**

This part will be devoted to examining the question why does a offerer choose to make the sexual offer using a sexual joke, and why does the recipient believe it is a sexual offer.

In the first part of this subsection, we will examine the interpretational process of the recipient of a sexual joke, which leads her to conclude that the speaker is making sexual offer.

In the second part, we will examine what motivates the speaker to make sexual offer using a sexual joke. There, we will use pragmatical tools in order to determine the severity of such an offer, compared to an offer made directly and non-humorously.

1. **Why Does the Recipient Believe that a Sexual Joke Contains a Sexual Offer?**

Herbert Paul Grice's theory of conversation makes a sharp distinction between what someone says and what someone ‘implicates’ by uttering a sentence.[[28]](#footnote-28) What someone says is determined by the conventional meaning of the sentence uttered and contextual processes of disambiguation and reference fixing; what she implicates is associated with the existence of some rational principles and maxims governing conversation (setting aside “conventional implicatures” which we discuss below). What is said has been widely identified with the literal content of the utterance; what is implicated, the implicature, with the non-literal, what it is (intentionally) communicated, but not said, by the speaker.

According to Grice, the ‘calculation’ of conversational implicatures is grounded on common knowledge of what the speaker has said (or better, the fact that he has said it), the linguistic and extra linguistic context of the utterance, general background information, and the consideration of what Grice dubs the ‘Cooperative Principle (CP)’:

Make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged.

Grice assumes that both the recipient and the speaker follow certain principles during the conversation between them, in order to achieve its “purpose” – which could, for example, convincing the other party, conveying information.

According to Grice, the CP is implemented, in the plans of speakers and understanding of hearers, by following ‘maxims:’

* *Quantity*
	+ Make your contribution as informative as is required (for the current purposes of the exchange).
	+ Do not make your contribution more informative than is required.
* *Quality*
	+ (Supermaxim): Try to make your contribution one that is true.
	+ (Submaxims):
		- Do not say what you believe to be false.
		- Do not say that for which you lack adequate evidence.
* *Relation*
	+ Be relevant.
* *Manner*
	+ (Supermaxim): Be perspicuous.
	+ (Submaxims):
		- Avoid obscurity of expression.
		- Avoid ambiguity.
		- Be brief (avoid unnecessary prolixity).
		- Be orderly.
		- Frame whatever you say in the form most suitable for any reply that would be regarded as appropriate; or, facilitate in your form of expression the appropriate reply

According to Grice, conversational implicatures are to be derived based on the recipient’s assumption that the speaker is obeying one or more of these conversational principles. Sometimes two principles are opposed, and then in order to follow one principle, the speaker needs to violate another one. But an intentional violation of a principle of discourse could cause the creation of an implicature (as long as the principle of cooperation is preserved).

In order to understand the mechanics of implicature according to Grice, here are some examples: [[29]](#footnote-29)

1. Context: a conversation between Yossi’s father and the math teacher.
Yossi’s father: how is Yossi at math?

Math teacher: Yossi is ok at math.

From the teacher’s answer, Yossi’s father can conclude that Yossi is “no more than ok” in math. This conclusion is based on the assumption that the teacher is obeying the first quantity principle. According to this principle, if, for example, Yossi was good in math, the teacher should have said so, because this claim is both relevant to the context, and also more informative. From the fact that the teacher chose to use the less informative sentence and based on the assumption that she is not violating the first quantity principle, the father concludes that the teacher simply cannot use the more informative sentence, because she knows that it would be false – using it would violate the quality principle. The father will conclude that the teacher knows it is not true that Yossi is good in math – he is just ok.

1. Dafna: Which director won the Oscar this year?
Yossi: Martin Scorsese or Clint Eastwood.

Dafna will conclude from Yossi’s answer that he does not know which director won the Oscar. Yossi violates the first quantity principle: he does not provide Dafna with the answer to her question. This violation could be explained by Yossi’s desire to obey the quality principle – he does not want to say something he does not know to be true. Note that if Yossi does know the answer and still chooses to reply the way he did, he is violating the principle of cooperation.

