**Fostering Responsible Action with Respect to Unacceptable Behavior: Systemic Options to Assist Peers and Bystanders**.

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**Abstract**

Peers and bystanders are important in organizations and communities. Peers and bystanders can help to discourage and deal with unacceptable behavior[[1]](#footnote-1). They often have information and opportunities that could help to identify, assess and even manage a range of serious concerns. Their actions (and inactions) can “swing” a situation for good (or for ill). Bystanders can also be important *after* a bad event, with information to help the authorities, and even historians, understand what happened.

However, many conflict management systems (CMS) are not designed for bystanders and do not deal well with their individual circumstances. Conflict management systems are designed to deal with the rights and interests of people in conflict, including perpetrators of unacceptable behavior and targets. And CMS managers often focus mainly on their own interests: e.g., how to get timely, usable information to prevent and deal with unacceptable behavior at lowest cost.

Bystanders, by contrast, are a third group. They often have multiple, idiosyncratic, and conflicting interests—and many feel very vulnerable. As a result, many potentially responsible bystanders do not take effective action when they perceive unacceptable behavior. Bystanders are often equated with “do-nothings.” However, many bystanders report thinking about responsible action, and say they have actually tried various responsible interventions[[2]](#footnote-2). This article contains numerous different examples of their thinking and actions, in an attempt to illustrate the complex nature of bystander behavior.

Many peers and bystanders might do better if they had a conflict management system that takes their needs into account. A central issue is that peers and bystanders—and their contexts—often differ greatly from each other. As unique individuals, they often need safe, accessible and *customized* support to take responsible action, in part because of their own conflicting motivations. They often need a trusted, confidential resource. They frequently seek options for action beyond reporting to authorities. (Many peers and bystanders do not comply with zero tolerance and mandatory reporting especially if mandatory reporting is linked to mandatory investigation.)

Organizations and communities that want bystanders to help identify, assess and manage unacceptable behavior need “accountable leadership,” and policies, procedures and resources that can deal with some individual needs and circumstances.

These “Practitioner’s Notes” report observations over 45 years about the various dilemmas faced by real bystanders—and how organizations and communities may help responsible bystanders to be more effective when faced with unacceptable behavior.

**Why Are Bystanders Important?**

After most unfortunate—or terrible—events, the daily papers reiterate that “someone usually knew” before the event of problematic behavior by those responsible. Scholarly research affirms the point.[[3]](#footnote-3) Sometimes people who knew did not take action. And sometimes bystanders helped or even colluded with a perpetrator. On the other hand, peers and bystanders frequently make a positive difference within organizations and communities. As examples, the reactions of peers and bystanders who perceive unacceptable behavior can “swing” group behavior to forestall harm. Bystanders—and also the “bystanders of bystanders”—may undertake many informal actions against unacceptable behavior, or report to authorities.[[4]](#footnote-4) In addition, finding and talking with bystanders and the “bystanders of bystanders,” after a bad event, may help authorities find out what happened and work for effective change. Bystanders sometimes help as witnesses in formal procedures. What peers and bystanders decide to do about unacceptable behavior may be of major importance to a community or organization.

It is important for society that constructive behavior by bystanders is both common and varied. These examples are intended to illustrate different kinds of action[[5]](#footnote-5).

* An alert custodian or garbage collector notices unusual trash, or see an unexpected visitor at night, and *prevent* criminal behavior.
* A representative for an organization or community *deters* a member from misdirecting or embezzling funds, or engaging in other unacceptable behavior on a trip.

* A support staff person arranges in a quiet, professional way to *interrupt* or *re-focus* a supervisor or co-worker as that person begins to bully and intimidate a co-worker—or an outsider.
* An information system employee becomes concerned about the integrity of a fellow employee (and the relevant IT system) and quickly *looks into it, intervenes* or quietly *seeks advice* from IT security experts.
* A skilled laborer or craftsperson notices unsafe or anti-social behavior at a work site and quickly *mitigates* or *prevents bad effects* from the “error,” while *considering whether to do something more.*
* A search committee member finds that the name of a candidate was inappropriately left off a promotion list, and suggests a new, corrected list, *remediating* an error that might have originated in conscious animus or unconscious bias against a person of different race or religion.
* A family member suspects plans for criminal wrongdoing—by a relative, friend, or neighbor—and takes steps to *prevent* or *report* the behavior.
* A student who notices attempts at a party to get someone very drunk, appeals to the offender “to help me get (the drunken person) to medical attention,” thereby not only *interrupting*, but also *pivoting* the offender to responsible behavior.
* We see from the news that community members sometimes *turn out in large numbers to help* in communities and organizations in times of floods and terrorist attacks. As “Mister Rogers” repeatedly said on PBS, “Look for the helpers. You will always find people who are helping.”[[6]](#footnote-6)

Bystanders also are important from the point of view of negotiation theory and for conflict management systems design. A bystander may have any or all of the standard sources of power and influence: positional or role authority, rewards, sanctions, use of force, information, expertise, ability to craft elegant solutions, charisma and moral authority, relationships, commitment, and, sometimes, a BATNA[[7]](#footnote-7). On the other hand, many bystanders are also exceptionally vulnerable to these same sources of power, used and misused by others, and hesitate to act. Providing safe resources—for an individual bystander to examine his or her interests and sources of power in a particular situation—may make the difference as to whether a bystander will take responsible action.

