Original Article

The Victim's Experience as Described in Civil Court Judgments for Mobbing: A Gender Difference

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Abstract: The aim of this work is to provide a descriptive analysis of the mobbing phenomenon found in a sampling of Italian civil court judgments in the last fifteen years. The analysis was conducted according to the behaviors that characterize the mobbing, the type of workplace, the power differential between perpetrator and victim, the victim's and the perpetrator's typologies, the motives, and the consequences for the victim. Data were gathered from two free websites on civil judgments involving mobbing. An analysis of the 73 civil judgments showed 34 male victims (46.6%) and 39 female victims (53.4%) of mobbing. In 68 (93.2%) cases, the behavior that characterized the mobbing campaign was an attack on personal and professional life. Female victims of mobbing in particular indicated isolation and attack on reputation. About half of the sample worked in a private company, 16 (21.9%) in public administration, 11 (15.1%) in the educational sector, and nine (12.3%) in the health sector. The time from the beginning of the mobbing campaign to when it was reported was higher among men than women. Moreover, female victims are more prone than male victims to report suffering from an anxiety disorder as a consequence of mobbing, and they perceive the mobbing behavior to be caused by the perpetrator's personal characteristics. Men, on the other hand, more often than women consider the abusive acts casual and more frequently believe they are the "chosen victim" because of perceived personal weaknesses.

Keywords: mobbing, gender difference, workplace violence, coping strategy, court judgment

Introduction

Leymann (1996) defined mobbing as a form of psychological terror that occurs in the workplace:

> "Psychical terror or mobbing in working life means hostile and unethical communication which is directed in a systematic way by one or a number of persons mainly toward one individual. There are also cases where such mobbing is mutual until one of the participants becomes the underdog. These actions take place often (almost

> every day) and over a long period (at least for six months) and, because of this frequency and duration, result in considerable psychic, psychosomatic and social misery". (p. 120)

Lippel (2010) underlined that several terms are used in European Countries to describe a systematic violent behavior occurred in workplace, for example 'workplace bullying' or 'harcalement moral'. However, in this paper the term mobbing has been used. As suggested by Einarsen, Hoel, Zapf and Cooper (2010), mobbing is the term referred to "the systematic exhibition of aggressive behaviour at work directed towards a subordinate, a coworker, or even a superior, as well as the perception of being systematically exposed to such mistreatment while at work" (p. 5). The difference between a single instance of misconduct (workplace harassment) and mobbing is the behavior's repetition and the perpetrator's intention (Yamada et al., 2018). These behaviors may involve isolation (e.g., leaving the employee without social contacts); an attack on the victim's personal and professional life (e.g., changing the person's tasks), which can compromise the victim's work–family balance or disrupt the management of leisure; an attack on the victim's reputation (with persistent negative remarks) for the person's professional and/or personal choices (e.g., criticizing them constantly, gossiping, spreading false information); the prevention of the use of instruments or tools for successful job performance or the expression of his or her opinions; threats of violence or retaliation; and physical assault (Korkmaz et al., 2015).

Current academic literature focuses heavily on this topic, considering it from alternative perspectives and embracing various domains of contemporary science, such as sociology, psychology (clinical, social, and organizational), business or management, and economics (Pheko, 2018; Picakciefe et al., 2017; Vveinhard & Žukauskas, 2015).

Today, in Italy legal procedures recognize many harassment behaviors that can be linked with the mobbing phenomenon as described previously. Since did not exist an explicit legislation on the phenomenon, the systematic violence in workplace could be labeled bullying, harassment, mobbing, or even victimization (see Lippel, 2010 for an international overview of the law on workplace bullying).

The term mobbing has entered twenty years ago in the current Italian legal language based on the sociological elaboration and studies of occupational psychology, developed in Italy in the light of a broad Northern European literature. Starting from this date, the mobbing phenomena was identified in persecutory and hostile acts, harassment, and psychological persecution behaviors perpetrated by colleagues (horizontal mobbing) and/or by the employer and the hierarchical superiors (vertical mobbing) against a victim. The first officially recognized cases in Italy dealing with this topic were tried at the Court of Turin (November 16, 1999 and December 30, 1999). Thanks to judgments passed by Italy's Supreme Court of Cassation, the Italian Civil Code has been developing a profile based on contractual and extracontractual responsibilities of the employer. Ege (2014) described variables characterizing a mobbing situation, that are the type of workplace (e.g., a private company, public administration, the educational sector, or the health sector), the duration of the bullying behavior, and the asymmetry of power between perpetrator and victim (the victim cannot properly defend him- or herself due to the differential of power). More specifically, the asymmetry can be horizontal (e.g., the victim and the perpetrator fill the same organizational position/role), vertical (the perpetrator or the victim has a higher position/role), or strategic (the manager enacts the mobbing behavior to exhaust the victim and oust him or her from the workplace). According to Lutgen-Sandvik (2018), the mobbing phenomenon involves actors, begins with a motive, and culminates in psychological and physical consequences for the victim.

