
People Who Feel Harassed Need a Complaint System with both Formal and Informal Options

Mary P. Rowe

There are at least four important reasons to look at the characteristics of people who feel harassed and at how they want to express their concerns:

- Designers of dispute resolution systems need to know what the "customers" (those with complaints and employers) want and need in order to deliver excellent service.
- With increasing diversity in the U.S. workforce, lawmakers, the corporate world, scholars and the general public are all showing increasing interest in preventing and dealing with harassment, particularly sexual and racial harassment. Because perception of harassment is intrinsic to the definition of the offense of harassment, it is necessary to have an understanding of those who experience the problem. (Harassment is an unusual "wrong": It exists in part in the eye of the person wronged, rather than having a wholly objective life of its own. For example, sexual harassment is legally defined in part as being *unwanted* sexual attention).
- There is increasing controversy about mandatory reporting, investigation, and adjudication of certain kinds of harassment cases. Some groups are pushing for increasing formality of grievance procedures for harassment, while others, such as the U.S. Equal Employment Opportunity Commission, are exploring less formal methods, such as mediation.
- Negotiation theorists find that complaining is an interesting area of dispute resolution for our standard tools of analysis, as we look at rights-based and interest-based complaint-handling options.

But first, the reader may ask, is harassment really a serious problem? For example, a 1989 *Forbes* article suggests it is not, in part because so few people make formal complaints. On the other hand, ubiquitous anonymous surveys

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say harassment is very common. Dr. Freeda Klein, who is probably the best-known surveyor of this topic in the United States, agrees with me in estimating that five percent of men and 15 percent of women in the workplace feel seriously harassed each year on the basis of sexual harassment alone.² (For this estimate, Klein and I both define "seriousness" in terms of disruption in one's ordinary work and personal life.) My data and hers indicate that racial, ethnic, religious and other forms of harassment are also common. However, if harassment is a problem, why is it that so few people—Klein and I estimate fewer than one percent of a given work population—file formal harassment complaints?

The data I shall present in this article suggest that many people who come to a complaint-handler with interpersonal concerns appear to require a menu of dispute resolution options, including both formal (distributive) and informal (integrative) choices.³ Even more important, according to these data, is the necessity for these people to have the chance to custom-design an approach to their concerns. This study of the characteristics of people with complaints about harassment also suggests that:

- harassment is an extremely complicated problem experienced very differently by different people;
- people who do not file formal complaints choose not to do so for a variety of reasons;
- it would be in the interests of employers as well as concerned employees, to prevent—and surface—more harassment complaints;
- tougher grievance procedures represent only a partial answer for people whom I describe in this article; and
- problem-solving complaint mechanisms appear to be important options for this population.

Background

I have been an intra-institutional ombudsman, one of two special assistants to the President of the Massachusetts Institute of Technology (MIT), since 1973. The two special assistants at MIT are designated as impartial counsellors and informal complaint-handlers. We place major emphasis on confidentiality, and keep almost no formal written records of individual cases. Anyone in the MIT community may contact us for any reason; they are encouraged to do so by MIT's complaint policy and by booklets for students and employees called "Tell Someone." The Institute has tried both to prevent harassment and to encourage reporting of concerns; MIT is believed to be the first major employer in the country to have "named" harassment as a problem, and to have developed procedures to deal with concerns. Many kinds of cases—for example, problems that belong with employee assistance or formal complaints from a union member—are referred to others, but MIT's ombudsmen hear a very wide range of concerns.

The complainants described here are those who allege that other people harass them, or that other people are extraordinarily mean and unreasonably difficult to get along with. (These people, who are concerned about serious interpersonal problems, are a subset of all complainants who contact my office; other kinds of questions include access to posted jobs, substance abuse, park-

ing, safety concerns, possible salary inequities, a wish to report some kind of misconduct, etc.) Intra-institutional ombudsmen differ in the proportion of harassment-type problems in their caseloads. However, since this type of problem is particularly significant, in terms of costs both to those involved and their institutions, the subject is clearly an important one. And I believe that the particular characteristics of this kind of complainant have important implications for the design of complaint systems.

For the purposes of this case study—which is obviously not a scientific survey—I have pooled my impressions of MIT people who complain about harassment, together with my impressions of hundreds of complainants of this type from outside MIT. (Harassment should be understood here in its broadest definition, as offensive, intimidating or hostile behavior which has the intent or the effect of unreasonably disrupting the work environment. As used in this article, harassment includes—but is not limited to—offensive behavior on the basis of gender and sex, race, religion, age, handicap, etc.) The complaints that reach my office from outside the MIT community arise from problems originating in a wide variety of employment situations: private industry, foundations, academe, self-employment, government. I do not report the subject matter or final outcome of the calls and visits; I discuss here only some characteristics of people who have contacted me.