**Peers and Bystanders Act in Many Different Ways**

Many people—although not all—hesitate, in the face of unacceptable behavior. In sudden, dangerous emergencies some people help instinctively, without consciously thinking about it[[8]](#footnote-8). On the other hand, others may think for a long time about whether they will or will not help—and may do so for a long list of different reasons[[9]](#footnote-9).

Long-standing research about bystander inaction has focused on the so-called “bystander effect.”[[10]](#footnote-10) This often-cited “effect” is thought to explain why individual bystanders sometimes have not acted in a particular (usually relatively rare) event. Much research has focused on single-incident, dangerous emergencies, in public, with strangers. This traditional research often focuses on one or two bystander actions: typically, physical intervention and/or reporting to authorities. The apparent failure to take responsible action in such emergencies is often attributed to a particular barrier, namely, “diffusion of responsibility.” That particular belief—“there are a lot of us here so I personally do not need to act”—is in some circumstances thought to be stronger when there are more rather than fewer bystanders.

As it happens, the particular, often-touted “bystander effect” is not a universal truth about bystanders. For one thing, as this article will describe, there actually are dozens of reasons why bystanders do not act, not just the one reason.[[11]](#footnote-11) “Diffusion of responsibility” also might sometimes be a secondary barrier that occurs after primary sources of hesitation have led a particular bystander to inaction[[12]](#footnote-12). In addition, even in (rare, stereotypical) single-incident, dangerous, public emergencies with groups of strangers, the infamous “bystander effect” does not always occur.[[13]](#footnote-13)

In everyday life bystanders *do* frequently act, responsibly and helpfully. Bystanders report many different reasons as to why they take responsible action—and, in an important contrast to the stereotypical model, they report taking action in many different ways. (see BOX)

In particular, bystanders act in many personal and informal ways, as well as formally reporting unacceptable behavior to authorities. For example, a major study in *Nature*[[14]](#footnote-14) illuminated a wide variety of actions taken by scientists who saw problematic behavior in labs. (The study was done in institutions funded by US agencies.) Notably, some of the positive action was attributed to the fact that these scientists answer to “scientific communities,” as well as to their organization. Many studies echo the fact that a bystander may be influenced by several *concomitant* “contexts” at the time that he or she observes unacceptable behavior. The bystander may think of the behavior in terms of family, tribe, faith, friends, cultural traditions, and group norms—while simultaneously considering the immediate situation and organizational or community rules.

This article reviews some reasons bystanders have given, as to why they did not act, and some reasons they have given as to why they have taken responsible action. The examples draw on over 45 years of having interacted with bystanders before, during and after small and large events. The goals are: first, to assist relevant practitioners to take a systems approach—to foster a context for responsible bystanders to act effectively in ways that they are willing to act—and, second, to encourage case studies and further research about bystanders.

**How these “Practitioner’s Notes” fit into Bystander Research.**

The field of “bystander study” is vast. In broad overview, there are literally millions of Google entries about whistleblowers, many focused on whether whistleblowing is beneficial or destructive, and the implicit and explicit, painful consequences of blowing the whistle. (There is also constant discussion about whether and when a given act of “whistleblowing” is noble and ethical or despicable and unethical; one person’s hero may be another person’s vigilante.) There is a broad literature about third party actions in dealing with conflict[[15]](#footnote-15). There is a wide literature about responses to genocide. There is an engaging, emerging literature about bystanders’ contributions to morale and happiness, productivity and creativity.

Much of the scholarly literature about bystander responses to unacceptable behavior focuses on just one or two bystander characteristics, settings, situations, issues, motivations and/or actions. These include: preventing or catching “errors” in various kinds of systems; preventing bullying and cyberbullying, alcohol and drug abuse, sexual assault and other criminal behavior; dealing with insider threat and terrorism; the effects of gender and ethnic differences, different age groups and different personality characteristics; building “resilient organizations;” encouraging corporate social responsibility, training in moral courage, and for educational leadership. Hundreds of studies depend on the use of hypotheticals, in training and research.

The present article presents “practitioner” observations about a variety of real peers and bystanders in complex, real situations. The observations are those of an organizational ombuds, from 45 years of practice and research. The article reports broadly on some thousands of conversations. These discussions were with or about demographically diverse bystanders—in organizations or large and small communities—and their responses to different kinds of behavior they perceived to be unacceptable. In contrast to the many studies that conclude with relatively simple views of bystanders, these “real bystander” self-reports affirm other research studies that characterize bystanders as diverse individuals who are very sensitive to context, and have multiple, idiosyncratic and often conflicting motivations.

What do we not know? There are many topics where case studies and research are needed. For example as frequently noted in the literature, bystanders sometimes make a situation worse by inaction. With respect to bystanders thus *indirectly* contributing to harm, as mentioned, there are many narrowly focused studies about “do-nothing bystanders.” However, as this article will illustrate, there is more to learn about inaction in non-stereotypical situations.

