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The Silent Treatment

She was a Yale senior. He was the superstar professor she'd hoped to impress—until he put his hand on her thigh. Two decades later, she's speaking out. But her alma mater still isn't listening. A story of sex, secrets, and Ivy League denial.

By [Naomi Wolf](#)



English Major: Naomi Wolf as an undergraduate.
(Photo: Courtesy of Naomi Wolf)

Twenty years on, I am handing over a secret to its rightful owner. I can't bear to carry it around anymore.

In the late fall of 1983, professor Harold Bloom did something banal, human, and destructive: He put his hand on a student's inner thigh—a student whom he was tasked with teaching and grading. The student was me, a 20-year-old senior at Yale. Here is why I am telling this story now: I began, nearly a year ago, to try—privately—to start a conversation with my alma mater that would reassure me that steps had been taken in the ensuing years to ensure that unwanted sexual advances of this sort weren't still occurring. I expected Yale

to be responsive. After nine months and many calls and e-mails, I was shocked to conclude that the atmosphere of collusion that had helped to keep me quiet twenty years ago was still intact—as secretive as a Masonic lodge.

How did this all begin? For years now, Yale has been contacting me: Would I come speak at a celebration of women at Yale? Would I be in a film about Jewish graduates? Would I be interviewed for the alumni magazine?

I have usually declined, for a reason that I explain to my (mostly female) college audiences: The institution is not accountable when it comes to the equality of women. I explain that I was the object of an unwanted sexual advance from a professor at Yale—and that his advances seemed to be part of an open secret. I tell them that I had believed that many Yale decision-makers had known about his relations with students, and nothing I was aware of had happened to stop it.

Where is the professor now? they ask. He is still there, I explain: famous, productive, revered. I describe what the transgression did to me—devastated my sense of being valuable to Yale as a student, rather than as a pawn of powerful men.

Then, heartbreakingly, a young woman will ask: “Did you tell?”

I answer her honestly: “No. I did nothing.”

“Have you never named the guy, all these years on?”

“No,” I answer. “Never.”

“But,” she will ask hesitantly, “don’t you have an obligation to protect other women students who might be targets now?”

“Yes,” I answer. “I do have that obligation. I have not lived up to it. I have not been brave enough.” And then there is always, among those young, hopeful women, a long, sad silence.

After such speeches, a young woman will come up to me—in Texas, in Indiana, in Chicago—in tears: *My music professor is harassing me*, she’ll say. I tried to tell the grievance board, but they told me it is my word against his, and that there is no point in pursuing it. I know I won’t get a job if I do anything about it. My lit professor made a pass at me; he is grading my senior thesis. My female adviser basically told me to drop it if I want to graduate; to switch classes; to start all over with another subject. My lab instructor keeps putting his hands on my body, and his mentor is on the grievance committee. I can’t sleep. What should I do?

I am ashamed of what I tell them: that they should indeed worry about making an accusation because what they fear is likely to come true. Not one of the women I have heard from had an outcome that was not worse for her than silence. One, I recall, was drummed out of the school by peer pressure. Many faced bureaucratic stonewalling. Some women said they lost their academic status as golden girls overnight; grants dried up, letters of recommendation were no longer forthcoming. No one was met with a coherent process that was not weighted against them. Usually, the key decision-makers in the college or university—especially if it was a private university—joined forces to, in effect, collude with the faculty member accused; to protect not him necessarily but the reputation of the university, and to keep information from surfacing in a way that could protect other women. The goal seemed to be not to provide a balanced forum, but damage control.

Finally, last summer, I could no longer bear my own collusive silence. Yale had reached out to me once again. The Office of Development had assigned an alumna to cultivate me: She sent a flattering letter inviting me to join a group of women to raise money for Yale.

I wrote my own letter back to Charles Pagnam, vice-president of development. I could not join such an effort because I had been sexually encroached upon at Yale twenty years ago, I explained. The professor involved was still a very visible presence on campus. I wrote that I did not know what steps Yale had taken to protect students, and I wanted to know about the effectiveness of the grievance procedures now. I asked for a private meeting. I heard nothing.