1. Dafna: Did you watch the Oscars yesterday?
Yossi: I do not have a television.

In this example, Dafna concludes that Yossi did not watch the Oscar. How? Yossi’s answer is not a direct answer to Dafna’s question and does not even imply an answer (maybe he watched ceremony in the venue itself or at a neighbor’s?). However, Dafna assumes that Yossi is obeying the principle of relevance, that is, the fact that he does not have a television should somehow lead to an answer to her question (yes or no). That is, Dafna assumes that Yossi's answer is relevant to her question. The likely assumption is that if Yossi had watched the Oscars, he would have done it at home, together with his reply that he has no television, the implied answer is “no”. In order to conclude that “yes”, Dafna will need to make much less probable assumptions (that he travelled to the US to see the ceremony, got tickets, etc.).

Asa Kasher rejects the cooperation principle,[[30]](#footnote-30) and claims that in certain cases it does not apply. Under this principle, he claims that there exists a more basic principle, from which the four maxims follow. This principle is the rational principle of effective means:

Given a desired end, one is to choose that action, which most effectively, and at least cost, attains that end, ceteris paribus.

From here, the rationality principle follows:

There is no reason to assume that the speaker is not a rational agent; his ends and his beliefs regarding his state, in the context of utterance supply the justification of his behavior.

Given these principles, we can analyze the choice of a male speaker to tell a sexual joke to a female colleague. Thus, when a speaker tells his colleague a sexual joke, this is the interpretational process she carries out: “He told me a sexual joke. (1) according to the relevance principle, the sexual aspect is not redundant information, but has relevance to the conversation. Otherwise, he would have just used a joke with no sexual aspect. A possible interpretation for the use of the sexual aspect could be an attempt to make a sexual offer. This possibility stems from, among other things, us being a man and woman, which is the most common partnership in contexts with sexual meaning. (2) I have no reason to assume he is not a rational agent. He would not have been a rational agent unless he was aware of the possibility of my interpreting the sexual joke as an attempt at sexual offer. He knows (and knows that I know he knows) that I can tell that he believes that interpreting the sexual joke as a sexual offer is expected. He did nothing to prevent me from thinking the sexual joke is an attempt at sexual offer. From this I can conclude, that he means for me to think, or at least allows me to think, he is 'hitting on me', that is, he is implying (implicature) that he is 'hitting on me'”.

To this interpretational analysis, we can add a more specific analysis according to context. For instance, from the principles of rationality and quantity we conclude that the sexual aspect of the sexual humorous expression determines the level of the sexual implication. If the joke is not very explicit, the implication could a mere flirtation. However, a blunt sexual joke can be perceived as close to an explicit sexual advance. The context of environment is also of significance. For example, a sexual joke told by a man to a woman at a bar, carries a clearer meaning of an attempted sexual advance, than a joke told by a man at a family dinner, and so on.

1. **Why Does the Speaker Choose to Make a Sexual Offer Using a Sexual Joke?**

After we have examined the pragmatics of a sexual offer using humor, this part will be dedicated to using pragmatical tools in order to determine the severity of such an offer, compared to an offer made directly and non-humorously.

One could argue that a sexual offer using humor is less severe than a sexual offer made directly, since, among other things, it is more vague and easier to ignore. In order to respond to this argument, we shall try to understand the hidden pragmatic assumptions behind the speaker's choice to present a sexual offer using humor. We will do so, using two complementary analyses of the humorous sexual offer: one which is strict with the speaker-offerer and one which is lenient with him. According to the first analysis, the strict one, sexual humor constitutes an “innuendo” conversational implicature, and thus is more severe than a direct offer. According to the other analysis, sexual humor is a more polite way of going about things compared to a direct offer, and so is not as severe as the latter.

**b.1. Sexual Humor as Conversational Implicature of the Innuendo Type**

David Bell claims that sexual humor constitutes innuendo, that is, an interaction which is meant to influence the hearer, while hiding the speaker’s intention, in order to protect him from the consequences of an explicit remark. [[31]](#footnote-31) In the case of a sexual offer, we can assume the 'sanction' can be an explicit rejection, anger, or complaint on sexual harassment.