In addition, in real life many bystanders *actively* make matters worse. We need case studies about the variety of ways in which bystanders may make matters worse. We have little systematic knowledge about bystanders who cause harm through lack of skill—for example, by making inappropriate accusations, inadvertently tipping off persons of concern, or putting themselves and others at serious risk. Bystanders may be overly judgmental, may create or spread rumors, or may infringe on the privacy of others; a few bystanders turn into vigilantes. We know little about bystanders who are intentionally malicious, for example lying, to get an adversary into trouble; or happy to be wasting the time of authorities—or “setting up authorities,” in a way that leads to violence against authorities like the police; or committing sabotage. We know little about how peers and bystanders are recruited into violent dyads, triads, networks and mobs. How many of those who join a person of official concern (in planning or engaging in harm) began as “just a bystander?”

Bystander responses to what they perceive as “exemplary behavior” is a particularly important focus for case studies and other future research—in order to understand these, specific, third party contributions to society and also because a well-supported emphasis on exemplary behavior may help to discourage unacceptable behavior[[16]](#footnote-16).

This article presents an inductive attempt to understand bystanders in organizational and community settings, to further the bystander case study and research agenda, and as a possible aid to action in organizations and communities that may find ideas relevant to their needs.

**The Bystander Process**

With respect to both inaction, and action, what a bystander chooses to do is best understood by thinking of most bystander action as a *process*, not as a single act. In addition, the bystander process occurs in a *context.* In most cases one should consider a *particular* *individual* *with a specific personal history, and multiple motivations*, in the context of a *specific time and place[[17]](#footnote-17).*

The process may involve four steps, which may happen very rapidly, or very slowly. Many bystanders proceed from:

1) perceiving behavior that may be unacceptable, to

2) assessing the behavior, and then

3) judging whether action is required, and

4) deciding whether and how to make a particular personal response (or responses.)

The fourth step may be especially complex. Bystanders often try many options (see BOX). For example, some bystanders will engage personally and informally, to prevent, interrupt or stop unacceptable behavior, but not (at least initially) be willing to make a report to authorities. Others may *only* be willing to make a formal report—or may be willing to report in just one particular way. Some try informal options before and after reporting to authorities. Some peers and bystanders may not act at all.

For managers and authorities, on diagrams of conflict management systems, and in the context of compliance with law and regulation, there may seem to be a big difference between personal action and “reporting to authorities.” In real life these differences may or may not be clear-cut. The difference between informal and formal action indeed may be important for a bystander if formal reports become public and expose him or her to strong reactions from others. On the other hand, “reports to authorities” can be made in many ways, including very quietly, as that entry in the BOX makes clear. Sometimes there is a professional staff person, or senior leader who acts effectively, sometimes very quietly, while protecting the identity of a bystander who arranges to provide information one way or another. (In short these “informal reports” to “formal authorities” may result in effective action—action that itself could be characterized as formal or informal.) I have known a number of police and senior staff and line managers who were widely and deeply trusted in ways that spread far beyond people who knew them personally[[18]](#footnote-18). For bystanders the really important questions are likely to be: whom do I trust? What will happen if I consult with someone? What are all my options? What will happen if I act?

The *context* for the “bystander process” will almost always influence what the bystander will do. Context is especially important before the bystander process begins, and also toward the end of the process. The setting in which unacceptable behavior first occurs, the specific people involved, and recent events are part of the opening context. The context toward the end of the process includes the resources—and options—that appear to the bystander to be available, and his or her perceptions of peers, the people in charge, and other authorities.

Those who are interested in fostering responsible behavior by peers and bystanders have many opportunities to influence the context—and every step—of the process. In order to understand how to do this, organizations and communities may wish to consider in some detail 1) why some bystanders do not act, 2) why some bystanders do act.

**Some Reasons Why Bystanders Do Not Act or Come Forward**

While considering each example of factors inhibiting action, the reader may wish to consider, “Could my organization (or community) help a bystander deal with this specific barrier?” These notes report four sets of common factors that inhibit responsible action. A bystander may not “see” unacceptable behavior; a bystander may not assess the situation as unacceptable; a bystander may not believe action is necessary, and, finally, a bystander may choose not to take personal action. Illustrative examples are provided, drawn from ombuds practice; these examples are by no means exhaustive.[[19]](#footnote-19)

***One: The bystander does not “see” the unacceptable behavior***

* *I am new here*. An employee, manager or community member may not know enough about the work—or the rules—to think about a particular behavior as unacceptable, and may not even notice that it occurred.
* *People are totally focused on their work.* An analyst—or family member—is too absorbed to notice unacceptable behavior.[[20]](#footnote-20)
* *Did something just whiz by*? A technical expert or tradesperson, who moves from one organization to another, forgets ephemeral glimpses of unacceptable behavior by a particular host—the behavior comes and goes very quickly.
* *Strange things happen all the time here*. A skilled worker becomes habituated to many kinds of odd behavior that happen constantly in a famously idiosyncratic workplace or community.
* *It is unwise to notice what is wrong in this environment*. “Motivational blindness” blocks a particular manager—or family member or a friend of a perpetrator—from noticing inhumane behavior. (The manager or family member may know intuitively—below the level of conscious thought—that it is not safe or advantageous to “see” this behavior.)[[21]](#footnote-21)
* *I just made sure I got out of there*. An employee or a neighbor intuitively and successfully avoids being in the presence of certain unacceptable behavior without consciously thinking about it.

