

PART I

DEFINING BULLYING

What It Is and What It Isn't

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BULLIES OR BEST FRIENDS?

The Challenge of Interpreting Interpersonal Relationships

Justin W. Patchin

The other night, I found myself in the proximity of a group of guys who were playing a game together. As they played, they talked—about sports and relationships and game strategy and many other topics that you might imagine would come up among a group of young men. From my eavesdropping, it seemed that they were all longtime acquaintances. But it was also evident that there were some major power dynamics at play within this bunch. One or two members dominated the conversation, while a few others sat back and focused their energy on the game rather than the gossip.

From an outsider's perspective, some of the interpersonal interactions could easily be characterized as bullying. To be clear, there wasn't any *physical* bullying going on, but I witnessed a lot of name calling, degradation, humiliation, and exclusion. Curse words were cast like paint in a Jackson Pollock piece. Bad gameplay was harshly criticized, and one or another's masculinity was regularly challenged based on what was said (or not said)

and done (or not done). For me, a social scientist who explores these behaviors empirically on a daily basis, this represented a petri dish of the real-world manifestations of bullying that I regularly see in my data.

One of the things I noticed was that while no one was immune from attack, certain targets appeared to be favored. One among the group seemed to be persecuted more than any of the others. He had a way about him that seemed to attract ridicule and reproach. He behaved unconventionally (in the game and, based on what I overheard, in the “real world”), and was clearly lacking in social competence. I also noticed that the older members of this group seemed to be revered to an extent among the younger ones, and therefore their aggressive behaviors were often mimicked by the younger ones in an attempt to fit in (and perhaps also to avoid becoming browbeaten themselves).

But I have a confession to make. The interactions I have just described can be best characterized as “participant observation,” rather than purely observation, because *I was a member of this group and we were all adults*. In fact, I use the term *young men* very loosely when referring to those assembled because, at “30-something,” I was the youngest of the group. The relationships and interchanges portrayed represented the dynamics not among a group of apathetic adolescents playing a multiplayer online game like *World of Warcraft* or *League of Legends*, but rather among those of mostly white-collar academics in my monthly poker game.

It struck me as I contemplated my terrible cards that night that there is not all that much difference between the way we treat our best friends and the way we treat our worst enemies. Taking our behavior out of context, an outside observer would surely have believed that bullying was occurring within our group. The actions expressed included all of the classic definitional characteristics: repeated, apparently intentional harassment (meanness, cruelty, etc.) carried out by those with perceived or actual power (social status, academic reputation, etc.) against targets in a way that allowed for little defense.

Most of the comments were accompanied by laughter from many in the group, including the one being roasted, which may have masked the maliciousness of the back-and-forth. But we’ve learned through our conversations with teens who bully that a lot of bullying behaviors are done by young people who think they are just joking around. So I actually found myself wondering, after particularly punishing digs, whether some of the comments made that night had crossed an imperceptible line. And if this boundary is difficult for adults to identify, how can we expect teens to know when something goes too far? This is especially challenging because often-times targets of ridicule do in fact respond with laughter publicly—in an effort to save face—while privately they are really hurt by what was said.

I also reflected on this as it relates to my research. As academics, we like to debate the best way to define bullying—or at least discuss the limitations of defining it in certain ways.

If I were to survey my card-playing colleagues about their experiences with peer abuse by asking them, for example, if anyone has ever “said something mean to them” or “made fun of them in front of others” (two indicators included in the commonly used Olweus bully/victim questionnaire¹), they would have to say yes just based on how they were treated by their friends that night. But is it accurate to say that they were *bullied*? Often, typical research approaches don’t allow scholars to accurately distinguish between good-natured ribbing and malevolent meanness. As I will discuss in more detail in Chapter 3, I don’t believe that *bullying* can be done unintentionally. Even though someone’s feelings can certainly be hurt without intent, bullying by definition is deliberate. That said, whether hurtful actions qualify as bullying by academic standards or not is beside the point. If we are treating people in ways that make them uncomfortable, humiliated, excluded, or hurt in any possible way, then we should stop. But how do we know if our comments are being received in that light? And when they are delivered from a distance, as online comments are, determining their hurtful impact can be extremely difficult, no matter the age of the sender and receiver.