Bell analyzes innuendo as having a “pseudo-overt” meaning and a “non-overt” one. While the pseudo-overt meaning is based the literal meaning, the non-overt meaning relies on an invitation to interpretation. Thus, for example, when we choose to point out that “the captain was not drunk today”, the pseudo-overt interpretation is that the captain did not drink alcohol in amounts that would make him drunk, while the non-overt meaning, the implied one, is that there were many days when the captain *did* get drunk.[[32]](#footnote-32)

Innuendoes work by maintaining a semblance of seriousness and plausibility in their literal or pseudo-overt meanings. This allows speakers to both avow the pseudo-overt meaning and to deny any non-overt meaning and, at the same time, it allows audiences to ignore non-overt meanings.

By the very nature of innuendo, the speakers wish "their intent is not recognized, or at least not recognized as intended to be recognized".[[33]](#footnote-33) The speaker’s purpose was that the hearer will suspect his true intentions, but that this suspicion will remain as such, as opposed to knowledge.[[34]](#footnote-34) innuendo allows speakers to make their intent sufficiently transparent while at the same time suggest their intention to conceal their intent.[[35]](#footnote-35)

Much like other conversational implicatures, the "innuendo" conversational implicature can be cancelled canceled without creating a semantic contradiction between the implication and its denial.[[36]](#footnote-36) For example, there is no logical contradiction in the coupling of “The captain was not drunk to day. But I do not mean that he was drunk before”. Similarly, there is no contradiction when the speaker tells a sexual joke, and immediately after makes it clear to the hearer “but I don't mean to hit on you”. However, there are those who might argue that it is *exactly* in these cases – where a “denial” is uttered – that the implication is not cancelled but rather strengthened and becomes articulated and even more explicit.[[37]](#footnote-37)

According to Sperber and Wilson,[[38]](#footnote-38) speakers make decisions not only in the question whether to be explicit or implied, but also about the level of clarity of the implied expression. As for innuendo, initiators of innuendoes are torn between the need to constrain the bearer's calculation of the intended non-overt message in terms of a transparent innuendo, and the need to protect themselves against charges of making non-overt derogatory assertions by making their innuendo sufficiently opaque so that such charges are at best avoided or at least can be plausibly denied.[[39]](#footnote-39) The decision to convey a message by innuendo appears to be the result of calculating the risks of explication of the negative ascription together with the benefits of implication.[[40]](#footnote-40)

A significant advantage of a successful innuendo is that it shifts the "burden of proof"[[41]](#footnote-41) onto the target of the innuendo and the way in which the charges implied by the innuendo have a permanent staining effect on the target.[[42]](#footnote-42) Thus, in the case of a sexual joke, the “burden” to prove it involves a sexual offer is on the hearer. If she accuses the speaker, the speaker can always deny it was an innuendo, and claim “it was just a joke”. From this we conclude that, in a certain sense, it is the ambiguous nature of the humorous sexual offer which is more offensive to the recipient than a direct sexual offer. Thus, while in the case of an explicit sexual offer, when things are said clearly, the hearer can point an accusing finger at the offerer; In the case of a sexual humorous offer, the “burden of proof” is in her, to prove there actually was an offer. In many cases she may suffer from the unpleasantness of the offer but won't have any real way of confronting the offerer.[[43]](#footnote-43)

**b.2. Analysing a Sexual Joke as a Polite Sexual Offer**

An explanation for the use of humorous sexual offers can also be found in various theories related to politeness.

As mentioned above, according to Asa Kasher, the rational principle of effective means ("Given a desired end, one is to choose that action which most effectively, and at least cost, attains that end, ceteris paribus") is relevant to all discourse.

However, according to Kasher, at times, the more effective a certain action is (be it a conversation or something else) the more it costs. According to Kasher,[[44]](#footnote-44) polite discourse is just another aspect of the tension existing between cost and effectiveness. On one hand, violating the rules of politeness comes with a cost for the speaker. On the other hand, being overly polite can hurt the effectiveness of the expression. The example Kasher provides, is that of someone interested in having the door opened for him. The speaker, who strives for an optimal balance between cost and effectiveness uses an initial filtering, during which some of the possible expressions are removed from the list of possibilities, since they have limited effectiveness (for example, an overly polite expression where the person tells a long story about something that happened to him once which involved someone opening a door for him), or since they have too high a cost (for example, the impolite possibility of banging on the table angrily and shouting – “open the door!”). After this filtering, there are several options remaining with certain effectiveness (for example, “Could you open the door for me?” or “Could you open the door for me please?”).