***Two: The bystander cannot or does not judge the behavior***

* *I do not understand this*. An employee, manager or community member from a background that is “non-traditional” for the given environment does not know how to judge the problematic behavior.[[22]](#footnote-22)
* *It is not a regular problem*. An inexperienced supervisor thinks, “There probably is not much of an issue here,” because the problematic behavior occurs just once or is sporadic.
* *I take my cues from the boss*. The apparent perpetrator is highly placed, like a unit head, or a visiting consultant who is making decisions.
* *Maybe I am the one who doesn’t get it*? The apparent perpetrators are co-workers or community group members who joined at about the same time; a puzzled bystander thinks, “Others like me seem ok with it.”
* *Loyalty matters.* The apparent perpetrators are family members or in-group members with strong views about how people should behave. A bystander is strongly expected to go along with problematic behavior.
* *He who pays the piper calls the tune*. There may be intangible gains for the bystander, (like getting attention and support from a perpetrator), or tangible gains for herself and for family and friends; these gains may seem to cancel the problematic aspects of a perpetrator’s behavior.

***Three: The bystander cannot or does not decide if action should be taken***

* *I was not trained for this*. A new supervisor who sees something problematic may doubt his own competence. “This is not in my job description.”
* *I have no idea what kind of evidence would be needed*. A person, especially one from a different cultural, ethnic or religious background, may not know what is needed for action to be taken.
* *Everyone hates investigations*. Two friends who notice problematic behavior decide that, “Any action would result in too much being done or nothing being done—even just talking about an investigation would be horrible here*[[23]](#footnote-23)*.”
* *I love him (her)*. A parent, relative or employee cannot stand to think about what would happen to a family member, a dear friend, or cherished mentor if the situation comes to light.
* *The losses to me and to the community/organization might be huge*. A project leader thinks, “Any kind of action will threaten the whole project.”

***Four: The bystander cannot or does not take personal action***

* *I have been taught from childhood not to attract attention*.
* *I do not want to be raising a concern about someone from a different religion/culture/gender/race.*
* *I will not act against someone from my religion/culture/gender/race*.
* *I have sworn not to talk about this information*. A bystander has signed a statement, made a solemn promise, or taken an oath, or is otherwise working under stringent rules not to talk about the subject at hand, and agonizes about being a “whistleblower.”
* *I cannot stop worrying that I may be wrong about what I saw*. “If I act and I am wrong, my own competence and behavior will be questioned.”
* *Surely someone more expert than I will act, if I am right*. “Besides, it has gone on so long and nothing has happened.”
* *I went along with this for too long, (or unwittingly helped the perpetrator).”* If I do anything now I will be in bad trouble myself.”
* *Overt intimidation*. “We have been threatened about discussing anything inside or outside the unit.”
* *Fear of direct retaliation, sabotage, or violence*. The bystander has read and heard numerous, very frightening stories about what has happened to people who tried to stop unacceptable behavior.[[24]](#footnote-24)
* *There is no way to prevent* indirect *retaliation.* “People will guess who talked. I will lose my mentor, lose my friends, be shunned by many and scolded by my family.”
* *The people who may get hurt by this behavior deserve it*. “I do not like it but I certainly understand where (the perpetrator) is coming from.”
* *No one wants to hear bad news here*. “No one is asking to hear about problems here. Problems just get ignored.”[[25]](#footnote-25)
* *Important people get treated very differently*. “The person that I report to is the problem.”
* *I cannot deal with this. I cannot cope. I am exhausted*.
* *I cannot do this alone*. “If only I had someone else to act with me.”
* *I could only deal with this completely on my own*. “I could only act against this behavior if I were certain no one else would ever know—so I can do nothing.”
* *If only there were a (specific option)*. “X was the only person I could have told, but he left.” “There is no one here from my background—in my culture I could take action through a back-door.” ” “I could only do this with immunity—with a real *guarantee* of no bad consequences—but no one can prevent revenge.”
* *I have no idea what will happen if I act*.

**Why Some Bystanders Do Act**

In considering each point below, the reader might consider, “Is this particular idea relevant to my organization (or community) and how might it be useful in my conflict management system?” In my experience bystanders appear most likely to take responsible action if:

* They see or hear of behavior they believe to be dangerous, especially if it seems like an emergency, and especially if they think that they or significant others are in immediate danger;[[26]](#footnote-26)
* They perceive that an apparent perpetrator intends harm, especially if that person is seen to have hurt or humiliated family members or people like themselves;
* They wish to protect a potential perpetrator from serious harm or blame;
* They are angry, vengeful or desperate enough to ignore the “barriers to action;”
* They are certain about what is happening, and they believe they have enough evidence to be believed by the authorities;[[27]](#footnote-27)

Individuals also offer many personal reasons for action. Some bystanders who take responsible action cite relevant laws, rules and policies. They may mention the requirements of their position, a responsibility to their community, their profession or work unit. They may talk about how they have been trained to take action about a specific unacceptable behavior. Some talk about careful instruction by an older family member or a good mentor. A senior professional may mention her having had good role models over the years. A teenager may speak of a coach or grandparent who showed him the way to behave. Some responsible bystanders speak more generally of a responsibility toward their faith, the values they were taught as children, family honor, or their tribe or country. Some want to protect specific people, for example, targets and other bystanders, and also sometimes the (potential) offender(s).