Actors in Mobbing

Three actors are involved in a mobbing situation: the victim, the mobber, and the observer. For the purpose of the present work, we will focus only on victims and mobbers, but we also acknowledge the important role of observer as recognized in the literature (see Branch, Ramsay, & Barker, 2013). The victim is the disparaged person whom the perpetrator is belittling (Duffy & Sperry, 2011), a target is a person who experiences mobbing behaviours. As described by Einersen et al. (2003), victims are exposed to persistent insults or offensive remarks, persistent criticism, personal or physical abuse. Analyzing the literature on this phenomenon Ege (2010), identified several types of victims, which are categorized as follows:

- captive: The victim recognizes the phenomenon but does not know effective strategies to prevent it from happening (Coleman, 2006). Additionally, the person cannot find another job or change the situation in his or her current occupation by requesting a transfer, for example.

- passive: The victim is affable, servile, and incapable of saying "no" and can become a mobber's sitting duck. Mobbing actions can be a source of fun for observer. This type of victim is similar to the sensitive or passive victim described by Olweus (2009).

- ambitious: The person works to maintain high levels of effectiveness and efficiency, is determined, and believes in him- or herself and his or her abilities. In this way, he or she elicits envy from colleagues who intend to damage and hinder the victim through mobbing (Acar, Kıyak & Sine, 2014).

- scapegoat: The person is perceived as weak, and his or her colleagues vent their anger at him or her (Zapf & Einarsen, 2003).

- hypochondriac: The individual usually complains, tells anyone about his or her uneasiness, tends to feel depressed, and is always dissatisfied (Raho, Giorgi, Bonfiglio & Argentero, 2008). Consequently, he or she risks creating difficult relationships and isolation.

The mobber is "the executioner," the one who begins and performs the mobbing behaviors. The mobber has a persecutory intent; the victim is harassed, discriminated against, and treated differently from others because of a specific and coherent vexatious intent (Bartalucci, 2010; Ehe, 2010; Safina & Podgornaya, 2014). In their analysis of the phenomenon, Acquadro Maran, Bernardelli and Varetto (2018) found that mobbers could be categorized as follows:

- casual: to create emotional distress and feelings such as anger toward another person (Ironside & Seifert, 2003)
- sadist: to bolster the victim's self-esteem and feeling of power by spreading rumors and then use malice to attack the victim (McCarthy, 2003)
- choleric: to test a fresh destruction strategy (he or she hurts another person for the sake of doing it and is not inclined to let the victim escape) or to drive out a worker (i.e., the victim; he or she is dissatisfied with his

> or her life and with other colleagues and creates an unsatisfactory and relatively tense climate) (Leymann, 1996)
> - instigator: to progress up the career ladder (he or she tries to make his or her way up the organization using all possible means) or gain power, authority, a higher status, or respect (the mobber has a distorted view of him- or herself, as he or she considers him- or herself superior and thinks that he or she is allowed to become angry and hit colleagues who are inferior) (Keashly & Jagatic, 2003)

Motives for Mobbing

Leymann (1996) identified various potential motives for mobbing, such as failure to comply with social values and norms (e.g., lack of rule observance), ineffective conflict resolution strategies, difficulty in relationships, or disagreement (Elliott & Davenport, 1999). Moreover, some conditions, such as sudden and radical organizational changes, could reinforce attempts to expel other workers (e.g., to reduce the number of employees or replace older personnel with younger ones who are skilled in more current techniques; Yelgecen, Tigrel, & Kokalan, 2009). A stressful work environment can create a workplace characterized by high competition and conflict in which harassment, such as the punishment of a worker, is accepted (Einarsen et al., 2005). Furthermore, motives to begin a mobbing campaign may be caused by discrimination against the victim's political or religious beliefs or refusal of sexual approach (Di Martino et al., 2003; Elliott & Davenport, 1999).