MIT has both adjudicative and informal complaint channels available for each type of complainant and for every type of complaint. In most cases, there are at least three options simultaneously available to any person who has an interpersonal concern: the line of supervision; the parallel line of supervision in Personnel (or for students, in the Dean's Office); and the special assistants to the President, who act as ombudsmen.⁴ At MIT, the two parallel channels can be used either informally, or for adjudicative or quasi-adjudicative complaints and appeals. Each year, hundreds of complaints are handled on-the-spot by immediate supervisors or appealed up a supervisory or alternative channel, with or without coming to an ombudsman.⁵ Complainants from outside the MIT community who have come to my office also had at least the line of supervision available. Many outside complainants had also contacted other counselors, including lawyers. This article therefore describes the characteristics of complainants who have sought help informally when formal channels were at least theoretically available (though these channels may not have been well understood by complainants).

This article focuses on a subset of an unknown total population of people who felt harassed. Many people who were concerned about interpersonal problems have chosen to deal directly with the harasser. Or they will have complained and appealed to available line and staff offices, rather than going to an ombudsman. In addition, there is another large population who feel concerned or aggrieved, and who do not seek support or raise their concerns to anyone. Instead, they simply quit, outlive or overcome the problems, suffer, or take out their feelings in some other nonviolent or violent way.⁶ (Indications of the importance of these different groups are available to any employer through review of harassment surveys; quit rates; employee attitude surveys; reports of sabotage and interference with the work of others; discussion with employee assistance personnel, etc.)

Method

Once a year, for a one-month period in the spring, I have noted characteristics of the comments of complainants who contact my office. I have tried to differentiate the characteristics of MIT people who complain of interpersonal problems from those of outsiders. One might expect some differences, because of the much higher "barrier" to be crossed in finding me from outside MIT. I find, however, only the small differences that I report here. I have also tried to note during the rest of the year whether there were any major seasonal variations in the data I report here. I believe there are not; although major social events, like holiday parties, may provoke more harassment, the characteristics of complainants do not appear to vary by season. I have also sought to understand whether people differ depending on the type of harassment reported. My data suggest that the type of harassment does not make much difference, with respect to the characteristics I report here,⁷ for the population who has called me.

During the 1980s, the average number of persons who contacted me about mean behavior was about 500 per year (a substantial number were contacts from outside MIT, and a substantial number were MIT people complaining about offenders who are not in the MIT community).⁸ I do not ask questions of callers for the purpose of my own research interests, so the impressions reported here derive from statements made by callers. (Some statements are, of course, made in response to my routine questions or suggestions.) Some calls are brief; other contacts continue for many hours, over many days, weeks, or even months. In all, I estimate that these impressions are based on conversations with approximately 6,000 persons over the 16-year period 1973-1988. (Note: In the following sections, illustrative comments made by complainants appear within brackets in italicized type.)

Characteristics

Most People (75 percent or more):

- express concern about some kind of bad consequences. [*I'll lose even more than I have already.*] People talk about many kinds of loss in addition to job reprisal, as they discuss taking action openly about the problem that brings them in. In fact, what they most commonly fear is not overt retaliation from supervisors but silent rejection or disapproval by co-workers and family, and the loss of goodwill from supervisors. [*I do not want to rock the boat.*] In fact, some people simply feel uneasy. [*No one would do anything to me; I would just feel like a troublemaker.*] Other kinds of fears include a surprisingly common fear of violence. These concerns are almost as characteristic of the professionals and supervisors who come in (who are often afraid to "take on" offensive employees and colleagues), as they are of subordinates and students complaining about supervisors. Fear of loss is characteristic of nearly everyone, in any workplace, who expresses concern about mean behavior;
- fear loss of privacy. Typically, a concerned person does not want co-workers, or perhaps a supervisor or family members, to know about the problem. [*My family are conservative Muslims; if they knew about this, they might call me home, or My parents were born in Asia; they would be so*

humiliated.] Or, the person does not want a "record in the files." [*I want to be known as a first-class scientist, not as a "harassment case."*]