Some kinds of responsible bystander behavior occur frequently in the mundane world. Many lost items are returned to their owners. People get help crossing the street. Strangers help people who drop something. Misdirected packages get delivered correctly. Courageous souls help to direct traffic to undo a gridlock. Kind souls move from a good seat on an airplane to help a family; others shovel out someone else’s driveway. Accidents and safety hazards on the road get reported.

*Pro-social interventions may occur most frequently where the perceived costs of action are low and the bystander feels less in conflict*. Pro-social interventions can be systematically taught and strongly affirmed, in the local community or organization, and may serve to help build a responsible “climate.” In addition we will review some ideas for conflict management systems to reduce the costs of action and even reduce the conflicts felt by bystanders.

In addition to the above, a significant amount of helpful bystander behavior occurs for reasons that may appear less appealing. Some bystanders are really angry with the perceived offender, and happy to make an anonymous phone call. Some want revenge or punishment—to stop or get back at a person they believe to have harassed them or a friend. Some will want to punish a person who reminds them of someone who injured them. Some may expect a tangible or intangible reward for coming forward. Some want to interfere with the progress of a competitor at work or in the community. Some are simply desperate, even suicidal, and see no other options.

Some bystanders try quiet, informal action to stop the behavior. They may hope to stop the unacceptable behavior, while keeping the authorities from finding out about it—hoping to protect themselves, and family members and/or the perpetrator. Finally, some bystanders may act, even if they do not want to, if they have come to believe that taking action is the “only alternative” left to them. All these motivations for responsible action by bystanders should be considered in designing a conflict management system.

**Ideas for a Systems Approach to Foster Responsible Action**

 Each organization or community has its own context and its own major issues. I provide nine recommendations for organizations and communities drawn from my own experience and research. Like many researchers I believe that each of the ideas below is important—but not sufficient—in addressing any one type of unacceptable behavior, let alone all types. It is however difficult to assess my recommendations. Most evaluations look at an intervention or a systems approach for a specific population, context and issue. And even in the context of a focused evaluation it is difficult to assess the efficacy of any one element of an approach to unacceptable behavior[[28]](#footnote-28). However, the following ideas, where found to be relevant in a local context, may help system designers to deal with the barriers presented earlier and the multiple conflicting motivations of bystanders in serious cases.

1. **Provide training and discussions sponsored and exemplified by senior leaders.**

In recent times many institutions, including the armed services, have provided focused training, to encourage responsible bystander behavior. There are new initiatives in public and private institutions and associations around the world, to help to prevent “insider threats,” and terrorism. Programs in organizations and communities focus on such topics as bullying, harassment, diversity, alcohol, integrity in research and education, safety and team behavior, dealing with the fear of violence, and with national security. “Friends don’t let friends drive drunk” is an example of a well-known attempt—in society at large—to encourage peers and bystanders to prevent drunken driving. “See something—say something” is another bystander program focused on the general public. My own organization, MIT, has had intermittent bystander training about unacceptable behavior for decades. Some programs appear to be having recent successes and there are many anecdotes about bystanders who were inspired by training.[[29]](#footnote-29)

There is burgeoning interest in evaluating bystander-training programs. Typically evaluation is done in terms of changes in (self-reported) knowledge of and attitudes toward certain kinds of behavior, and the intentions, new skills and perceived self-confidence of trainees to take responsible action in the future. Some evaluators are beginning to look at incidence rates of specific types of unacceptable behavior in relevant milieus, and to survey self-reports of personal interventions.[[30]](#footnote-30)

However, in many situations, and despite training here and there to act responsibly in the face of unacceptable behavior, it is clear that more bystanders could be more helpful more often. As far as one can tell from dozens of everyday articles and newspaper reports, many people in every culture still hesitate to act, in a wide variety of situations, when they see unacceptable behavior.[[31]](#footnote-31) There are many bumps in the road, and sometimes side trips, as a bystander does or does not proceed to taking action.[[32]](#footnote-32) A bystander may or may not progress beyond step one, and also may go back and forth—from step to step and within a step. As mentioned above, I believe that formal training is only one of the elements needed in a systems approach to support responsible bystander behavior.

In all organizations and communities, I believe that what matters most is what senior leaders say, and what they *do*—in fostering responsible peer and bystander behavior. If senior people are seen as responsible peers with each other, in fostering exemplary behavior *and* dealing with unacceptable behavior, people notice. If senior leaders are seen to hold themselves and others accountable, by protecting robust mechanisms to ensure accountability, people notice. When senior leaders talk about bystander training and encourage respectful questions and respectful dissent, people notice. For bystanders to overcome the barriers noted above, senior leaders need to sponsor, practice, and communicate support for responsible bystander action.

Frequent discussions of responsible bystander actions may help, especially in organizations with diverse populations, and those with high turnover.[[33]](#footnote-33) The goals require constant attention: helping people to understand the rules, the definitions of “what is unacceptable and why,” the local resources, and the local options for action. It is important that people understand the meaning of a “good faith report.” In an organization, it is important to know the relevant policies and procedures with respect to intimidation and retaliation, and whether there are any real protections. In a community, it is important to know if authorities or other powerful people may be able to protect a bystander and his or her significant others.