Consequences of the Mobbing Campaign

A mobbing campaign often causes psychogical problems in victims (Zapf & Leymann, 1996). The victimization creates and increases difficulties in relationships with colleagues, superiors, and family members. The most frequent diagnosis is adjustment disorder (Chirico, 2016). The victim may also develop psychological problems, such as mood disorders (Djurkovic et al., 2003) and anxiety disorders. However, in the most extreme cases, victims are sometimes diagnosed with posttraumatic stress disorder (Nielsen et al., 2015). Victims also suffer from medical conditions, such as concentration or sleep difficulties, gastrointestinal disorders, dermatological damage, sexual disorders (Yaman, 2015), cardiovascular diseases, and distress reactions (e.g., excessive sweating, palpitations, shortness of breath; Matthiesen & Einarsen, 2015). Mobbing has detrimental effects on not only the victim but also the organization. Consequences for the organization may involve compensation payments imposed by the court (Duffy, 2018; Yelgecen Tigrel & Kokalan, 2009). As underlined by Lippel (1999, 2012), access to compensation for psychological disability related to work related stress is more difficult for women workers than for men, although it is difficult for both men and women to make their case. Women often occupy high demand–low control occupations (Block, Croft & Schmader, 2018), thus employee and women themselves underestimate the stress and the strain to which they are exposed.

Gender Differences in the Mobbing Phenomenon

An important variable to consider in mobbing is gender, but findings from investigations are contradictory. The analyses of large-scale studies conducted by Einarsen and Skogstad (1996) and Vartia (1996), several Scandinavian samples (Leymann, 1996; Leymann and Tallgren,

1993) and the UK studies by Rayner (1997) and Hoel and Cooper (2000) show a balanced picture. However, further research, for example the European Working Conditions Survey (Di Martino et al., 2003), showed that women experience mobbing incidents more frequently than men in most countries in Europe. Salin (2005) emphasized that findings from investigations that involve specific groups showed that members of the underrepresented sex reported higher mobbing rates. Other studies have also found higher rates of exposure of women than of men (Asfaw et al., 2014; Eurofound, 2012; Salin, 2015; Lippel, Vézina, Bourbonnais & Funes, 2016), even if this is not true in all countries (Eurofound, 2012). In the investigation conducted by Picakciefe, Acar, Colak and Kilic (2017), the authors found that women are more likely to be mobbed than men and also there are significant differences in the variables explaining mobbing depending on the victim's gender: while personal and job characteristics were more relevant for males, working conditions were more relevant for females. In Italy, investigations on workplace violence conducted by the National Institute of Statistic (Istat, 2010; 2018) showed that 9% of workers experienced mobbing during their course of professional life. The percentage of female workers that experienced mobbing during their professional life was 9.9.

Çögenli et al. (2017) argued that gender is one of the main causes of mobbing (see also Carnero et al., 2010; Cogenli & Barli, 2013; Hoel et al., 2001; Matthiesen & Einarsen, 2001; Sloan et al., 2010). Regarding the experience of mobbing victimization, men appear to be more prone to same-gender victimization by a superior, and women experienced more superior–subordinate and colleague victimization, both inter-gender and same-gender (Salin, 2005). Interestingly, men identified personal failure as the root of their victimization, describing the victimization in terms of passivity, weakness, and lack of competence. In contrast, women attributed mobbing situations to a group dynamic, with victims as the scapegoats and the mobber exhibiting tyrannical behaviors (Salin, 2005). Moreover, Carnero et al. (2010) underscored that males and females suffered from different violent behaviors, with males suffering more from physical violence and most often females suffering from psychological violence (e.g., spreading of rumors, isolation, and silencing).

Current study

In the literature, clinical data are usually collected by occupational medicine centers, which administer self-report questionnaires or interview victims of mobbing (Einarsen & Skogstad, 1996; Valentine et al., 2018). These data are highly informative because a large percentage of mobbing cases are not denounced (Parent-Thirion et al., 2007), but at the same time, these studies may suffer from interpersonal negative bias because the subjects participating in the studies are the victims and the evaluators of the phenomena. Our study is meant to bypass these limitations by using the legal proceedings from lawsuits brought by the victims of individual or organizational mobbing.

Court judgments are extremely important for understanding how and when a case of workplace harassment, physical harm, or psychological violence is considered mobbing. Moreover, the Italian Guarantor of Privacy (2018) emphasized that the diffusion of jurisdictional measures is a precious source for the study and growth of legal culture and is an indispensable instrument for citizens to exercise jurisdictional control.