This is also the case when dealing with a polite sexual offer – for example, a speaker wishing to embark on a sexual relationship with his colleague, will rule out extreme options such as long stories with no effectiveness for achieving the goal (in this case, clarifying he has sexual interest in the college), as well as extreme options that “cost” too much (such as a rude and direct approach: “I want to sleep with you”).

Other theories from the field of pragmatics view the politeness mechanism as essentially psychological, asserting that politeness is a tool for maintaining stability in relationships with others.

This premise was used by Penelope Brown and Steven Levinson, when they developed a theory of politeness.[[45]](#footnote-45) The face, according to Brown and Levinson, has to do with human needs, which can be formulated as two basic needs: on the one hand – "the positive face", reflects an individual's need for his or her wishes and desires to be appreciated in a social context.  On the other hand – "the negative face", eflects an individual's need for freedom of action, freedom from imposition, and the right to make one's own decisions.

Brown and Levinson’s theory of politeness relies on the assumption that most speech acts inherently threaten either the speaker or the hearer's face. Thus, unrestrained expression of emotions which could embarrass or scare the hearer constitutes a threat to his positive face, since they can suggest that the speaker is indifferent to the needs and wishes of the hearer. On the other hand, various offers constitute a threat on the negative face of the hearer, since they create pressure on the hearer to accept the action or reject it, and thus create a limitation on their freedom of action. For the speaker too, there are actions which threaten his face, such as, talking in a way that involves self-humiliation constitutes a threat on the positive face of the speaker. These “threatening” actions are called “*face threatening acts*”, actions which threaten face, or FTA.

According to Brown and Levinson, politeness is therefore a necessary component of unoffensive (i.e. non-face threatening) communication and involves the redressing of positive and negative face. In ***positive politeness***, the speaker's goal is to address the positive face needs of the hearer, thus enhancing the hearer's positive face, while ***negative politeness*** addresses the hearer's need for freedom of action and freedom from imposition in making his or her own decisions.

The linguist Geoffrey Leech proposed most interactions are governed by a politeness principle, with conversational maxims, explaining how politeness operates in conversational exchange.[[46]](#footnote-46) Among other things, he mentions the “agreement maxim” (Minimize the expression of disagreement between self and other; maximize the expression of agreement between self and other"); and also the “tact maxim” ("Minimize the expression of beliefs which imply cost to other; maximize the expression of beliefs which imply benefit to other").

In many ways, these theories dictate our strategies of politeness in common conversations. Thus, for example, when someone wishes to ask for something, but does not want to force himself in a way which will threaten the negative face of the hearer, he chooses to act politely, that is, to use indirect ways of expression. As mentioned, requests and suggestions create by their very nature a threat on the face of the the other parties, by limiting their freedom of choice. Furthermore, if the other parties are not interested in acquiescing to the request, t a situation is created where they could act impolitely. Brown and Levinson found that there are politeness strategies designed to allow the speaker to ask or suggest things indirectly. For example, when someone wishes to ask his friend to open the door, it is typical to choose indirect speech acts, such as “is there any chance of you opening the door?”, or “could you open the door?”, over a direct speech act – “open the door”. In these cases, the indirect phrasing is perceived as more polite, since it supposedly leaves more options in the hands of the hearer.

We would like to propose an analysis of the humorous sexual offer according to the politeness theory. According to this analysis, a speaker's choice to make a sexual offer using sexual humor, can be perceived as a politeness strategie, designed on one hand to lessen the threat on the positive face of the speaker, and on the other hand, lessen the threat to the positive and the negative faces of the hearer.