Different kinds of communications should occur regularly, but also need to inspire constantly re-awakened attention. Posters, cheerful cartoons, upbeat intranet videos and inspiring stories in a newsletter may help. Some organizations have a five-minute “check in,” at the beginning of every meeting with more than five people, in which the leader simply asks about unusual concerns and unusual good news that anyone may have heard about from anyone.

It likely helps for public education to be done *issue by issue*, in addition to general programs affirming responsible behavior by bystanders. Issue-focused training helps bystanders understand and recognize specific problems. Training can impart skills and habits for dealing with one kind of problem—which then can be used when the bystander meets a different problem. Two types of specific skills training are of special importance—safety training and anti-harassment training. If these common problems are managed well, in a way that builds trust, people may be more likely to deal responsibly with uncommon issues[[34]](#footnote-34).

1. **Build on safety and harassment as issues of special importance.**

Alcohol and drugs are “special issues” because many forms of unacceptable behavior are associated with the alcohol and drugs. In addition, bystanders often know about illegal sales or misuse of alcohol and drugs. And many organizations have programs to deal in non-punitive ways with people who use alcohol and drugs that may serve as a model for other kinds of re-education and deflection programs. In general, safety and health issues also are important because many communities and organizations have routine safety audits, inspections and complaint procedures to which people are accustomed as part of the social system.

Bullying, and other forms of harassment, abuse and assault are “special issues,” for two reasons. Many forms of unacceptable behavior are associated with a history of having harassed others. And a *perception of having been harassed, assaulted or bullied is frequently the tipping point for a bystander to take action* about other forms of unacceptable behavior. In my experience, a bystander who is thinking about taking action with respect to a particular offender—about an unrelated form of unacceptable behavior—is considerably more likely to take action if that offender is also thought to have harassed people in the past.

There are additional reasons (in the context of seeking to prevent *all* unacceptable behavior) to foster bystander skills that relate to ensuring safety, and requiring respectful behavior. Asking people to complain about each other—or blow the whistle—often is not kindly received. Positively oriented programs supporting the safety and success of a work unit or local community are much easier to discuss—and these discussions also may serve to strengthen social norms that make “all” unacceptable behavior less likely.

Discussions about safety and respect are already common in many organizations and in many communities. These two topics can be defined as broadly as desired. For example, insider threats and national security issues are reasonably seen as extensions of discussions about “safety.” These discussions may share a familiar platform for the idea of “*See something? Do something, and don’t do nothing*!”[[35]](#footnote-35) People who are already accustomed to thinking about “safety and health, and respect for members of the work unit or community” may be more likely to notice all forms of unacceptable behavior. They also may learn who is to be trusted for private advice and support, about options for action, and how to report serious problems.

1. **Share frequent and varied success stories.**

Successful role models can inspire responsible behavior. Communicating stories of effective bystanders—who have acted informally to stop problematic behavior or who have reported it—may help to support the social norms about safety and respectful conduct. It appears helpful to describe responsible bystanders as if they are “normal humans who are doing the right thing” through good observation and ordinary competence. That is, responsible bystander behavior should not be described as exceptional heroism requiring super-human skills. Helpful bystanders should be portrayed as role models we all can follow.

1. **Appeal to a variety of socially positive motives**.

In the growing literature about bystanders, as mentioned, narrowly focused studies often look at just one or two motives to be responsible bystanders. However, in real life, the challenge is to foster action from people who may be different from each other, who change their minds from time to time, who move from one context to another, who are caught up in multi-issue situations. It may therefore be helpful, in communicating with bystanders, for authorities to offer more than one reason for responsible behavior.

It is not just that bystanders are all different individuals, even in an apparently homogenous culture. *Each bystander may have several social identities, only one of which would motivate action in a given case*—e.g. the prestige of our highly skilled technical group, the honor of our faith, the good name of our organization, the safety of neighbors like us, the safety of oneself or a family member, an appeal for protection of coming generations, or patriotism, or requirements of law. In a given case, it may happen that only one, important but invisible “identity”—for example identifying oneself as a survivor of personal abuse—may propel a bystander to seek to help another person, or stop abusers.

1. **Discuss the potential importance of imperfect “evidence.”**

It helps for bystanders to know that they do not need to have perfect evidence to act, especially if they act informally.[[36]](#footnote-36) Authorities ought not behave as if they require complete proof from bystanders. A belief that “just a hunch might be important” can be built into teaching stories and training. For example one might mention that unobtrusive inquiry about a possible concern can be helpful in fixing problems early on by informal intervention. (Unobtrusive inquiry may also serve to help some bystanders learn that a behavior that might look odd actually is reasonable.) Since the question of “knowing if I have enough evidence” is so important to bystanders, training and policies should emphasize the importance of their being able to consult, safely, with a trustworthy and knowledgeable resource[[37]](#footnote-37).

1. **Provide accessible, trusted resources for confidential consultation**.

Surveys regularly demonstrate that many people believe their organization or community leaders do not want to listen to bad news. Many also distrust the capabilities of authorities to deal with unacceptable behavior. Bystanders (as well as targets) often need accessible, safe and credible resources for consultation[[38]](#footnote-38). Many need individualized, just-in-time support even to begin to think about the pros and cons of different actions. “Receptivity” is key in building trust, when a bystander seeks help for the first time about unacceptable behavior.