I doubt that most people would categorize the behaviors I have described from my poker game as bullying. But are we, and is research, able to tell the difference?

If the boundary for bullying is often difficult for adults to identify, how can we expect teens to know when something is taken too far?

QUESTIONS FOR REFLECTION

Is it possible to write a policy or design a research study that accurately distinguishes playful banter among friends from bullying? Have you ever been really hurt by something a friend did or said, even though you know he or she probably didn’t intend it to be hurtful?

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DISTINGUISHING BULLYING FROM OTHER HURTFUL BEHAVIORS

Justin W. Patchin

In Chapter 1, I wrote about the difficulty in determining when *mean* behavior crosses the line and becomes *bullying* behavior. I also discussed the challenge for researchers in trying to quantify the difference. In this chapter, I'd like to talk about why it is important to establish such a line.

Academics often debate how best to define bullying. I've never been one to get too caught up in the definitional debate because I feel that whether a behavior meets someone's artificially created criteria for bullying or not really doesn't matter all that much. Admittedly, *as a researcher*, I am frustrated by the myriad ways bullying is defined, primarily because these discrepancies make comparisons across different studies difficult. But just that something satisfies one scholar's standards for being classified as bullying is not what's most important. We should focus instead on addressing the behavior for what it is. If one student called another student a mean name, or posted an embarrassing picture of another online, or pushed someone in the hallway, it should be addressed. Maybe these incidents constitute bullying, and maybe they do not. Either way, they need to be dealt with immediately and appropriately.

I've begun to shift my thinking a bit when it comes to deliberations about the definition of bullying. Don't get me wrong—I still believe that educators, parents, and other adults who work with youth need to deal with all forms of interpersonal harm when confronted with them. But for a number of reasons, we do need to draw a line in the sand for when a behavior (or series of behaviors) reaches the level of being accurately characterized as bullying. Below I discuss some of these and offer what I believe to be the most important distinguishing features of bullying.

NOT ALL INTERPERSONAL ADOLESCENT HURTFUL BEHAVIORS ARE BULLYING

Many kids say or do mean things to others, but the vast majority of them do not bully. Calling all harmful behaviors bullying discounts the experiences of those who are bullied. As Emily Bazelon has argued, “when every bad thing that happens to children gets called bullying, we end up with misleading narratives that obscure other distinct forms of harm.”² Under most definitions, bullying is much worse than simply being mistreated, pushed, or generally made fun of. To be sure, the difference might simply be in the frequency with which one is targeted. Being pushed in a onetime altercation with a former friend might not be bullying, whereas being pushed by this same person several times over several days, weeks, or months may be. *Frequency does matter*. For example, we were contacted awhile back by an adult who recalled his experience of being bullied from over a half century earlier. He wasn't physically harmed at all, but the names he was incessantly called created psychological scars that never fully healed. Without a doubt, being targeted over and over again, even with relatively mild forms of mistreatment, eventually takes a toll.

Many kids say or do mean things to others, but the vast majority of them do not bully.

Likewise, calling all harmful behaviors bullying may diminish the

seriousness of incidents that are much worse than the term conveys. For example, if a student is attacked on the playground in a onetime incident, this is not bullying. Even if the student is physically beaten so severely that she ends up in the hospital for a week, it's still not bullying. It is an assault, and should be identified and treated as such. If the assault is linked to other behaviors previously or subsequently perpetrated by the aggressor toward the target, then perhaps it is accurate to define the trajectory of events as *bullying*. In isolation, a onetime act—no matter how serious—is not bullying.³

IMPLICATIONS FOR SCHOOLS

Using bullying to describe all variations of student-on-student harm also has consequences for schools. Recently passed laws in some states require educators to take certain steps once a behavior is classified as bullying.⁴ Well intentioned or not, these laws force schools into following specific and time-consuming procedures. For example, school administrators in New Jersey are required to initiate a formal investigation within one school day of receiving any report of bullying.⁵ The school superintendent must be briefed within two school days. The investigation must be completed within ten school days and include a written report of the incident. The results of the investigation must be reported to the school board at its next regularly scheduled meeting.

All of this is well and good, and schools would love to direct this much attention to any problems that arise. The challenge is that they simply have not been given adequate resources to accomplish any of this effectively. It would take an army of administrators to follow through on all of these procedures if every rude, annoying, or even hurtful incident were classified as bullying. There simply aren't enough hours in the day.