Suppose someone (the speaker) wishes to make a sexual offer to a woman (the hearer). In such a situation, the speaker is afraid of a number of threats to his face and the face of the hearer. First, the speaker is afraid that he will humiliate himself by revealing his feelings and sexual passion towards the hearer. Hence, the speaker is afraid for his positive face, since he could lose some of the appreciation and recognition which the hearer holds for him and be exposed to embarrassment. the speaker is also afraid that his offer will be interpreted as a limiting the hearer's freedom, when she will be forced to respond. In this sense, the offer will might threat the negative face of the hearer, as she is pressured to accept or reject the offer. There is also a threat to the positive face of the hearer, since revealing the speaker’s emotions could embarrass her, and she might feel the speaker is indifferent to her needs and wishes.

We see now that in the case of a sexual offer odds are people will choose to use a politeness strategy, in order to reduce the threat on their face and on the face of their hearers. One strategy which can be chosen is the "off record" strategy,[[47]](#footnote-47) creating a certain degree of vagueness about the offer, in a way which will allow ignoring or rejecting it, without creating explicit disagreement. One way to do so, is using sexual humor to signal the speaker’s desire to make a sexual offer. Therefore, sexual offers using humor can be interpreted as a polite variation of a regular sexual offer. While in a regular sexual offer, the offer is phrased simply, as a clear sexual offer which requires an acceptance or rejection, in the case of a sexual offer using sexual humor, the offer is phrased indirectly, in a way that maintains both the face of the speaker and the face of the hearer.

If sexual humor is indeed used as a polite way of making a sexual offer, it can be argued that sexual harassment (for instance, an improper sexual advance in the work place) using sexual humor is not as severe as a direct sexual offer. When the speaker makes a direct sexual offer, he does not show any concern for the face of the hearer, and places her in an “uncomfortable” situation in which she clearly has to respond to the offer. In a situation of a sexual offer is done humorously, the damage to the hearer's face is reduced, since the vagueness of the offer allows her to ignore it and is therefore less limiting of her freedom.

On the other hand, one could argue that in certain cases, the speaker making the humorous sexual offer is not concerned with the damage to the hearer's face, but with the damage to his own face (his fear of humiliation as a result of revealing his emotions). This claim seems plausible, but either way, one cannot ignore the fact that in effect, whether the speaker intends it or not, a humorous sexual offer is less damaging to the face of the hearer compared to a direct offer, and so it is less problematic.

Clearly, this does not mean there is no fault in an improper humorous sexual offer. We only argue that compared to a direct offer, a humorous sexual offer can be less offensive. This, because it takes into account, at least to a certain degree, the possible damage to the hearer, and attempts to reduce it. This, in contrast with the direct offer, which entirely ignores the possible damage to the hearer's face.

Still, the use of humor does not nullify the discomfort caused to the hearer by the very thought of the harassing interpretation, and the fear (albeit reduced) that she cannot refuse. In other words, the hearer, could still fear for her job if she “ignores” the offer and does not cooperate. There is a question whether an employee has a real option of rejecting the implied offer. Can a subordinate-employee not laugh at a joke made by her boss, the way the waitresses did in Walle’s study? Can she threaten, like they can, to call the police in order to make it clear that she is not interested? Although the problematic nature of a humorous offer is reduced, it still exists, and still justifies, to a great degree, labeling this type of expression as sexual harassment.

**Summary**

This paper attempts to fill the gap in scholarly writing – creating a distinction between two kinds of humorist sexual harassment. The first, and the more familiar type, sexual harassment using sexist humor. The second, so far unaddressed type – sexual harassment using non-sexist sexual humor.

Using a pragmatic-linguistic analysis of sexual humorous expressions, we argued that even sexual humor that is *not* of a sexist nature should, in some cases be considered an inappropriate sexual advance, or a "quid pro quo" sexual harassment in the work place.

In light of the conclusions of this paper, it is possible that there is a need for a more meticulous examination of all kinds of sexual humor – and not just sexist humor – in the work place, in an attempt to create a safer, equal work environment for women.

1. J.B. Pryor, The Phenomenology of Sexual Harassment: Why Does Sexual Behavior Bother People in

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2. See, for example: Orit Kamir *Types of Sexual Harassment* ***Harassing Words – Issues in Verbal Sexual* *Harassment*,** 71, 77 (edited by Liat Levanon, 2011) [↑](#footnote-ref-2)
3. For more on the definition and charactaristics of "quid pro quo" sexual harassment, see: C.A. Mackinnon, *Sexual Harassment of Working Women: A Case of Sex Discrimination*.