A competent resource may be able to offer several ideas for responsible action by a bystander and may be able to help evaluate options that the bystander has been considering. Consultation with a trusted resource may also be able to help some bystanders—who otherwise would make mistakes, or act irresponsibly—to make decisions more wisely. Of particularly importance to communities and organizations, a trusted resource may be able to help a bystander with “timeliness” questions, that is, for the bystander to slow down, and perhaps consider seeking more evidence, or conversely to consider emergency action. In a good situation there might be a number of resources, including:

• A personally trusted senior person to go to, especially a leader in the community, or a manager in charge of the relevant work unit;[[39]](#footnote-39)

• “Multiple access points” like health care practitioners, community service providers, human resources personnel, security or police, quality assurance, compliance and ethics officers, who are trusted in the specific context. Providing people of different demographics, and in various geographic areas, as access points for bystanders may enhance perceived receptivity. Local affinity groups may have knowledgeable and trustworthy members who are among the best resources.

• A Helpline or cell-phone “app,” on-line support group, or on-line affinity group, that is believed to be both safe and effective.

• “Zero barrier” access points, such as an organizational or community ombudsman who is a designated, confidential neutral—or religious counselors or a widely known community “elder”—someone with whom the bystander can consult completely off the record, and who will help, in a safe way, to develop and discuss a choice of options for action.[[40]](#footnote-40)

Where the first three resources on this list are for any reason not trusted by significant numbers of bystanders—or where “zero tolerance” is widely discussed, and ordinary line and staff managers are prominently designated as “mandatory reporters”—it may be useful to consider establishing an organizational ombuds office[[41]](#footnote-41). The ombuds office should be designated as an exception to mandatory reporting[[42]](#footnote-42). The ombuds should be a trained professional, adhere to standards of practice, and be adept in supporting both informal and formal options for action.

1. **Provide safe, accessible and credible options for action.**

Having a *choice* of options is important to many bystanders. What kinds of bystander actions should a conflict management system support? In my view, both formal and informal options should be supported—by leadership, by policies, in training and communications efforts, and by trusted resource people as guides.

Some bystanders will immediately prefer—or later be willing—to take formal action. That is, some bystanders may be willing to report unacceptable behavior to authorities, as a first step—and some as a last resort. Some may only be willing to report if they can do so anonymously—or if they can act together with like-minded others.

Some bystanders will only help if they can take informal action. As illustrated in the BOX they may be willing to try personally to prevent or deter, question, interrupt, re-direct, mitigate, or remediate unacceptable behavior. They may only be willing to do this alone, or only with family members or peers. They may try one option—and then another. In some cases it may be possible for responsible bystanders to be supported by a trained resource person to take direct action that benefits the organization or community.

What about mandatory reporting? Zero tolerance, mandatory reporting and mandatory investigation requirements are now commonplace, with respect to some offenses, in some circumstances.[[43]](#footnote-43) It is a leading issue, for those who design complaint systems, to meet the challenge of designing a complaint system so that the benefits of “bystander choice” can survive. Many observers believe that inflexible zero tolerance policies are counter productive.[[44]](#footnote-44)

Where for any reason an organization or community is focused on zero tolerance and mandatory reporting, it can be helpful to provide an organizational ombuds office, as a specific exception, to alleviate the shortcomings of these policies. As a trusted confidential resource, the ombuds may be able to support bystanders to consider responsible informal options. Alternatively there could be other—specifically trained and designated—independent, impartial, confidential resources who will not keep records, and who will breach confidentiality only in cases of imminent risk of harm.

How does an ombuds office or equivalent resource help? Ombuds provide all the informal functions available in a conflict management system and refer and support people to use all the formal options available[[45]](#footnote-45). An ombuds office can help by supporting responsible options, discouraging ill-founded and irresponsible actions, and instigating appropriate action in cases of imminent risk of harm.

If a systems approach does explicitly support a number of options, and especially if there are trusted confidential resources, bystanders may be much more willing to help authorities with usable information. As examples:

• An anonymous bystander may learn from a confidential resource person or helpline what facts are needed and then provide usable information, via the resource, to provide to the authorities.

• A resource person may *get permission* to pass on enough information, (without identifying the source) so that authorities can look into a specific situation. A compliance office or community leader may, thus, be able to undertake a “generic action” to permit discovery of specific unacceptable behavior. As examples, information (provided to a resource person and passed on to authorities) might trigger an apparently routine audit of the use of funds, or of intranet security, or lead to safety checks in a college lab or Do-It-Yourself lab.

• As another generic option, bystander information might be used to design apparently routine training or monitoring programs—that are in fact targeted—that will help prevent specific unacceptable behavior.

• In some situations a bystander will decide after several discussions with a resource person to report indirectly or directly to authorities.

1. **Improve the credibility of formal options.**

How compliance offices and other authorities are seen to *manage* information has a major effect on whether bystanders will help to *identify* and *assess* unacceptable behavior.[[46]](#footnote-46) If people believe that the organization or community, once alerted, will take appropriate, timely and effective action, they are much more likely to work with a conflict management system. Perceived accountability matters. Providing a lot of information about the system may help. Organizational and community leaders need to communicate frequently and consistently about how issues are handled, if people are to know what they need. This requires planning and resources. The challenges here are many and they are not simple. These are just a few challenges that need to be addressed:

An adequate investigatory capacity requires considerable resources, regular monitoring, and constant communications with the organization or community.