In a previous work on this matter, we found differences in mobbing perpetrator, behaviors, consequences and compensation based on different typology of victims. The civil court judgement analyzed were found in an online database available to everybody and were refereed to last 15 years (2001-2016). In the present work, our aim is to provide a more refined descriptive analysis than the previous. We analyze the Civil Italian judgement of mobbing found in two online databases referred to last 15 years (2002-2017). These judgements

represent a sampling of those given on mobbing in the Italian context. The analysis was conducted according to the definition of the phenomenon provided earlier: the behaviors that characterize the mobbing, the type of workplace, the power differential between perpetrator and victim, the victim's and the mobber's typologies, the motives, and the consequences for the victim.

Method

The earlier description of the phenomenon was used as a checklist to analyze the mobbing campaign's characteristics and the consequences for male and female victims (see the Appendix for three examples of judgement coding). The method for analyzing judgments came from a previous study in Italy on the various types of victims and their experiences of victimization (Acquadro Maran et al., 2018); we revised and adapted this method for the purpose of this investigation. Using yes/no responses, we classified behaviors into the following six categories: isolation (e.g., the colleagues did not include the victim in social activities), attacks on personal and professional life (e.g., change in shift work, silencing), attack on reputation (e.g., rumors), preventing work (e.g., not giving the tools needed for a specific job), threats (e.g., a change in workplace), or physical assault (e.g., pushing). The workplace can be categorized as individual items for public administration (e.g., city hall, police force), a private organization (e.g., service company, bank, insurance), the education sector (e.g., school, university, kindergarten), or a health organization (e.g., hospital, housing assistance). The duration of the campaign was calculated in months (one item). To describe the gap between perpetrator and victim, the type of mobbing was classified as horizontal, vertical, or strategic (one item each, yes/no responses). The victim was categorized as captive, passive, ambitious, scapegoat, or hypochondriac (yes/no responses, five items), and the mobber was categorized as casual, sadist, choleric, or instigator (yes/no responses, four items). The motives were categorized as a failure to comply with rules (written and unwritten), conflict due to difficult relationships, an attempt to expel the victim from the workplace (e.g., the victim's skills could cause failure), punishment for a behavior that made the functioning of the group or the leader difficult, discrimination for diversity (e.g., ethnicity, physical, or psychological impairment), or sexual denial (e.g., denial of requests for a sexual relationship; yes/no responses, six items). The consequences of victimization were classified as adjustment disorder, mood disorder, anxiety disorder, posttraumatic stress disorder, or medical conditions (yes/no responses, five items).

Materials

Data were gathered from two free websites on civil judgments involving mobbing. To have the most complete data possible, the two websites used databases with various aims and input modalities and are addressed to diverse populations. Specifically, one of the websites is considered a useful tool for enhancing knowledge on legislative matters (https://www.altalex.com/), while the other website is devoted to informing visitors interested in the mobbing phenomenon (http://www.mobbing-prima.it/). The former is constantly updated with the latest information on initiatives (e.g., seminars, open lessons for the public, books, and legislative proposals) about the phenomenon.

We collected the data using a qualitative research design for archiving data (Parry & Mauthner, 2004). Ethics approval was not required because all data used are publicly available. All the judgments have been treated in accordance with the Italian laws about privacy (D.Lgs 196/200), the Declaration of Helsinki (2001), and under the recommendations of the Bioethics Committee of the University of Turin and Article 10 of the National Board of Italian

Psychologists Code of Ethics for the Psychologist (2018), which regulates research activities for Italian psychologists. Any data personally identifying mobbers and victims who were involved in each legal case were omitted.

The inclusion criteria for the judgments in this analysis were the last 15 years civil judgment recognizing the case as mobbing (those judgments include the definition of mobbing, as previously described), the identification of the victim(s) and the perpetrator(s), the type of behavior, the duration of the mobbing campaign, and the consequences of the victimization (as proved by the legal reports, which refer to objective assessments conducted by legal medical experts and/or to clinical reports that accompany the court final judgments). Therefore, we excluded cases in which the judgment was pronounced to be another type of workplace harassment, such as occupational stalking. Moreover, in cases of mobbing with more than one judgment (e.g., various grades of judgments for the first instance and for those on appeal), only the judgment of the highest grade according to the Italian justice system was considered for inclusion.

Procedure

The websites were visited in September 2017. The files that constituted the corpus of the court judgments on mobbing were saved in a folder. Overall, the sample contained 96 judgments, 43 from the website on legislative matters and 49 from the website devoted to the dissemination of information about the phenomenon. Twenty-three judgments were excluded: three were not in favor of the victim, 10 had lower grades than were referred to in the same case, and 10 were the same case on the two websites. Therefore, 73 judgments were included in the present work: 35 originated from the website on legislative matters, and 38 came from the website that disseminates information on mobbing.