.(1979) [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)
5. Gershon Legman, RATIONAL OF THE DIRTY JOKE: AN ANALYSIS OF SEXUAL HUMOR (New York:

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6. M. Mulkay, ON HUMOUR: ITS NATURE AND ITS PLACE IN MODERN SOCIETY 132 (1988). [↑](#footnote-ref-6)
7. Ronald De Sousa, THE RATIONALITY OF EMOTION (Mit Press, 1990). [↑](#footnote-ref-7)
8. Merrie Bergmann, How Many Feminists Does It Take to Make A Joke? Sexist Humor and What is

.Wrong with It , 1 (1) HYPATIA 63 (1986) [↑](#footnote-ref-8)
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10. Catherine Mackinnon "Harassment of type 'quid pro quo' and harassment of type 'hostile environment', **Harassing Words**, see footnote 2, page 51. [↑](#footnote-ref-10)
11. Mackinnon "Sexual harassment is workplace discrimination", see footnote 2, page 93. There Mackinnon compares sexual harassment to ethnic jokes. [↑](#footnote-ref-11)
12. לעוד על המחלוקת בנושא התפיסה של הומור סקסיסטי כהטרדה מינית, הפניה לתזה שלי [↑](#footnote-ref-12)
13. Rhoda Kesler Unger & Mary E. Crawford, Women and Gender: A Feminist Psychology (New (York & Philadelphia, McGraw-Hill and Temple University Press, 1992ׂׂ‏; Rhoda K. Unger & Mary Crawford, *Commentary: Sex and Gender: The Troubled Relationship between Terms and Concepts*, Psychological Science 122 (1993); M. Crawford & R. Unger, *Gender Issues in Psychology*, *in* Companion Encyclopedia of Psychology Vol. 2 1007 (A. Colman ed., New York, Routledge, 1992 [↑](#footnote-ref-13)
14. J. Hassett & J. Houlihan, *Different Jokes for Different Folks*, 12.8 Psychology Today 64 (1979); Jean Losco & Seymour Epstein, *Humor Preference as a Subtle Measure of Attitudes toward the same and the Opposite Sex*, Journal of Personality (1975) ‏; Ann Marie Love & Lambert H. Deckers, *Humor Appreciation as a Function of Sexual, Aggressive, and Sexist Content*, 20.11-12 Sex roles 649 (1989) ‏; N. Mundorf, A. Bhatia, D. Zillman, P. Lester & S. Robertson, *Gender Differences in Humor Appreciation*, 1.3 Humor: International Journal of Humor Research 231(1988); James W. Neuliep, *Gender Differences in the Perception of Sexual and Nonsexual Humor*, Journal of Social Behavior & Personality (1987) ‏; Robert F. Priest & Paul G. Wilhelm, *Sex, Marital Status, and Self/Actualization as Factors in the Appreciation of Sexist Jokes*, 92.2The Journal of Social Psychology 245 (1974).

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15. C.F. Boxer & T.E. Ford, *Sexist Humor in the Workplace: A Case of Subtle Harassment*, *in* Insidious Workplace Behavior 175 (J. Greenberg ed., 2010); W.J. Duncan, L.R. Smeltzer & T.L. Leap, *Humor and Work: Applications of Joking Behavior to Management*, 16 Journal of Management 255 (1990)

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Beth A. Quinn, *The Paradox of Complaining: Law, Humor, and Harassment in the Everyday Work .World*, 25.4 Law & Social Inquiry 1151 (2000) ‏ [↑](#footnote-ref-15)
16. The study is cited in: Mulkary, see footnote 64, page 120. [↑](#footnote-ref-16)
17. Ibid., chapter 7, page 120-151. [↑](#footnote-ref-17)
18. Ibid., page 121. [↑](#footnote-ref-18)
19. Ibid., 122. [↑](#footnote-ref-19)
20. Ibid., page 121. [↑](#footnote-ref-20)
21. Ibid., pages 122-125. [↑](#footnote-ref-21)
22. Ibid., pages 121 [↑](#footnote-ref-22)
23. This joke is clearly not only sexual, but also sexist (especially due to the trivial way it presents rape). Despite this characteristic, we will discuss it sexual traits. [↑](#footnote-ref-23)
24. Ibid, page 124. [↑](#footnote-ref-24)
25. It is interesting to mention here the position of Harvey Sacks that sexual humor is used to convey information which *isn’t* sexual. For more: Harvey Sacks, An Analysis of the Course of a Joke’s Telling in Conversation, in EXPLORATIONS IN THE