Weeks later, I called Pagnam, told my story to his staff, and re-sent the letter. Again, no response. More waiting. I called the dean of Yale College, Richard Brodhead. He took my call right away. I told him I was calling because I was sexually encroached upon twenty years ago by someone on his faculty, and I wanted to set up a confidential meeting to address it. I wanted to be sure, I said, that Yale’s grievance procedures are now strong.

Brodhead seemed to know who I was talking about. He implied the man in question was not well. “I don’t think you understand why I am calling,” I said. “I don’t want to bring a lawsuit against Yale or Harold

Bloom. I don't want the meeting, or this experience, to be public. I simply need to know that the institution is accountable."

"I'll get back to you," he said. He didn't.

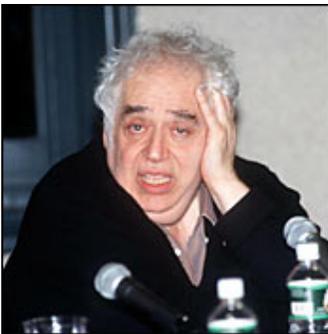
After months of silence, I called Pagnam again, determined to reach him. I was starting to feel like Glenn Close in *Fatal Attraction*. One assistant responded brightly: "You should try the Women's Studies Program!"

It was now about six months since I had first sought a response from Yale. To my amazement, I was facing a blank wall.

I was also in a state of spiritual discomfort. Keeping bad secrets hurts. Is a one-time sexual encroachment by Harold Bloom, two decades ago, a major secret or a minor one? Minor, when it comes to a practical effect on my life; I have obviously survived. This is the argument often made against accusers in sexual-harassment cases: *Look, no big deal, you're fine*. My career was fine; my soul was not fine. I had an obligation to protect others from which I had run away.

Every Yom Kippur, Jewish tradition requires a strict spiritual inventory. You aren't supposed to just sit around feeling guilty, but to take action in the real world to set things right. We pray, "*Ashamnu. Bagadnu*. We have acted shamefully . . . behaved wickedly." The sin of omission is as serious as the sin of commission.

Every year, I wonder about the young women who might have suffered because I was too scared to tell the truth to the people whose job it is to make sure the institution is clean. I am not at peace when the sun sets and the Book of Life is sealed: I always see that soft spot of complicity.



Academic Superstar: Harold Bloom
(Photo: Globe Photos)

My next calls were to President Richard Levin's office. I left a very long message with details. No answer. Finally I left another message saying I had been trying for months to get an off-the-record meeting on this issue. I was getting no response. And if I kept getting no answer, I would have no compunction about raising this issue in the Yale *Daily News*.

I was promptly called back, by Nina Glickson, assistant to the president. I explained once again why I was calling. "Unfortunately for you, Naomi, the statute of limitations has passed" was the first thing she said.

"I know that. I don't want money or a lawsuit or to make this public . . ." I began again, going through my litany: I wanted to be sure the grievance process was effective. Her empathetic cooing suggested that Yale might have finally sensed something potentially awkward taking shape.

"I'll get back to you," she promised. She did not do so. Five months later, having called again and yet again

she informed me that President Levin still hoped to speak to me. In fact, he had referred the matter to Brodhead.

What decade do they think they are living in? I wondered. Surely you did not dismiss angry alumnae, let alone journalists calling to follow up on sexual misconduct, in the post-Clinton, post-Tailhook, post–Air Force Academy world of 2004.

Then, Pagnam called. I explained what had happened to me. I offered to meet, look at the grievance procedures, and, if I felt they were adequate, help, as Yale had requested, with fund-raising. “What outcome do you want?” he asked.

I explained that in a transparent, accountable institution, it is Yale’s job to have crafted a standard response to complaints of this kind, not mine.

“I’ll get back to you,” said Pagnam. It was the last I heard from him.