Data analysis

Directed content analysis was used to categorize all information (Hsieh & Shannon, 2005). Three collaborators read the judgments. Two of them (Coders 2 and 3) were trained by the authors for the specific purpose of categorizing information as previously described and entering it into the database. They were invited to indicate any doubt about the type of victim, the mobber, or the behavior. One of the authors (Coder 1) intervened only when the two collaborators disagreed. When a divergence arose in the categorization process, the authors discussed the meaning attributed to the data until they reached an agreement on the categorization of the information. Consistency was guaranteed by reproducibility or intercoder reliability (Burla et al., 2008; Cohen's $k = .86$). Descriptive statistics were calculated using IBM SPSS Statistics, version 24. Descriptive measures (mean $\pm$ SD) were calculated for all the continuous variables. Because of the categorical nature of the data, χ^2 tests were used to examine gender differences, followed by effect-size calculations (Phi and Cramer's V) to estimate the practical significance of the differences. As a post hoc test, standardized Pearson residuals (SPRs) were calculated for each cell to determine which cell differences contribute to the χ^2 test results. SPRs whose absolute values were greater than 1.96 indicated that the number of cases in that cell was significantly larger than would be expected (in terms of over- or underrepresentation) if the null hypothesis was true, with a significance level of .05 (Agresti, 2002). T-tests were used to examine the gender differences among the mean scores (number and duration of mobbing behaviors). Cohen's d was used to calculate the effect size. Differences were considered statistically significant if $p < .05$.

Results

Characteristics of the Mobbing Campaigns

An analysis of the judgments showed 34 male victims (46.6%) and 39 female victims (53.4%) of mobbing. Overall, most of the participants (26, 35.6%) were 41–50 years old, 20 (27.4%) were 31–40 years old, 20 (27.4%) were 51 or older, and 7 (9.6%) were 20–30 years old. In 68 (93.2%) cases, the behavior that characterized the mobbing campaign was an attack on personal and professional life (Table 1). Female victims of mobbing in particular indicated isolation and attack on reputation (respectively, phi = 0.23 and 0.27). About half of them worked in a private company (37, 50.7%), 16 (21.9%) in public administration, 11 (15.1%) in the educational sector, and nine (12.3%) in the health sector. The duration of the mobbing campaign varied from 1 to 60.25 months ($M = 10.21$, $SD = 11.05$), with a statistically significant difference between genders ($t = 2.41$, $p = .025$, Cohen's $d = 0.77$). The time from the beginning of the mobbing campaign to when it was reported was higher among men than women. In most cases (61, 83.6%), the asymmetry between the perpetrator and victim was vertical, which meant that the mobbing campaign occurred between a boss (the perpetrator) and a subordinate (the victim).

Table 1
Characteristics of Mobbing Campaigns for Male and Female Victims of Mobbing

	Male n = 34 n (%)	Female n = 39 n (%)	χ^2	p	φ
Behavior					
- isolation	16 (47)	**27 (69.2)**	3.69	.046	0.23
- attack on personal and professional life	31 (91.1)	37 (94.9)	0.39	n.s.	
- attack on reputation	26 (76.5)	**37 (94.9)**	5.02	.025	0.27
- preventing work	30 (88.2)	34 (87.2)	0.02	n.s.	
- threats	22 (64.7)	30 (76.9)	1.32	n.s.	
- physical assault	26 (76.5)	21 (53.8)	0.19	n.s.	
Workplace			2.08	n.s.	
- private company	19 (55.9)	18 (46.2)			
- public administration	8 (23.6)	8 (20.5)			
- education sector	3 (8.8)	8 (20.5)			
- health sector	4 (11.8)	5 (12.8)			
Duration	M = 14.56, s.d. = 14.62	M = 6.06, s.d. = 5.00			
Type of mobbing					
- horizontal	7 (20.6)	5 (12.8)	0.80	n.s.	
- vertical	30 (88.2)	35 (89.7)	0.42	n.s.	
- strategic	2(5.9)	3(7.7)	0.93	n.s.	

Note. (N = 73). χ^2 = chi-square; p = p values; n.s. = not statistically significant; φ = phi value. Cells with overrepresentation of subjects (male vs. female) are indicated in bold.

Actors in Mobbing

An analysis of victims of mobbing showed that the victim type was equally distributed between genders. No victim was classified as suffering from hypochondria. More than a quarter (21, 28.8%) indicated that the mobber was an instigator (Table 2). The casual mobber was referenced significantly more frequently by male victims than female victims (SPR = |2.2|), and choleric mobbers were indicated more in the judgments of female victims than of male victims (SPR = |2.3|, Cramer's $V = 0.25$).