- say they do not wish to go to a third party, but feel they lack the skills they need to change the situation effectively. [*It always comes to me too late, what I should have said, or She's really a good person; I wish I could think out how to stop her.*];
- believe that they lack sufficient evidence of the offensive behavior. Most complainants realize that lack of proof represents a problem for management. In my opinion, the belief of complainants that they lack sufficient evidence is the main reason why people who feel harassed do not complain openly or, in the eyes of management, soon enough. [*I did not want to get into a situation of his word against mine, so I did not do anything.*] Although there are important cases where a determined and thorough investigation will provide clear and convincing evidence, it is quite rare in my experience for there to be sufficient evidence for a fair process management to feel confident in taking serious disciplinary action against an offender;
- say, when asked what they want out of the situation, that what they want is "just for the problem to stop." Some will add that they also want to be sure that the offender does not harass anyone else. [*Please do not investigate: I do not want to see him punished. I just want to be able to go back to work and forget about it.*]

What explains why so many people who come to see me do not want to enter into a formal complaint process, and just ask for "the problem to stop?"⁹ Quite a number of offenders are thought by complainants to need psychological help or education. [*Couldn't you just put him into a training program?*] Some say that they do not want an investigation or punishment because they fear social rejection or loss of privacy. Some feel they share responsibility for the situation. [*I was the one who asked him out.*] A substantial number of people (especially certain ethnic groups) really dislike adjudicative procedures. Some people (correctly) believe that the process of investigation will be painful to them emotionally, by forcing them to relive the harassment, or because they are in conflict about reporting sexual and other abuse.¹⁰ Some know that it will be costly in terms of their own time. Still others fear that there will not be enough evidence to punish the alleged offender. They therefore do not want to get into an inconclusive investigation, or an investigation that produces an "acquittal"—with its high costs and zero benefits for the complainant—and therefore just say that all they want is for the harassment to stop.

Many People (more than 50 percent):

- appear in distress, sometimes very serious distress. [*I think this must be an over-reaction to his just staring at me, but I have not been able to concentrate or write for several weeks.*] They need various kinds of support: religious counsellors, a women's group, a medical checkup, assertiveness training, a therapist, a few days off, a chance to telephone home to another country, support for an angry spouse [*My husband won't touch me anymore; he thinks this must be my fault!*] as well as support with the complaint itself;

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- give evidence of having widely differing views about whom they will approach as a primary or subsequent complaint handler. In particular, they often feel that the relevant supervisor or supra-supervisor will be useless or worse. [*If this has to go up to my department head, I would prefer not to do anything.*] Many complainants will go only to a woman (or to a man) or to someone of the same ethnic group or to someone who understands their particular work environment or to a person known to be very sympathetic. On the other hand, I estimate that more than half of the workforce will not bring a harassment complaint to an Equal Opportunity office, or to a complaint-handler who is seen in the workplace as "radical";
 - are concerned about being perceived as disloyal, supersensitive, or childish. [*Who is going to see me as a team player if I say those jokes are anti-Semitic?*];
 - value the esteem, friendship, or support of the alleged harasser(s). [*I care a lot about what my group thinks of me. I wish they accepted me. I hate it that they look down on me*];
 - suggest in some way that it is probably pointless to complain. [*Everyone understands problems like assault; my problem is just vicious, nasty, disgusting remarks; if I complain, they'll probably tell me they don't want to legislate conversation.*] Sometimes complainants say it is pointless because they feel they lack enough evidence of the alleged offense for a responsible management to be able to act. [*It is hopeless; he only rubs against me behind closed doors.*] Other complainants say that they do not trust the employer to be able or willing to do anything to rectify the situation. [*I am not going to complain to my administrative officer; she eats lunch with the guy!*];
 - make clear that they do not wish to lose control over their complaint. [*I want to know what will happen next; can I work out some plan with you? . . . You won't do anything without my permission will you? . . . I do not want her fired because of me.*] Important subgroups want to be sure that their complaints are defined as they wish them to be. They include, for example, many Asian- and African-Americans who see unwelcome sexualized behavior as racism, and want it dealt with in those terms; supervisors who would rather treat unwelcome sexual advances from subordinates as a conflict of interest rather than harassment; and gay persons who want their complaints handled as anti-gay harassment and not as sexual harassment.

Some People (5 to 10 percent):

- appear to want the complaint handler to be an advocate. [*You believe me, don't you?*];
- ask if a colleague or a spouse can accompany them [*Could my fiancé come in with me?*], or whether one or more colleagues can be involved as formal or informal witnesses.

A Few People (1-5 percent):

- want somebody else to take care of the whole thing, and have little understanding of due process. [*Everybody knows she harasses people; why do I*

have to do something about it? If the company had ever cared about the people here, they would have fired her!].