What actually happened in late fall, 1983? I was a senior, majoring in English. Harold Bloom was one of Yale’s most illustrious professors. Most of my friends in the Literature department were his acolytes, clustering around him at office hours for his bon mots about Pater and Wilde. He called students, male and female both, “my dear” and “my child.” Beautiful, brilliant students surrounded him. He was a vortex of power and intellectual charisma.

I, personally, was at once drawn to him intellectually and slightly scared of him. I had audited a famous course he taught, and he had reached out to me then and invited me to talk with him. Since he was so intellectually selective, I was “sick with excitement” at the prospect, as I wrote in an account—details changed to disguise his identity—in one of my books, *Promiscuities*.

His aura was compelling—and intimidating. Lit majors who surrounded him were also chatting with Jacques Derrida and throwing around words like *jouissance*; English majors like me were poring over *Beowulf* and using words like *index*. But my trusted senior adviser, the poet John Hollander, liked my poetry; and based on that work, he urged me to take an independent study in the fall with professor Bloom, who was a friend.

Bloom agreed to meet with me weekly. At my adviser’s suggestion, he wrote me a letter of reference for my Rhodes Scholarship application. Then I could not get a meeting with him. The semester was slipping away. When I saw him on campus, he would promise to go over my poetry manuscript “over a glass of Amontillado.” I’d heard that some faculty met with students at Mory’s, and that Bloom drank often with his male students there. I also knew that there was an atmosphere at Yale in which female students were expected to be sociable with male professors. I had discussed with my friends the pressure to be charming but still seen as serious.

Finally, Bloom suggested that he come to the house I shared with one of his editorial assistants and her boyfriend. At dinnertime. I agreed.

The four of us ate a meal. He had, as promised, brought a bottle of Amontillado, which he drank continually. I also drank. We had set out candles—a grown-up occasion. The others eventually left and—finally!—I thought we could discuss my poetry manuscript. I set it between us. He did not open it. He did not look at it. He leaned toward me and put his face inches from mine. “You have the aura of election upon you,” he breathed.

I hoped he was talking about my poetry. I moved back and took the manuscript and turned it around so he could read.

The next thing I knew, his heavy, boneless hand was hot on my thigh.

I lurched away. “This is not what I meant,” I stammered. The whole thing had suddenly taken on the quality of a bad horror film. The floor spun. By now my back was against the sink, which was as far away as I could get. He moved toward me. I turned away from him toward the sink and found myself vomiting. Bloom disappeared.

When he reemerged—from the bedroom with his coat—a moment later, I was still frozen, my back against the sink. He said: “You are a deeply troubled girl.” Then he went to the table, took the rest of his sherry, corked the bottle, and left.

Is that all? yes—that’s all. But the encroachment, the transgression—those words are so much more accurate, emotionally as well as legally, than “harassment”—had effects that went deep. What Harold Bloom’s hand on his student’s thigh set off was not a sexual crisis. I was sexually active—and not even especially modest. An unwanted hand on a thigh from a date was nothing. Nor was it an emotional crisis. wasn’t that vulnerable. What it set off was a moral crisis, shaking my confidence in the institution I was in.

I wanted to go to the Grievance Board. The semester was passing, but I was terrified of being in a room alone again with Bloom. Still, I needed to know what to do about the rest of the term. Some women friends, however, persuaded me not to speak to anyone official about what had happened. It was one of those perfect blue days in autumn; the sun was still strong; we were with our books on the Cross Campus grass. I told my story. Someone said she had heard things about Bloom and other students, and that administrators had heard about it as well. But the university saw him as untouchable, my friends warned. Don’t do it.

Were these rumors accurate? It matters. A professor of mine at the time told me last month that “professors and graduate students within the department gossiped that Bloom was romantically and sexually involved with one or more of his graduate students. The irony is that whether or not that was true, in a specific case, it affected how professors viewed female graduate students’ work.” Another woman, who was then a graduate student and is now a tenured professor of literature, confirmed, “It was known; it was in the air.”