Table 2
Actors in Mobbing Behaviors for Male and Female Victims of Mobbing

	Male n = 34 n (%)	Female n = 39 n (%)	χ2	p	V
Victim:			1.95	n.s.	
- Captive	10 (29.4)	10 (25.6)			
- Passive	9 (26.5)	6 (15.4)			
- Ambitious	9 (26.5)	14 (35.9)			
- Scapegoat	6 (17.6)	9 (23.1)			
- Hypochondriac	-	-			
Mobber:			9.09	.028	0.35
- Casual	**13 (38.2)**	6 (15.4)			
- Sadist	10 (29.4)	8 (20.5)			
- Choleric	3 (8.8)	**12 (30.7)**			
- Instigator	8 (23.5)	13 (33.3)			

Note. (N = 73). χ^2 = chi-square; p = p values; n.s. = not statistically significant; V = Cramer's V effect size. Cells with overrepresentation of subjects (male vs. female) are indicated in bold.

Motives for Mobbing

Victims can list multiple motives for mobbing. They often range from one to four motives, but the average number of motives listed by a victim was 2.14 (M_{men} = 2.18, M_{wom} = 2.10). Overall, the most frequently indicated motive for the beginning of the mobbing campaign was difficulty in the relationship (45, 61.6%). Discrimination for diversity was found in seven (9.6%) judgments, and the victim's disability was a motive in four cases. Denial of sexual approach was found in five (6.8%) cases. No statistically significant differences emerged between genders (see Table 3).

Table 3
Motives in a Mobbing Campaign for Male and Female Victims of Mobbing

	Male n = 34 n (%)	Female n = 39 n (%)	χ2	p
Failure to comply with rules	11 (32.4)	20 (51.3)	2.66	n.s.
Difficulties in relationships	21 (61.8)	24 (61.5)	0.00	n.s.
Attempt to expel	17 (50)	15 (38.5)	0.98	n.s.
Punishment	19 (55.9)	20 (51.3)	0.15	n.s.
Discrimination for diversity	5 (12.8)	2 (5.1)	1.92	n.s.
Sexual denial	1 (2.6)	4 (10.3)	1.52	n.s.

Note. (N = 73). χ^2 = chi-square; p = p values; n.s. = not statistically significant.

Consequences of Mobbing Campaigns

The consequences of mobbing were indicated in all judgments and ranged from one to six consequences (M = 2.9, M_{men} = 2.79, M_{wom} = 3.0). The most common consequences were anxiety disorders (53, 72.6%) and medical conditions (62, 84.9%; Table 4). Anxiety disorders were more common in judgments in which a woman was the victim than in those in which a man was the victim. In judgments, the legal medical experts indicated that victims (female and male) often reported medical conditions in cases of preventing work (χ^2 = 6.92, p = .009, SPR = |2.6|; especially for females: χ^2 = 8.77, p = .003, SPR = |3|), attack on reputation (χ^2 = 5.63, p = .018,

SPR = |2.4|; especially for men: $\chi^2 = 10.39$, $p = .001$, SPR = |3.2|), and threats ($\chi^2 = 7.68$, $p = .006$, SPR = |2.8|; especially for men: $\chi^2 = 10.75$, $p = .001$, SPR = |3.3|). Mood disorders were more common, as indicated by legal medical experts, in cases of isolation among both genders ($\chi^2 = 5.06$, $p = .024$, SPR = |2.3|) and in cases of attack on reputation among females ($\chi^2 = 4.22$, $p = .004$, SPR = |2.1|; Table 5). Adjustment disorder was indicated more often in judgements in which the victim was a female and the misconduct was the threat ($\chi^2 = 4.32$, $p = .038$, SPR = |2.1|). Posttraumatic stress disorder was indicated in two (2.7%) cases.

Table 4
Consequences of the Mobbing Campaign for Male and Female Victims of Mobbing

	Male n = 34 n (%)	Female n = 39 n (%)	χ^2	p	
Adjustment disorder	14 (37.8)	11 (28.2)	1.36	n.s.	
Mood disorder	7 (20.6)	13 (33.3)	1.48	n.s.	
Anxiety disorder	20 (58.8)	**33 (84.6)**	6.01	.014	0.29
Posttraumatic stress disorder	1 (2.9)	1 (2.6)	0.01	n.s.	
Medical conditions	29 (85.3)	33 (84.6)	0.01	n.s.	

Note. (N = 73). χ^2 = chi-square; p = p values; n.s. = not statistically significant. Cells with overrepresentation of subjects (male vs. female) are indicated in bold.

