

INTERVENING WHEN YOU OBSERVE SEXUAL HARASSMENT OF ONE PERSON BY ANOTHER

Bernice R. Sandler
Senior Scholar in Residence
National Association for Women in Education
1350 Connecticut Avenue, NW, Suite 850
Washington, DC 20036
sandler@bernicessandler.com
www.bernicessandler.com

Many of the responses described below can also be effectively used when dealing with other forms of inappropriate and discriminatory behaviors that make people uncomfortable.

Many people find it difficult to intervene when they observe a person sexually harassing another. Sometimes they do not know what to say or how to intervene. Sometimes they are worried about their peers' reactions, that they will not be liked or supported by them. Some people feel that "It's not my business." Others may not realize that in some instances they have a responsibility to intervene.

Why ignoring sexual harassment does not work:

Not responding gives the impression that:

- the person observing it or the person to whom it happens is either too weak to deal with the behavior, and/or
- both of these parties find the behavior acceptable, and/or
- the person to whom it happens likes the behavior and is not offended by it

Rather than being passive bystanders, faculty members and administrators need to develop ways to respond when they observe instances of sexual harassment or other offensive behavior.

If you observe sexual harassment of someone for whom you are professionally responsible, such as an employee you supervise, or as a faculty member observing student to student harassment in your class or related activities, you should always respond in some manner either immediately or shortly after the harassing behavior occurs. However, even in cases where you are not professionally responsible for others' behavior, you may want to respond. Faculty members would in almost all instances intervene when they observed cheating, and would report plagiarism or theft of departmental materials. To some degree *everyone* in a community is responsible for seeing that the community's standards of behavior are followed.

What follows is a list of ways in which individuals can intervene when they observe sexually harassing behaviors. The strategies will also work with other offensive behaviors even if they are not sexual harassment and/or are not prohibited.

Not everyone is comfortable with all of the strategies described; the aim is to provide a variety of ways to respond so that individuals can choose the strategies with which they are the most comfortable. Many of the following techniques are also appropriate for individuals to use when they are being harassed by a coworker, supervisor, or student. (See “Handling Sexual Harassment” by Sandier in *About Women on Campus*, Fall 1997, Vol. 6, Number 4.)

Strategies for intervening:

To the extent possible, it is best if interventions occur *immediately after* offensive behavior occurs.

Humor: Using humor and playfulness are good ways to handle harassment if you can think of something immediately, because humor in a stressful situation connotes strength. Humorous comments demonstrate that the person making the clever comment was not overpowered by the harassing behavior. Humorous comments also help to break the cycle of behavior. Unfortunately, many of us think of wonderfully funny comments later, when it is often too late. Here are some standard remarks which, which, when said lightly and jokingly, might be helpful in a variety of situations:

I would hate to hear that you are being sued by students for sexual harassment.

Is this a test to see how I would handle sexual harassment?

Are you sexually harassing me [or name of person, or group] again? I'm going to have to call the sexual harassment office [affirmative action office, attorney, etc.] right now!

These comments could also be said in a direct manner without humor.

Surprise:

I beg your pardon!

I can 't believe you said that!

Do you know that could be seen as sexual harassment?

Direct: It helps to name or describe the behavior that is inappropriate.

That comment is offensive to all of us (not “to me”); it is unprofessional and probably is sexual harassment. That behavior has to stop.

This is not the first time you've said things like this which many people would call sexual harassment. It's getting in the way of your effectiveness.

That behavior is not acceptable here. It violates our policy on sexual harassment.

That behavior is disgusting (unprofessional, immature, inappropriate, etc.).

Pretending to not understand: In addition to the options listed above, one can pretend not to understand what the joke or remark means. This is particularly useful in response to sexist remarks as well as responding to jokes and stories which portray women or racial or other groups as the object of laughter or ridicule. (Most of these jokes are offensive to these groups, although individuals may not openly complain.) Keep a dead pan expression and state that you do not understand the remark and ask the person to repeat it again, such as:

I don't get the point of your remark

I don't understand what that means.

I don't understand how your comment is relevant to our discussion.