What did we have to go on in 1983 but rumor? In the absence of transparent procedures, decoding the right rumors was how you survived. One friend reminded me of a young woman who had been assaulted by a graduate student and, she said, had gone to the grievance committee. The grad student's male mentors, my friend said, defended the man, explaining that he was under pressure and just stealing a kiss. The woman's complaint would jeopardize a young man's entire future career, they had protested. The woman had had a breakdown and left campus, we'd heard.

If I had come from wealth, perhaps I would have had the confidence to speak out. But my father at that time made \$35,000 a year; Yale cost \$13,000. My mother had lost her job. My parents were going deeply into debt. If I was going to grad school, it would have to be on a scholarship; even to finish college, I needed to be in the good graces of the faculty and the financial-aid office.

I wanted to tell Patricia Pierce, my residential college dean. She had called me in because I was spiraling downward; I had gotten a C-, a D, and an F, and was put on academic probation. My confidence shaken, I failed in my effort to win the Rhodes Scholarship at the end of the term. When Pierce asked me what was wrong, I felt it was not safe to tell. I had also heard that a secretary in the Women's & Gender Studies Program, worried about the safety of female students, had posted on her door a handmade sign about a "guilty" ruling from the Grievance Board in a case of a professor harassing a student. Pierce, I'd heard, had run down the hall and torn it off, saying "You can't do that!" Pierce, now dean of the School of Management, e-mailed me to say, "I have no recollection of the incident."

When I described to my parents what had happened, they had gone to a friend of theirs, a scholar of Middle Eastern literature, who was close to Bloom. "You were outraged; you felt violated," my mother, Deborah Wolf, recalled recently. They begged him to speak with Bloom and ask him to leave me alone. "He refused," my mother said. "He said it would be awkward. We felt so helpless. We had no power to protect you." (My roommate, now an editor, who asked not to be named—"I'm still terrified," she confessed—said: "We knew something had happened that night. You were really nervous; you were anxious for the rest of the semester.") I longed to go to my thesis adviser. But John Hollander was Bloom's close friend.

Harold Bloom never met with me again that semester. Not knowing what to do about my grade, I went to his department mailbox and dropped off the collection of poems I had tried to show him at our dinner. I never heard back from him. When I got my grades for a class he had never taught me, he had given me a B.

Once you have been sexually encroached upon by a professor, your faith in your work corrodes. If the administration knew and did nothing—because the teacher was valuable to them—they had made a conscious calculation about his and our respective futures: It was okay to do nothing because I—and other young women who could be expected to remain silent—would never be worth what someone like Bloom was worth.

After months of futile calls to Yale, I began to understand why there had been so much silence on their

end of the phone: Even though I wasn't asking for legal redress, what I was reporting to Yale raised major legal issues. According to equal-opportunity law, if administrators know of a faculty member's tendency to approach students sexually, and do not take sufficient action, the university may then be responsible for condoning a hostile environment. If a member of faculty does reward a student who agreed to sleep with him or her with a plum job, or downgrade students who reject advances, that can be considered "quid pro quo," one of the definitions of actionable sexual harassment. If there is a pattern of concealing and covering up instances of sexual harassment and even sexual assault, or acts of retaliation against students who complain, then a university can be charged with having failed to take corrective action.

Still getting nowhere with Yale authorities, I called around to see if someone else could reassure me so I could drop the matter. Linda Anderson, a brave senior administrative assistant in the Women's & Gender Studies Program (the one who had posted the sign two decades ago), told me that the issue was far from settled. As I started to investigate further, several women willing to tell me their stories came forward.

They were a distinguished group, including a lawyer, a college dean, and a chaplain. What made their stories even more disturbing was that as early as 1980 Yale had already assured a court in *Alexander v. Yale* that it had adopted effective procedures for managing harassment complaints. The case had been brought by five Yale women, alleging sexual harassment. All their claims were dismissed. But the court took "important . . . note" of these measures.

Then, more women began to call me, several of whom had followed the university's grievance procedures and were dismayed with what they felt to be bureaucratic stonewalling, and even the use of the procedure to protect faculty and the university at the student's expense.