Table 5
Consequences of the Mobbing Campaign for Male and Female Victims of Mobbing for Behavior Types

	Isolation N = 43		Attack on life N = 68		Attack on reputation N = 63		Threats N = 52		Preventing work N = 64		Physical assault N = 47	
	Male n = 16 n (%)	Female n = 27 n (%)	Male n = 31 n (%)	Female n = 37 n (%)	Male n = 26 n (%)	Female n = 37 n (%)	Male n = 22 n (%)	Female n = 30 n (%)	Male n = 30 n (%)	Female n = 34 n (%)	Male n = 21 n (%)	Female n = 26 n (%)
Adjustment disorder	9(56.3)	9(33.3)	12(38.7)	11(29.7)	10(38.5)	10(27)	10(45.5)	6(20)*	11(36.7)	9(26.5)	8(38.1)	5(19.2)
Mood disorder	13(81.3)	17(40.7)	7(20.6)	13(35.1)	4(15.4)	11(29.7)*	2(9.1)	11(36.7)	**7(23.3)**	**11(32.4)**	3(14.3)	9(34.6)
Anxiety disorder	10(62.5)	24(88.9)	19(61.3)	32(86.5)	14(53.8)	32(86.5)	14(63.6)	27(90)	19(63.3)	28(82.4)	12(57.1)	23(88.5)
PTSD	-	1(3.7)	-	1(2.7)	1(3.8)	1(2.7)	1(4.5)	1(3.3)	1(3.3)	1(2.9)	-	-
Medical conditions	12(75)	23(85.2)	26(83.9)	32(86.5)	**25(96.2)***	31(83.8)	**22(100)***	26(86.7)	26(86.7)	**31(91.2)***	19(90.5)	22(84.6)

Note. (N = 73). Cells with overrepresentation of subjects, male and female, are indicated in bold. * = $p > .05$.

Discussion

The aim of this work was to analyze mobbing in terms of characteristics of mobbing behaviors for male and female victims, the actors involved, the workplace, the motives, and the consequences as described in a sample of Italian civil court judgments. In most large-scale studies, those based on clinical data (Einarsen & Skogstad, 1996; Hoel & Cooper, 2000; Leymann, 1992; Vartia, 1996) and this study, the findings showed fairly equal victimization of men and women. We did not find significant differences in terms of motivation; women and men reported that the most frequent perpetrator was a person who had a superior position in the work hierarchy (vertical mobbing), as already shown in literature (Ege, 2010; Salin, 2005; Woodrow & Guest, 2017).

Despite these similarities and with the aim of having an accurate description of the mobbing phenomenon as recently suggested by Attell et al. (2017), our research went beyond prior studies and explored legal records to determine whether the mobbing trajectories differed based on gender. We aimed to identify possible differences between male and female victims in terms of the role of the actors involved, the misconduct, and the consequences. An interesting finding was the consequences of mobbing behavior: female victims were more prone than males to

suffer from anxiety disorder as a consequence of the misconduct. The gender variable seemed to influence a person's reactions to experienced mobbing threats. For example, females were more prone to developing a mood disorder whereas males seemed more likely to develop an adjustment disorder as a consequence of experienced mobbing behaviors. As a confirmation of findings presented in the literature, a higher vulnerability to mood disorders was found in women than in men (Acquadro Maran & Varetto, 2018; Simon & Nath, 2004). Similarly, Escartin, Salin, and Rodriguez-Carballeira (2011) showed that female employees accentuate emotional abuse and that men emphasize abusive work conditions more frequently than women.

Regarding mobbing pathways when the victim is a woman, it seems that mobbing behaviors manifest due to the perpetrator's personal characteristics and/or in dysfunctional groups and organizational processes. Men, instead, perceive the abusive acts as casual; they feel that they are the "chosen victim" because of personal weaknesses, accentuating the perception of them as weak and part of the problem. As described in this study, women tend to experience more anxiety than men; this finding may be linked to the concept that women belong to a disadvantaged group in terms of equal rights and work opportunities and usually have a lower work status than men (Hakim, 2016). They might be less visible and more exposed and therefore feel more vulnerable when perceiving negative acts, as Salin (2005) stated. In the case of men, our study clearly demonstrated that they wait longer before suing the perpetrator. Even though feelings of shame and of being isolated are common across both genders (Felblinger, 2008; Hewett et al., 2018; Lewis, 2004), men may encounter more difficulties in recognizing themselves as a "victim" and asking for help (Acquadro Maran & Varetto, 2018; Addis & Mahalik, 2003). These difficulties may be linked to the social stigma of the "weak man" and the social construct of masculinity (Giorgi et al., 2015).