Follow up by asking the person to repeat whatever they just said, and continue to claim that you don't understand what was meant by the comment.

Private Reprimand: If you do not want to address the behavior publicly, you can still intervene immediately by addressing the person who behaved offensively, stating that you would like to talk to him or her privately. This gives other bystanders the message that the person's behavior was out of line and that it will be dealt with. This works best if you have higher status or power (such as being a supervisor) over the person who is engaging in harassing behavior.

Sending a letter and a copy of the policy and other materials about sexual harassment to the person: This can sometimes be helpful by underlining or highlighting that part of the policy which has been violated. If you do not feel comfortable sending the policy under your name, ask the person in charge of sexual harassment to do so.

Writing a Letter to the Perpetrator: This technique, invented by Dr. Mary Rowe at the Massachusetts Institute of Technology, has been an extraordinarily successful method in dealing with sexual harassment as well as other forms of interpersonal conflict, and can also be used when someone has observed sexually harassing behavior. The letter consists of three parts:

Part I. The writer describes what happened in a very factual manner without any evaluative words, such as *Last week at our staff meeting you made several statements about the inappropriateness of women becoming engineers, or, You stated that Professor Mary Smith was acting "just like a woman" when she criticized your suggestion. On several occasions you have made similar comments about other women faculty and students.* Usually people agree about the facts but disagree about the interpretation of those facts. What the letter does is separate the facts from the feelings.

Part II. The writer describes how he or she feels about the incident(s), again, in as many words as necessary, and in non-evaluative terms, such as

I am very upset with this behavior. I find it offensive and disgusting (or inappropriate or unprofessional).

Your behavior makes me feel very upset.

I find this behavior unprofessional and it interferes with the productivity of our meetings.

I worry about the impact these remarks have on morale.

I am concerned that someone will file a formal complaint against you [or our unit].

Part III. This part is usually very short, noting what the writer wants to have happen next: “*I want this behavior to stop at once,*” or “*I want you to treat your colleagues [students, assistants] in a professional manner, the way every colleague [student, employee] has a right to be treated*”

Typically, the letter is sent by certified mail, return receipt requested, which is a way of informing the recipient that this is an important letter. (If it were just one or two sexist remarks, one might put the letter in the offender’s mailbox, but having the person sign for the letter is sometimes useful. It also gives the writer a receipt that the letter was received.) Should the harassment continue the letter could be used as evidence that the perpetrator was informed that the behavior was unwelcome.

The person keeps a copy for him or herself, but does not send a copy to anyone else. If, for example, the letter said “cc: the Dean” the recipient of the letter might go to the Dean’s office in an attempt to destroy the credibility of the writer. The letter works best if it is a private communication between two individuals.

The letter is successful about 90-95 percent of the time. It is not likely to work with a very hostile person or someone who is sadistic or intransigent, or with groups of harassers. Most of the time the harasser says nothing after receiving the letter but stops the behavior. Once in a while the harasser wants to apologize or explain, but it is best not to get into a discussion of the behavior but to simply say, “I don’t want to discuss it, I just want the behavior to stop.”

Report the behavior to the appropriate person, such as the individual in charge of sexual harassment. This is particularly appropriate if the person who is engaging in harassment is unresponsive to your efforts and the behavior persists, or if you are uncomfortable dealing directly with the harasser.

Reporting the behavior in person is most effective. You can also bring others with you who may have observed the behavior, have knowledge of it, or be troubled by it. The person in charge

should be able to discuss with you the possible options to be taken, whether informal or formal, including such possibilities as a formal letter from the institution or an informal talk with the person. If they cannot, they may be subjecting your institution to liability by ignoring the information, and you may want to consider going above that person to someone with greater authority. You may also want to write a follow up letter to the person to whom such behavior is reported asking to be kept informed about what steps have been taken, and to inform them about whether the behavior has continued or stopped.

Keep records about any incidents you observed, what you or anyone else did, what the response was, etc. A private memo to your own files is useful documentation should it ever be needed.

Distributed by the Ombuds Office, Fall 2003