Moreover, schools are increasingly being judged by the number of bullying reports received each year. All reports of bullying in New Jersey schools, for example, must be submitted to the state department of education, which will then “grade each school for the purpose of assessing its effort” to address these problems. As a result, some school administrators might be encouraged to dismiss bona fide incidents of bullying—if their numbers start to get too high—for fear of their school being labeled a “bad” one. My question is, if a school shows a high number of bullying reports or interventions, is that a good thing or a bad thing? I mean, it's nice to know that students are comfortable reporting the bullying and that schools are taking it seriously by documenting and conducting a formal investigation. But at what point do high numbers cause us to be concerned? In fact, I personally would be more uneasy about a school that reported *zero* bullying incidents than one that reported quite a few.

ALTERNATIVES TO CALLING EVERYTHING BULLYING

To counter some of these concerns, some have advocated for abolishing the use of the term *bullying* altogether and instead suggested that terms such as *harassment* or *drama* are more appropriate.⁶ Neither of these alternatives really solves any of the previously described

problems. In many legal circles, for instance, *harassment* is a specific term reserved for mistreatment related to one's protected status (based on sex, race, color, national origin, disability, and actual or perceived sexual orientation).⁷ If a heterosexual boy posts an embarrassing picture on Instagram of another heterosexual boy, is it harassment? Not by some legal standards.

And calling all teen disagreements drama also dilutes the problem. To be sure, there is a lot of background noise in schools these days that could be classified as drama. Being upset with your best friend because of some actual or perceived affront is drama. So is refusing to talk to your sister because she ate the last Pop-Tart for breakfast. Most of what teens would call drama would not fall under most definitions of bullying. Nor should it. As danah boyd and Alice Marwick have found in their interviews with youth, “teenagers say drama when they want to diminish the importance of something.”⁸ Referring to a bullying incident as drama allows the aggressor to neutralize his or her role in the harm. If everyone does these kinds of things, and if drama is just an everyday part of life for teens, then it isn't that big a deal or worth focusing on.

Bullying is *deliberate, repeated harm inflicted by one or more toward another who is unable to effectively defend him- or herself*. Accidentally hurting someone's feelings is not bullying (for more on this, see Chapter 3). Yes, it sometimes can be difficult to determine the intent of a person causing harm, but repeated hurtful actions, especially after the bully has been made aware that what he or she did was wrong, are a clear indication of intent. Similarly, hurting someone one time in an isolated incident is not bullying, although if there is a threat of repetition, the behavior may qualify. Also, posting something online might be a onetime behavior, but the fact that the content is repeatedly accessible means the victimization is likely to continue. And if the hurtful behaviors do continue, or if a student

tells you that he is being bullied, then clearly he does not have the ability to defend himself.

Recognizing that not all hurtful behavior is bullying is an important step toward addressing this problem, as it becomes perhaps slightly more

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manageable. My criteria offered above are just some issues to consider when trying to differentiate bullying from other behaviors. You might have some ideas of your own, and I encourage you to discuss them. While we might not come to complete agreement on this, we can work together to prevent and

effectively respond to all forms of adolescent interpersonal harm, whether appropriately classified as bullying or not.

QUESTIONS FOR REFLECTION

Does your school policy differentiate between bullying and other forms of interpersonal harm? Is such a differentiation necessary in your view?

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3 CAN SOMEONE BE AN UNINTENTIONAL BULLY?

Justin W. Patchin

As the first two chapters suggest, defining bullying can be a tricky thing. And technology just adds another complicated layer to the whole situation. I mean, we know it when we see it, and at the extreme end, it's easy to identify: repeated threats, multiple humiliating posts, and numerous hurtful texts most likely qualify. But what about that mildly inappropriate joke directed at no one in particular? Or the post that reads, "I'm going to kill you. jk. lol"? Everyone seems to have a slightly different perspective when it comes to whether or not to categorize a particular experience as bullying.