Research Limitations

Some limitations of this research should be underscored. For the content, an element of novelty in this study comes from its investigation of the mobbing phenomena using legal records instead of a traditional research design that normally involves the use of self-report questionnaires and/or interviews. It is a strength of our study, but it also presents several important possible biases that must be taken into account in the interpretation of our results. First, we do not have standardized research material. We analyzed many judgments with styles of reports, which we tried to make homogeneous through the classification procedure, but this process included a subjective component, which must be contemplated in every narrative analysis (Acquadro Maran, Bernardelli, & Varetto, 2018). Second, it is important to consider it a possible source of distortion in assuming total objectivity because the court's judgment may be inherently contaminated by the information offered by the parts (with more or less interest in obtaining compensation) and by other legal elements involved in the case. Moreover, a large percentage of cases cannot be included because the victims often do not report their victimization. Only 10% or less of cases that are actioned (sued) are actually litigated. The other 90% are mediated or resolved between legal representatives before the actual trial. In addition, most cases of workplace mobbing are resolved at the workplace and do not go to litigation at all. Perhaps it is just the most aggressive of cases that end up getting through the entire process in order to generate of legal judgment (McCulloch, 2010). Furthermore, some data was missing. For example, we know that victims of mobbing need lawyers to exercise these recourses and that the access to medical evidence is equal for everybody. But we did not know if the access to the courts differs for men and women in terms of ability to raise issues. As underlined by Lippel (1999), claims by women (or men) may have been disproportionately denied which will skew

the portrait if only successful claims are identified. An analysis of the rejected civil court judgment in mobbing case could give information about the motive of claims accepted/denied.

Moreover, the mobber's age and gender were sometimes not available. Therefore, same- and intergender victimization were not analyzed. Another piece of data that could have been interesting to analyze is the role of witnesses in the mobbing behaviors. Their presence could determine whether the misconduct was stopped (i.e., supporting the victim), or they could take part in the phenomenon directly, thereby supporting and cooperating with the mobber (Acar et al., 2014). Their presence could also explain some variables; for example, the duration of the mobbing could be linked to their fear of possible retaliation for intervening in favor of the victim(s) (Bàez Leòn et al., 2016). Easier access to court judgments, regarding privacy law, could permit researchers to perform a detailed analysis of the phenomenon. Overall, our results should be interpreted carefully because the number of cases is limited and no other analysis (such as on workplace differences) was conducted. Moreover, we did not consider a comparison between the court judgments in favor of or against mobbing. Future researchers should analyze the difference to better understand when the court considered harassment in the workplace mobbing. The results should therefore be considered with respect to their restriction to court judgments considered in this study. Finally, in the interpretation of the results, we did not use some useful theory, such as the attribution theory (Martinko , Douglas & Harvey, 2006), the social dominance theory (Sidanius & Pratto, 2001) or the social learning theory (Martinko & Zellars, 1998) that could help explain the difference between women and men in perceived misconduct and its consequences. For example, in light of attribution theory (Foschi, 1996; Kelley, 1967), men's problems should be seen as much more serious. Future researchers could use the same text utilized in this investigation in light of attribution theory, social dominance theory or social learning theory to better understand the phenomenon as experienced by women and men.

Conclusion

Mobbing is a serious issue in the workplace, causing unproductive work behaviors (Hoel, Sparks & Cooper, 2001). Interest in prevention, recognition, and intervention against mobbing in the workplace therefore is of fundamental importance and is largely supported by copious scientific evidence, but the need to deepen our knowledge remains, especially in descriptive terms and dynamic frameworks that need to consider the characteristics of all actors as we did in our study. Gender-related differences are only one of the aspects that are important to consider; many other variables require a broader perspective. For these reasons, further research from various viewpoints is strongly encouraged. Finally, organizations should contribute to prevent the phenomenon and should intervene when it appears in workplace. Prevention programs could be useful and include, for example, information courses on the phenomena (e.g., underlying the prevalence of victimization among workers), the risk of victimization (underlining differences among male and female), and defense strategies offered by the Italian law. Workplaces should also offer individual measures, such as intervention programs, counseling, and psychological help, to reflect not only on victimization experienced by the victim, but also how this experience affected the well-being of those who attended the violent episodes. A more comprehensive understanding of the social impact of the mobbing in the workplace could help to improve strategies to help victims. This could disrupt the climate that permits the victimization, benefiting not only victims and perpetrators but also the organization as a whole.

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