A Very Few People (0-1 percent):

- appear vengeful. [*I wish I could see his face when his wife—and his wife's family—find out!];*
- appear to enjoy the fight for the sake of the fight itself, and will overtly or covertly resist having the altercation settled. [*I know that we agreed in writing not to call each other, and to have contact only through a third party, but then I found that he hadn't returned my copy of the Annual Report, which was totally wrong of him, so of course I went to get it, and that was when he hit me again.];*
- report that they have themselves offended someone else. [*I do not know what came over me; I just put my hand under her skirt.];*

Options Initially Mentioned by Complainants

Many People (more than 50 percent):

- talk (at least fleetingly, and sometimes at length) about the idea of either having to leave their jobs, their training program, their dorm, etc. [*In my culture, coming to complain means that I will have to go.];* or wanting to quit [*Even if he apologized and even if I thought that he understood what he had done, I don't think that I could go on working with him];*
- discuss "just putting up with" the problem. [*I don't know why I came to talk with you; I know there is nothing I can do, and I don't want you to do anything about it either!];*
- mention some common form of "acting out" or taking it out on themselves or co-workers or family members. Symptoms include getting sick, (physical difficulties such as pinched neck, headache and gastrointestinal problems are common); having accidents; taking unscheduled time off; coming in late; having trouble concentrating; gossiping; obstructing work; not being able to sleep or eat; gaining weight; being very sleepy; getting into fights; etc. [*I never want to make love anymore];*

Some People (5 or 10 percent):

- mention the idea of recourse outside the institution, for example, the courts. (This proportion is higher than 10 percent for complainants who come to me from the outside.) Over the past seventeen years, an increasing proportion discuss an anonymous or open appeal to outside agencies or the media. [*I have copied some of her marginal notes and doodles; I think a lot about just sending them to the press; I'd like to let people know what she is really like.];* People frequently want to talk about these options, even when they are sure they do not wish to pursue them. I believe that these feelings are common among people who feel humiliated as well as harassed;
- initially come in to talk about a direct, responsible address to the person who is perceived to be the problem. [*I want to learn to handle this on my own; underneath he is a really good person, in spite of the garbage he dishes out].*

A Few People (1-5 percent):

- ask for disciplinary action against the offender without understanding the elements of fair process in a formal grievance procedure. Some in this group wish for disciplinary action to be taken against the alleged offender without an investigation, or without their own names being used, or at least without further pain to themselves. [*I don't understand why I should be harassed until I can't stand it . . . and now I also have to go through all this crap to make it right?*] Some vividly illustrate the scriptural phrase that "he who is not with me is against me." They feel so hurt that they cannot stand the idea that the offender should have equal rights in due process. [*You're going to protect him instead of me?*] It is especially painful for someone like this if the offender brings an appeal after being found guilty, or if for some reason the investigatory process has to be extended. For some people, the reality of the harassment is so stark and cruel that they cannot understand the level and type of evidence that a responsible management will require before firing an offender;
- talk about thoughts of sabotage, other illegal behavior, or violence toward themselves, others, or property. [*I look at them getting on the company plane and I think how easy it would be to pay him back . . .*]

A Very Few People (0-1 percent):

- come in saying the offender should be fired. [*He should not be supervising anyone, and especially not blacks.*] This proportion is somewhat higher for complainants who come to me from outside.

Complainants' Reports of Experiences with Third Parties

Complainants who come to an ombudsman with concerns about mean behavior by definition have not been satisfied by their previous attempts to deal with the interpersonal problems they report. And there is no way to know whether the reports of these complainants about the prior reactions of third parties (who include supervisors, colleagues, friends and family members) are perceived and reported accurately. Nevertheless, because I typically ask whom a complainant may already have seen, I have also noted the perceptions of complainants about the responses of third parties. In rough order of frequency, here is my categorization of the complainants' memories of prior advice and/or reactions from a third party. Third parties (including family, friends and supervisors) are said to have:

- advised "just putting up" with the situation. [*Give it a month or two and maybe it'll go away*];
- advised complete avoidance of the problem person. [*Do not speak to her; just stay completely out of her way*];
- advised quitting. [*So, dust off the old resumé, right?*];
- counselled address to an appropriate supervisor or to another appropriate person. [*Tell someone! Go to your administrative officer or Personnel or someone in charge*];

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- refused to listen, and avoided the complainant. [*So let's take it up later, over the summer, or something*];
 - made angry suggestions about confrontation, with unhelpful details about how to do it. [*You should go on the attack; tell your husband, he should threaten the bastard and set him right!*];
 - intervened with the alleged offender, and joined the fight in a way found by the complainant either not to be helpful or even very damaging. [*So then she went and called my boss without my permission, and said I had been complaining about him, and that he'd better watch his step with me. It was awful*];
 - encouraged court action or an appeal to the media, openly or anonymously. [*Hey, like the easiest thing is just drop a dime on him*];
 - blamed the victim. [*You must have sassed him—why else would he do a thing like that?*].