ETHNOGRAPHY OF SPEAKING 337 (Second edition, Richard Bauman & Joel Sherzer eds., Cambridge.(University Press, 1989). Mulkay criticizes Sacks in his book, claiming that Sacks’ theory is full of fallacies. Among other things, Mulkay claims, Sacks uses only one example to prove his theory, and even that seems to contradict his thesis. Furthermore, Sacks assumes that young girls will perceive the joke differently, but he does not present support for this. Finally, claims Mulkay, Sacks rejects the sexual interpretation as a misunderstanding of the joke. This is an interpretational method which does not fit with sociological research methods, since, according to sociologists, if participants interpret a certain joke as sexual, this is a legitimate reading and not a “misunderstanding” or “mistake”. [↑](#footnote-ref-25)
26. Alf H. Walle, Getting Picked up Without Being Put Down: Jokes and the Bar Rush, 13(2) JOURNAL OF

THE FOLKLORE INSTITUTE 201 (1976). [↑](#footnote-ref-26)
27. See for example: David M. Bell, Innuendo, 27 JOURNAL OF PRAGMATICS 35, 55 (1997); Crawford, Only Joking, see footnote 143. [↑](#footnote-ref-27)
28. Paul Grice, Logic and Conversation, in SYNTAX AND SEMANTICS Vol. 3 - Speech Acts 41 (Peter Cole

& Jerry L. Morgan eds., New York, Academic Press, 1975); Korta, Kepa and Perry, John, "Pragmatics", The Stanford Encyclopedia of Philosophy (Winter 2015 Edition), Edward N. Zalta (ed.), (https://plato.stanford.edu/archives/win2015/entries/pragmatics). [↑](#footnote-ref-28)
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31. Bell, David M. "Innuendo." *Journal of Pragmatics* 27.1 (1997): 35-59. [↑](#footnote-ref-31)
32. Ibid., page 43. [↑](#footnote-ref-32)
33. Kent Bach & Robert Harnish, LINGUISTIC COMMUNICATION AND SPEECH ACTS (MIT Press, 1979) 101 [↑](#footnote-ref-33)
34. P.F. Strawson, Intention and Convention in Speech Acts), in PRAGMATICS 290 (Steven Davis ed.,

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35. Bell, innuendo, see footnote \_\_, page 45. [↑](#footnote-ref-35)
36. Bell, innuendo, see footnote 260, page 46. [↑](#footnote-ref-36)
37. Ibid. [↑](#footnote-ref-37)
38. D. Sperber & D. Wilson, RELEVANCE: COMMUNICATION AND COGNITION (Oxford and Cambridge,

Blackwell, 1986). [↑](#footnote-ref-38)
39. Bell, Innuendo, see footnote 260, page 50. [↑](#footnote-ref-39)
40. Ibid., page 53. [↑](#footnote-ref-40)
41. The burden of proof in the literal sense, not the legal sense. [↑](#footnote-ref-41)
42. Bell, Innuendo, see footnote 260, page 53. [↑](#footnote-ref-42)
43. Supposedly, the woman can ignore the offer. However, we think that this isn’t a satisfactory solution, since even if the offer was made politely, a woman could still have a rational fear that ignoring it would be interpreted as refusal and could bring future repercussions due to the insult of the offerer. [↑](#footnote-ref-43)
44. Asa Kasher, Politeness and Rationality, in PRAGMATICS AND LINGUISTICS: FESTSCHRIFT FOR JACOB

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46. G.N. Leech, PRINCIPLES OF PRAGMATICS (London and New York, Longman, 1983). [↑](#footnote-ref-46)
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Cambridge University Press, 1978). [↑](#footnote-ref-47)