BULLYING DEFINED

As referenced in the previous chapter, most definitions of bullying include an element of deliberateness or *intent*. Scandinavian researcher Dan Olweus, who is arguably most responsible for the current academic interest in the topic, defines bullying as "aggressive behavior that is intentional and that involves an imbalance of power. Most often, it is repeated over time."⁹ The Minnesota

Department of Education states that “definitions of bullying vary, but most agree that bullying includes the intent to harm, repetition, and a power imbalance between the student targeted and the student who bullies.”¹⁰ Finally, StopBullying.gov defines bullying as “unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance.” While this definition doesn’t explicitly include intent, one could interpret “aggressive” to mean that the behavior in question was not unintentional.

In addition, many state bullying laws refer to intentional behaviors. Delaware law characterizes bullying as an “intentional written, electronic, verbal or physical act.”¹¹ Louisiana defines cyberbullying as “the transmission of any electronic textual, visual, written, or oral communication with the malicious and willful intent to coerce, abuse, torment, or intimidate a person.”¹² Indeed, intent is a fundamental component of criminal law generally. In order to hold someone criminally responsible, we must establish not only that the person engaged in a wrongful act, but also that he or she did so with *mens rea*—that is, a guilty mind. When it comes to law, however, there are always exceptions, and we furthermore believe that the vast majority of bullying incidents can and should be handled outside of the formal law. The point is that most academic and legal definitions of bullying include intent. But does that mean the criterion is necessary?

ACCIDENTAL BULLYING

Parenting advocate Sue Scheff wrote about “accidental” bullying and cyberbullying in an article for *The Huffington Post*.¹³ She described incidents where teens say things to others, usually online, that aren’t intended to be hurtful, but are experienced as such: “Even though it wasn’t your objective, your words can be taken out of context by others when they’re read and regurgitated, amplifying your digital footprint.” This can happen offline as well, of course, but technology certainly does more easily obscure actual intent. Many of us know from personal experience that online interactions often lead to more frequent misunderstandings as communication occurs without important facial expressions, vocal intonations, or other interpretive behavioral cues that provide color and context to what is conveyed.

Scheff credits Internet safety educator Katie Greer for first alerting her to these types of behaviors. For Scheff’s article, Greer explained accidental bullying in this way: “Oftentimes, kids described trying to be nice or positive to one friend or cause via various social networking sites, and unintentionally hurting someone’s feelings, or leaving someone out in the process.”¹⁴ I agree that it is common for teens to say things to classmates or even to their best friends without malice or intent to cause harm, but for the comments even so to be misinterpreted or otherwise result in harm. But is this bullying?

The concept of an accidental bully is not new. Internet lawyer Parry Aftab has included the “inadvertent cyberbully” in her taxonomy since at least 2006: “They do it for the fun of it. They may also do it to one of their friends, joking around. But their friend may not recognize that it is another friend or make [*sic*] take it seriously.”¹⁵ According to Aftab, inadvertent cyberbullies “don’t lash out intentionally,”¹⁶ which is curious because she defines cyberbullying as “when minors use technology as a weapon to *intentionally* target and hurt another minor.”¹⁷ Like Greer, Aftab describes a situation where teens do or say something to be funny or even helpful, but it is misinterpreted or, for one reason or another, results in hurt feelings.

Greer offers an example in which the friends of a teen girl set up an online profile where people are asked to comment on or vote for the prettiest girl among four shown. The idea is to show their friend that she is very pretty. The profile creators stuff the virtual ballot box so that their friend emerges victorious, not realizing that by doing so the other three girls involved in the vote have had their feelings hurt (because, after all, they aren’t the prettiest). Were the less-pretty girls in this example bullied? If the teens who created the site genuinely and honestly did not do so to cause harm to the girls who did not win, then I do not believe it is accurate to classify the incident as bullying.

Of course, the key to this is determining intent. It is possible that the girls responsible in Greer’s example could have intended all along to take particular classmates down a notch by setting it up so they would emerge as losers. Or they may have rigged the vote in a way that one specific girl received significantly fewer votes than all of the rest, thereby securing her spot as the “least pretty.” It would be correct to classify those cases as bullying, though definitely not accidental. But if the girls are sincere and authentic in stating that they really didn’t mean to cause harm to those who were not voted the prettiest, then it isn’t bullying. It should not be ignored, however, and the girls responsible should be informed about the unintended consequences of their actions so that they will refrain from similar behaviors in the future. Hopefully, that will be the end of the issue. If not, then subsequent intervention will be necessary.