Dispute Resolution Modes Ultimately Chosen

At an appropriate point in discussion with complainants who contact my office, I ask if it would be helpful to review what appear to be all the responsible options open to the concerned person. I virtually always describe both adjudicative and problem-solving options. I usually do not choose the option for the complainant. (Exceptions sometimes occur in an emergency, or in rare cases when a complainant does not feel able to make any choice but it is clear that, with the permission of the complainant, something must be done immediately.) The options chosen include:

- A very few complainants prefer just to blow off steam, and express their rage and grief. This is an option that I do not recommend by itself. Complainants sometimes express very strong feelings, and then appear to be more comfortable, both then and later when I call to follow up. They may then choose, at least for the time being, to do nothing more (I then typically check back to be sure there is no more harassment);
- A very few complainants learn more information in our discussion about how their complaint system works, and about definitions of harassment, and then say that just getting more information has helped them to resolve the situation within themselves. As in the preceding circumstance, I am likely to follow up at least once.
- Most complainants who report mean behavior decide to learn how to go back directly to the alleged offender, either in person or on paper; typically the complainant will spend some hours drafting a letter and/or role-playing, briefly or at length, how to handle the problem on his or her own. For example, I may role-play the concerned person; my visitor will role-play the offender.¹² This option is chosen by nearly all supervisors who complain of harassment from peers and subordinates, and by more than half of all other (student, employee and manager) complainants;
- Some complainants will ask for a go-between, that is, for informal, third party intervention by a "shuttle diplomat" to resolve the tension; this might be done by a line or staff manager, by me, or by another appropriate person;

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- A few complainants will ask for informal or formal mediation of the problem, with a third party bringing together the disputants; this might be done by a line or staff manager, by me, or by another appropriate person;¹³ this option is most often chosen where the problem is between peers, and where there has been physical violence;
 - A few will eventually agree to ask for adjudication by a third party to decide the matter; this will be done by a line manager or another appropriate person or committee, and usually begins with investigation of the alleged offense. In addition to the option of formal mediation, this is the only other formal (in-house) dispute resolution mode;
 - Some will ask me to arrange for a "generic" approach to the alleged offense. For example, a department head may write a general departmental letter about sexual harassment, bring in a training program, or discuss offensive behavior at a general staff meeting, with the intent of generally raising consciousness, and with the expectation of stopping the specific problem along the way. (In such cases, I follow up to be sure that the specific complaint is appropriately resolved, since the department head will presumably not know the specifics of the case.)

Sometimes a complainant will choose more than one mode or will try first one and then another, if the first option fails.¹⁴ Sometimes I very strongly encourage formal address to a concern, or push for a supervisor to be informed. This may or may not be accepted as an option. (If I push strongly for a given *informal* mode, for example mediation, the complainant is more likely to agree.) It is very unusual for a complainant ultimately to decide to do nothing.

Conclusions

My experience indicates that it is possible to encourage a high reporting rate of interpersonal meanness problems if an institution is willing to grant a high degree of control to complainants. My experience also indicates very wide variation in what complainants want; people of different backgrounds see harassment extraordinarily differently and will choose different options if permitted to do so. This fact militates strongly for providing many options for those who feel harassed, especially in the context of increasing diversity in the U.S. labor force and educational institutions.

The complainants I have described here are not necessarily typical of *all* persons with interpersonal difficulties. They also present themselves in some ways differently than other types of complainants, in their general unwillingness to seek adjudicative or quasi-adjudicative relief via a supervisor or other formal complaint handler. However, this group *by itself* is significant in size and should be provided for within a complaint system.

Because the suffering of these complainants and their colleagues is significant; because harassment is disruptive, against employer policy, and illegal; because the costs to an employer, of failure to respond appropriately to complaints of harassment, are so high (in terms of lower productivity, litigation, bad publicity, violence, etc.); and because many complainants come to an ombudsman thinking of unconstructive options for dealing with their problem, the characteristics of this group are important to those designing a complaint system. The characteristics of this group are also extraordinarily important for

the further development of law and public policy with respect to harassment, where there is controversy about mandatory reporting, mandatory investigation and adjudication.