Deborah Amory was the first to talk. In 1985, when she was 23, Amory, now a dean at a SUNY campus, was a senior in the Scholar of the House Program. She was at a program dinner at Mory's, seated next to a faculty member. He got drunk and put his hand on her leg. She was startled—another student asked her later if she was okay. She excused herself to get away from him. When she returned, he leered at her and said, "It's okay. I talked to your family, and they say it's fine."

Amory immediately told the head of the program what had happened; he said he was shocked, but did nothing further. Amory filed a grievance. She, too, like me, went into an academic tailspin. "It is a miracle that I finished my thesis," she said. When the grievance committee made its judgment, she was told that "I had been right in considering his behavior inappropriate."

When she asked what the sanctions were, she was told no one would tell her. She was also forbidden to see a copy of the report. "The secrecy around the sanctions was more traumatic than the original event," she told me. "I just understood that students were not safe and the university was not accountable."

Another gutsy secretary mailed Amory a copy of the committee's findings; Amory recalls that the document suggested the faculty member get alcohol counseling, and to stay away from students when he was drinking. There was no mention of professional consequences.

I had assumed that such cases were all in the distant past, but then I received a call from a lawyer called Cynthia Powell. In 1992, she was an American Studies graduate student and a law student. Powell says that one of her tenured professors assaulted her sexually. The professor asked her to dinner, she said, with himself and a dean. At the last minute, she was told the dean could not come. After dinner, he insisted they have a drink at his pied-à-terre nearby, and she had one glass of wine. He started making advances; she resisted, saying “No, no” several times, but then started experiencing blackouts. When she regained intermittent consciousness, she says, he had removed her clothes and penetrated her.

Deeply traumatized, Powell had her bruises documented at the hospital. She also called the police, but was made to feel there would be no point in bringing a criminal charge against someone she knew. “But I filed a grievance at Yale. Immediately, they brought in the university’s counsel. I was not allowed to have a lawyer there. Because I am an attorney, I understand that their principal concern was litigation. Their attorney said to me several times: ‘We are really glad you are not going to make a crusade about this.’

“The committee said he was tenured, so they couldn’t just terminate him. Off the record, the university’s attorney told me they wanted quietly to push him out. I didn’t know why it had to be ‘quietly.’

“They said he’d been ‘careless,’ ‘reckless.’ They didn’t want to use the word rape.”

Powell says she was never given a copy of the report and was able to read it only by going to a specified room where it was kept in a drawer. A few months later, the professor resigned and was promptly hired by another university. According to Powell, Yale offered her \$30,000, which she rejected.

In 1996, the Yale *Daily News* reported that the Grievance Board had found that assistant math professor Jay Jorgenson had consensual sex with a freshman whom he was grading. The board recommended that Jorgenson not teach undergraduates that term. But Dean Brodhead allowed him to continue teaching because, as he told the Yale *Daily News*, he “didn’t think it would be possible to find a replacement that quickly.” (The paper also reported that the head of the math department said no one had ever called to ask if there was someone else to teach the course.)

Until this point, Yale had informally discouraged sexual relationships between faculty and students, but after the Jorgenson case, which generated a lot of publicity, the university deemed such relationships a conflict of interest and decided to take a firmer stand: *The Guide for Faculty, Students and Staff* states clearly: “No teacher shall have a sexual relationship with a student over whom he or she has direct supervisory responsibilities.”

Another Yale alumna alerted me to the Kelly case, which was more serious. In 1999, Kathryn Kelly brought a civil action under Title IX against Yale, accusing it of “inadequately responding to her complaints regarding an incident of alleged sexual assault” by another student, Robert Nolan, who lived in the same dormitory.

After the assault, Kelly immediately filed a grievance, which eventually resulted in Nolan’s being required

to take a leave of absence until Kelly's expected graduation. But Kelly claimed that in the aftermath of the assault, the college was too slow to respond to her concerns—not least that she was living in the same place as, and attending a class with, her attacker. She also alleged that, in an open forum to discuss the attack with students, Dean Richard Wood defamed her by telling those gathered that what Nolan had done was “not legal rape.” Kelly was so distraught that she dropped out of her courses and eventually finished her studies late.