It is common for teens to say things to classmates or even to their best friends without malice or intent to cause harm, but for the comments even so to be misinterpreted or otherwise result in harm. But is this bullying?

CONTEXT IS IMPORTANT

Because it is impossible to know *for certain* what was going on in the mind of a teen when he or she behaved in a particular way, it is important to gather as much information as possible with which to determine whether the behavior in question could have been intentional. For example, is this the first time

the particular student has been accused of bullying? Have there been behavioral problems with the student in the past? Were the students involved previously friends? Was there a falling-out? Did anyone else (other students or staff) notice previous problems between the students?

Of course, we need to keep in mind that just because a teen has never misbehaved in the past doesn't mean he or she didn't do so deliberately this time. And former friends often mistreat each other, especially if there was a recent issue that led to the breakup. The problematic behavior itself is only one piece of the puzzle. The more information you are able to gather about the nature of the relationships among all involved, the easier it will be to figure out what happened and why.

WHY IT MATTERS

For years, I deliberately remained on the sidelines when it came to debates like this. For me, whether some behavior was bullying or not really didn't matter. I advocated for identifying and focusing on the specific problematic behavior and addressing it for what it was. Unfortunately, this is no longer an option as some states have passed laws that mandate specific actions when it comes to behaviors defined as bullying.

Recall from Chapter 2 that New Jersey law requires principals to investigate every incident of bullying within one school day, and complete a formal report within ten days that must be submitted to the superintendent within two days of completion. In Georgia, students who are found to have bullied others for a third time are mandated to an alternative school. Furthermore, labeling a particular behavior as bullying can inflame a situation—especially if the label is being misapplied. So for the sake of administrator workload and student disciplinary actions, it has become imperative to clearly articulate what is meant by bullying.

I don't expect to resolve this decades-long definitional debate here, but I do hope to encourage researchers, policy makers, legislators, educators, and others who are charged with putting students in particular categories (e.g., “the bully”) to think carefully about the criteria they use to make these decisions. Defining a person's behavior as bullying, or labeling someone “a bully,” can set that person on a particular trajectory, and we best not do it capriciously or haphazardly.

QUESTIONS FOR REFLECTION

Do you feel intent is a necessary element to include in definitions of bullying? Can you think of an example where someone is genuinely “bullying” another unintentionally?

4

THE CASE FOR INCLUDING INTENT IN A DEFINITION OF BULLYING

Justin W. Patchin

I recently presented at the International Bullying Prevention Association's annual conference. This was the second time that I participated in this event, and both experiences were enjoyable and educational. The attendees are generally very interested in the work that we are doing at the Cyberbullying Research Center, and the other presenters are uniformly among the best in the business.

The conversations that occur between the formal presentations are just as enlightening and thought provoking as anything within the scheduled sessions. Talking with attendees and other speakers sparks insights about issues we are working on and allows us to view our research and writing from the perspective of informed others. It was a couple of these conversations that ignited my interest in writing more about how we define bullying.

Right before my first presentation, I got to talking with author Stan Davis about how bullying is defined and specifically whether intent was a necessary component.¹⁸ As discussed in Chapter 3, most definitions include this element, and ours is no different. Stan suggested that whether a behavior was deliberate or not is irrelevant. If it was hurtful, or if the person doing it should

have known that it could have resulted in harm to another, then it was bullying. His position was supported by Elizabeth Englander, another researcher at the conference whose work I very much respect.¹⁹ She added that the problem with including intent as a defining criterion is that it requires teachers in the classroom to get into the heads of students to try to figure out what they were thinking when they did what they did. This is a fair point, though one easy way to determine intent is to see if the behavior was repeated after some initial intervention. If the student is made aware that his or her behavior is causing harm to another (by either the target, a bystander, or someone else), yet he or she continues to behave in the same way, then it's clearly intentional.

After my presentation, Lori Ernsperger, another speaker who attended my session, came up to me to also discuss whether intent was really a necessary component of bullying.²⁰ Ernsperger and I chatted briefly about our respective positions on this issue, but because others were waiting to speak with me, we weren't able to dig into the details enough to clearly explain where we were coming from. I don't think that Stan, Elizabeth, and Lori collectively conspired to critique this component of my presentation, so I did feel the need to consider this question further.