On the basis of my experience, I believe that an employer must choose between a very high degree of complainant choice, in dealing with concerns of harassment—and having a high reporting rate—or, on the other hand, insisting on mandatory reporting to an Equal Opportunity-type office and having a lower reporting rate. This is because most complainants do not want and cannot be helped in any one standard way, and therefore will not come forward if confidentiality cannot be guaranteed and especially if the only options are formal.

Moreover, many observers raise the question of who *should* be allowed to choose options of pursuing a complaint, and who should be allowed—and encouraged—to deal with meanness. If one believes that harassment is most uncomfortable for those with least power, then one may believe that it is important to empower offended people to deal effectively, if they can, with the offense, and not to give all control over the choice of options and the process of stopping the offense, to those already most empowered in the workplace. Additionally one may believe that offended people should take responsibility themselves. Thus philosophers on the left and the right may both agree that it is important to help people choose and develop their own options.

To summarize, the characteristics of at least one important group of people who feel harassed require employers to provide many different access people and different options open to the choice of complainants, including the option of learning on a confidential basis how to deal directly with harassers. In addition, law and public policy need to take appropriate account of the needs of complainants, and of employers, to provide options. I believe that employers should be required to provide both adjudicative options (based on rights) and problem-solving options (based on interests) for those who feel harassed in the workplace. I believe these points will become increasingly important with increasing diversity in the workforce.

NOTES

1. There are, of course, other interested parties, including the alleged offenders, supervisors, and other complaint handlers. It is beyond the scope of this article to review the characteristics and interests of these other groups. The reader may, however, wish to consider these other parties in considering the data presented here. For an elegant review of the theory and practice of building complaint systems, see Ury, Brett, and Goldberg (1988). Ury, Brett, and Goldberg's clear exposition of rights-based, adjudicatory grievance procedures vs. interest-based problem solving and mediation is particularly useful and important for complaint handlers.

2. Klein, Freda, Klein Associates, Cambridge, Mass. Personal communication.

3. I have written more about "choice" in an article entitled "Options and Choice" (see Rowe, forthcoming; see also Ury, Brett, and Goldberg, 1988).

4. There are also other important resources and points of appeal: the Committee on Discipline, the Campus Police, and other kinds of counsellors. There is also a very substantial amount of referral of cases among the different offices which hear harassment cases; many complainants are supported by several offices at once.

5. Of those who bring harassment concerns to offices other than my own, a substantial but unknown proportion ask for informal solutions.

6. See, for example, Merry and Silbey (1984) for a very helpful analysis of the cultural reasons why many people are reluctant to use informal and formal dispute resolution. These authors

note that many people prefer not to contact any third party to resolve interpersonal differences, even when they know such options exist.

7. I of course do not mean to imply that all kinds of harassment are alike, nor that racial and sexual and other kinds of harassment necessarily have the same origins.

8. The MIT community numbers about 20,000, counting all students, faculty, and staff. I hear from two to four percent of the total community per year about some kind of meanness or harassment. The number of concerns has risen in recent years, as has the proportion of alleged offenders who are not members of the MIT community.

9. See again Merry and Silbey (1984).

10. There are particular groups of complainants of harassment who are poignantly vulnerable to harassment and who sometimes find it difficult to bring formal charges. These are the estimated 20 to 35 percent of women and the five to 15 percent of men who were abused in childhood. Such persons, when again offended in the workplace, may also be negatively affected by being forced to go through a formal procedure, and particularly so if the procedure is heavy-handed: if the offender is perceived to be like the original abuser; or if the result is acquittal due to lack of evidence. Some persons who were abused in childhood may also be *helped* if they can, as adults, bring a formal complaint about harassment in the workplace, but it appears to be important that the choice be made by the offended person and not by a manager.

11. These data appear to affirm the observations of Merry and Silbey (1984).

12. See "Helping People Help Themselves," an article by the same author, which *Negotiation Journal* has accepted for publication later this year; see also Rowe (1978).

13. Some ombudsmen—for example, Howard Gadlin of the University of Massachusetts—have made a specialty of mediating harassment complaints.

14. In the terms of Ury, Brett, and Goldberg (1988), MIT in appropriate cases permits and encourages "looping back" from more formal to less formal dispute resolution modes. With respect to harassment, MIT would of course also permit looping *forward* to a more formal grievance procedure.

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