In March 2003, Judge Janet Hall permitted the matter to proceed to a trial, stating that a jury could find that “Yale's failure to provide Kelly with accommodations, either academic, or residential, immediately following Nolan's assault of her, was clearly unreasonable given all the circumstances of which it was aware.” Six months later, Yale settled for an undisclosed sum.

Stephanie Urie, a former graduate student at the Divinity School and now a hospice chaplain, filed her lawsuit against Yale just last month. Her most alarming allegation was that from 1997 onward, the Divinity School faculty had knowledge that the Reverend Gilbert Bond, an associate professor at the Divinity School and Urie's mentor, “had engaged in gender discrimination and sexual harassment toward female students” but that they had failed to take “reasonable action to prevent the recurrence of gender discrimination and sexual harassment.” She also claimed Yale failed to protect her from Bond after she filed a grievance.

Bond denied the allegations to the Yale *Daily News* and also stated he was not her mentor, and a spokesman for Yale, Tom Conroy, said: “We don't believe the allegations against Yale are supported by the facts and we trust that will be the judgment.”

According to Urie's complaint, Bond took “advantage of the trust he had gained from her as her YDS mentor . . . and engaged in coercive sexual relations” with her and then “repeatedly engaged in intimidating behavior.”

When Urie filed her grievance, she claims, the academic dean of the Divinity School, David Bartlett, requested she write a statement that she learned was later shown to Bond. But Bond's own statement, in contrast, was never disclosed to Urie.

She explained to Bartlett that, as cited in the complaint, she had a “justifiable fear” of Bond when she used the library or went to Divinity School events. The dean recommended she get police protection. The Yale police did offer to escort her to one destination, but suggested she stay off campus at night and, if she was still frightened, that she “run between buildings.”

Bond, when I called asking him earlier this month for his response to Urie's story, said that he was still an associate professor at Yale. Not named as a defendant in Urie's case, he denied her claims, saying, “we shared consensual, physical intimacies.”

“I exhausted every internal means for resolution,” says Urie, who is now also an affiliate of one of Yale's residential colleges. “But not achieving that, I am taking this step in the hope that no one else will have

the same array of problems and vulnerabilities. In spite of many people's support, as it stands, the process adds insult to injury." The case is pending; Yale's response has not yet been filed.

Yale's public face is not what it seems. Though the college Website now has a seemingly exemplary description of its grievance procedures, students reading the fine print will discover that a "full description of the way in which a specific complaint would be treated by the Board" is only "obtained from the Yale College Dean's Office." A trip that, for many, could be intimidating. A member of the grievance committee claims that information about the procedures is placed on dining tables annually. More than a month ago I asked Brodhead to send me a copy, and he agreed. I have never received it.

I called the Yale Office of Public Affairs: I was writing a story about this issue, I said. "Harold Bloom?" asked press officer Gila Reinstein. "He hits on everybody!" She backpedaled: ". . . in a bizarre way, I mean 'My child,' 'my dear' . . ." "This wasn't that," I said. "This was a hand on my thigh." "I am sorry," she said.

I called the Yale English Department to get Harold Bloom's response. A tense secretary said she could not take my message. She claimed that he had changed his number and that even they did not have his number. "He is barely a member of the English faculty," she said. I explained why I was calling—surely she would want to pass on my request to the department head. "She won't care," she said, repeating that he was barely on faculty. Then she hung up on me.

I called back to get Bloom's fax number. Someone who sounded like a student answered. Was Bloom a member of the faculty. "Yes," she said. Teaching? "Yes." She read me his course number. She gave me his phone number. I called the number repeatedly; no answer, no machine.

I called Dean Brodhead again and asked him if anyone had known about Bloom's approaches to students. He said that in his tenure as dean, "no one came to me" with a formal complaint. I said that was not what was asking. We went back and forth. Finally, he said in exasperation: "Am I saying that no one ever went to anyone in the whole of history? I am not in a position to answer it." I asked again. Eventually he exclaimed, "Naomi, please understand I am not in a position to say. I am not telling you there might not be students who share your thoughts or even your experience about this. I am saying they did not come to me."