That's why I was happy to receive an e-mail from Lori shortly after the conference with additional information about why she felt it was imperative that we adjust our definition by removing the element of intent. She was particularly concerned with the implications of requiring intent to define something as bullying when it came to behaviors targeting students with disabilities. "Disability harassment," she argued, "does not consider the intentionality of the bully, only if it is 'unwelcome conduct.' When the term 'willful' is used for defining bullying, it requires schools to have separate policies and definitions for students within protected classes."

She presented me with a hypothetical incident to consider:

A 16-year-old high school tennis player has a genetic disorder and diabetes. His teammates have been harassing him about going to the nurse's office and requiring more snack breaks during practice. This goes on for a year. Coaching staff have observed this, but as required by law (the Family Educational Rights and Privacy Act, or FERPA), most school personnel do not know he is a child with a disability. After repeated teasing, he stops going to the nurse and eventually drops out of tennis. This is a clear violation of his civil rights, but the school said it was not "intentional" on the part of the other students ("they were good kids from good homes and did not mean it"), and the personnel did not see this as willful behavior. But it does not matter. It was unwelcome conduct that changed this student's educational experience. All school personnel should observe and intervene regardless of the intentionality.

First of all, regardless of intent, I agree wholeheartedly with the final sentence in her vignette. School personnel should intervene whether the behavior is defined as bullying or not. One thing is clear: the tennis players were being mean to their teammate, and that should be addressed. But if the students involved in harassing the tennis player for a whole year genuinely didn't realize that what they were doing was harming the target, then it wasn't bullying. If the players were made aware that their comments were hurtful, especially by an authority figure like the coach or a school administrator, yet they continued to make them, then that would be evidence of intent. Or, perhaps, if a reasonable person would have known that the behaviors were causing harm, then it could be considered intentional and be accurately categorized as bullying. As I wrote about in Chapter 1, best friends can say things to each other that appear to be mean or that can unintentionally make each other upset. But are these things really bullying?

Best friends can say things to each other that appear to be mean or that can unintentionally make each other upset. But are these things really bullying?

As a comparable example, maybe I say something to someone on a repeated basis, just thinking I am being funny, and that person completely ignores or even laughs along with what I am saying. But it turns out that the person is actually very hurt by my comments. Yet he never expresses that to me (nor does anyone else). What I am saying may be mean or rude, but it isn't bullying. Should it be addressed? Of course. Should it stop? Absolutely. If we were students at the same school, it would be completely appropriate for a teacher or counselor or whomever to make me aware of the harm that I am causing. At that point, I should definitely apologize and not do it again. If I do repeat it, then that clearly demonstrates willfulness because I was informed of the hurtful nature of what I was saying, but still continued. And that would be bullying.

Lori insisted that the “unwelcome conduct” standard is really what matters. If something is unwelcome, then it is bullying. I don't think it is that simple. What if I bump into someone in the hallway? Or spill my hot tea on someone's lap? What if I crash into another vehicle when its driver is stopped at a stoplight? These are all clear examples of unwelcome conduct, are they not? Would it be accurate to classify these as bullying—even if they were isolated events and completely accidental? Plus, in order for any of these behaviors to be considered “harassment” in a technical or legal sense, one would have to prove that they were done *because of* a person's status (based on race, class, gender, disability, etc.). Harassment is different from bullying. Some bullying behaviors could accurately be classified as harassment, and some harassment could be bullying. But the overlap is not 100%. For example, harassment (again, as formally defined) is always based on a

protected status, whereas bullying is not. Harassment could be a singular incident (though often it is not), whereas bullying is always repetitive (or at least presents an imminent expectation of repetition). I still can't think of an example of a behavior where intent to cause harm is not present that would be accurately defined as bullying.

The bottom line is that we simply cannot call every harmful or hurtful or mean behavior between teens "bullying." That dilutes the problem and is confusing to everyone involved. Bullying is a specific and more serious form of interpersonal harm, and the term needs to be reserved for behaviors that are repeated and intentional.

QUESTIONS FOR REFLECTION

Stan Davis, Elizabeth Englander, and Lori Ernsperger are all experienced professionals when it comes to bullying. And yet we disagree about whether intent matters. What are your thoughts? Whom would you side with, and why?

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