I asked Dean Brodhead how often the committee met last year. "It met more than no times and not many times."

"What's 'not many'?"

"This isn't a court."

"Are these matters of public record?"

"No, they are not. To open the matter to public record is to expose the person who made the charge." Not true; many universities make statistics about sexual-misconduct complaints available without naming

people. “How do I know as a concerned alum, since these proceedings are confidential, that there are *actual* penalties?”

“I am an honorable and truthful person. These things are dealt with.”

“But how many complaints are brought?”

“I can’t answer that . . . I’m not in a position to give you the statistical information. I have no . . . the number of cases . . . I have not gathered a statistical abstract.”

“Can the student’s attorney be present?”

“The process is not designed as a judicial one . . . We do not have attorneys present.” I told him my story—again—and asked what he would do.

“Harold Bloom is someone I almost never see,” he said.

“Are you not concerned about other young women?” I asked.

“Do you want me to call him?”

“I am asking what you think is appropriate,” I said.

Because of the time lapse, he said, he would not have even an informal conversation with Bloom on behalf of students today. Then, as if he had never heard of the letter that had begun my first conversation with him months before, Brodhead noted that I could send him a letter.

“I’m going to have a successor,” he said with relief. “You can send a letter to my successor.”

Is Harold Bloom a bad man? No. Harold Bloom’s demons are no more demonic than those of any other complex human being’s. Does this complex, brilliant man’s one bad choice make him a monster? No, of course not; nor does this one experience make me a “victim.” But the current discourse of accused and accuser, aggressor and victim is more damaging than constructive.

Here is a more helpful reading: This man did something, at least once, that was self-centered and harmful. But his harmful impulse would not have entered his or my real life—then or now—if Yale made the consequences of such behavior both clear and real.

All the women who have come forward want only to fix what is broken. Critics of sexual-harassment standards argue that you can’t legislate passions; true enough. But you can legislate what to do about people who act on them improperly. Powerful men and woman who belittle and humiliate their subordinates manage not to belittle or humiliate their supervisors. Neither men nor women tend to harass upward in a hierarchy.

There is something terribly wrong with the way the current sexual-harassment discussion is framed. Since damages for sexual misconduct are decided under tort law—*tort* means harm or wrong—those bringing

complaints have had to prove that they have been harmed emotionally. Their lawyers must bring out any distress they may have suffered, such as nightmares, sexual dysfunction, trauma, and so on. Thus, it is the woman and her “frailties” under scrutiny, instead of the institution and *its* frailties. This victim construct in the law is one reason that women are often reluctant to go public.

But sexual encroachment in an educational context or a workplace is, most seriously, a corruption of meritocracy; it is in this sense parallel to bribery. I was not traumatized personally, but my educational experience was corrupted. If we rephrase sexual transgression in school and work as a civil-rights and civil-society issue, everything becomes less emotional, less personal. If we see this as a systemic-corruption issue, then when people bring allegations, the focus will be on whether the institution has been damaged in its larger mission. The Catholic Church is a good example: The public understood that church leaders’ maintaining silence about systemic sexual transgressions corrupted the mission of an organization that had a great responsibility to society as a whole. Even the military is starting to understand that systemic sexual harassment of cadets corrupts its social mission.

If we change the framework to this kind of transparency and accountability question, then instead of asking, “What were you wearing?” or “Why disrupt this man’s life?” we would ask: “What are we— together—going to do about it?”

The saddest part? If a Yale undergraduate came to me today with a bad secret to tell, I still could not urge her to speak up confidently to those tasked with educating, supporting, and mentoring her. I would not direct her to her faculty adviser, the grievance committee, or her dean. Wishing that Bart Giamatti’s beautiful welcoming speech to my class about Yale’s meritocracy were really true, I would, with a heavy heart, advise that young woman, for her own protection, to get a good lawyer.