Community members, family members, workers—and managers, and senior leaders— may not understand what will happen if they report information—and it is almost impossible to do an investigation that everyone will trust. But competent, impartial investigators help. For a system to be seen as accountable and credible, *formal investigations need to be competent, fair, prompt, thorough and discreet*. It is important for people to learn from experience and good communications that false allegations will be dealt with appropriately, and that good faith concerns will looked-into thoroughly.

It is objectively difficult for investigators to deal fairly and effectively with reports of unacceptable behavior. One reason is that they rarely receive really good evidence about wrongdoing, let alone “all” the relevant evidence. They may hear second-hand stories and fragments of stories. It is common to receive information from “bystanders of bystanders.” It may help to teach community and organizational members, on a routine basis—for example in common cases dealing with safety and health, and bullying—how to make a report by answering the questions: Who, What, When, Where, Why, How, with Whom.

Complaint handlers throughout a complaint system often lack appropriate training about dealing with ancillary problems, like maintaining privacy, implicit bias, and conflicts of interest. They may not know how to prevent or deal with concerns of overt—let alone covert— retaliation or “pay-back.”

“Receptivity” requires dealing respectfully with third parties in all formal procedures. It is commonplace to note that a community or organizational complaint system, and law enforcement, “should deal fairly with complainants and respondents.” It is not as common to have thought through the special situation of people who are not directly injured parties or perpetrators, but just bystanders, or even bystanders of bystanders. Organizations and communities need to build the reputation of dealing respectfully, fairly and competently, with bystanders who offer information.

Receptivity may be especially important and especially difficult with problematic bystanders. Some people who report unacceptable behavior are bewildered or anxious. Some are also (potential) perpetrators. A bystander—who is doing the right thing in a given case by reporting—may be very angry, or desperate, or actually seeking revenge, and in fact may only have taken the risk of reporting because of that anger. Women and men who have felt harassed or mistreated in the past may be fearful and very upset. They often believe they are taking additional risks in coming forward, and may need reassurance about their safety. Some may need protection.

Line and staff managers and community leaders *may lack the resources they need to deal with complex concerns about unacceptable behavior*. (A complex concern might have multiple issues, and multiple cohorts. A complex concern may cross multiple organizational, community and national boundaries.) For lack of resources, investigatory and decision-making processes may appear to move slowly and awkwardly in complex cases.

Complaint handlers (for many reasons) keep personnel actions very private. This means managers and community leaders may not have “learned how” by hearing about other cases. And others rarely know what really is happening in personnel actions, so bystanders at all levels may avoid actions that lead to investigations.

Take all these points together and it is easy to see why many bystanders do not trust what will happen if they come forward. As mentioned, building the credibility of response mechanisms requires giving significant information about what happens when people report.[[47]](#footnote-47) It may be possible to create and provide generic communications about how the response mechanisms work, how the rights of everyone are taken into account, how long the procedures may take, and what the (aggregate) results are in terms that matter to constituents. Some organizations do this with specific detail on-line.

**We Should “Crowd-source” Successes And Encourage Case Studies**

Some organizations and communities are innovating well with issues discussed here. In particular, some are collecting cases, looking for data about what works and what does not work. We need to know about bystanders who have succeeded with informal and formal options in any milieu. We need to define effective “access points” and effective management of information that gets to authorities. We need to crowd-source success. For each topic in this article we need real-life case studies to build hypotheses for further review.

Some organizations are experimenting with programs to link bystander training to professional and other skills training. A program on research integrity can present “some possible options if you see problematic behavior.” A program on responsible sexual behavior or use of alcohol may do the same. A program on mentoring might discuss a number of possibilities for dealing with bullying. A program on diversity and inclusion might include alternative strategies for responding to micro-inequities, and many examples of micro-affirmations[[48]](#footnote-48). Programs on safety should include options when one is concerned about someone else’s unsafe or possibly criminal behavior. Professionals of all kinds might be taught to seek out multiple resources, if one is concerned about the mental illness or unprofessional behavior of a colleague or client. Some programs seek to teach bystanders how to “pivot” others from unacceptable behavior to constructive behavior.

We also need to know about the risks of encouraging more bystanders to act. We need to gather experience about false allegations, vengeful allegations; reports based on misinformation, and mischief-makers. We need stories about employees and managers, passersby and community members who “gave up” on trying to change behavior they see to be unacceptable. We need to learn more about loss of relationships, retaliation and “payback.”

In summary, organizations and communities need to “identify, assess and manage” unacceptable behavior. Bystanders often have information and opportunities to help identify, assess and sometimes even to manage serious issues. A conflict management systems approach that goes beyond case-by-case conflict resolution may in turn support bystanders to take action that helps their organizations and communities in ways that they are willing to undertake.

{BOX}

**Some Naturally Occurring, Responsible Bystander Actions**

These are actions, derived from thousands of self-reports, which real bystanders have taken with respect to unacceptable behavior. It is not an exhaustive list. Authorities and system designers might examine if and how each option or others might be supported in a specific organizational or community conflict management system.

Peers and Bystanders:

* Ask civil, effective questions, of an apparent perpetrator, or of people around the perpetrator
* Become active mentors, modeling accessible, trustworthy behavior, in a way that interferes with the unacceptable behavior
* Consult with personal or professional resources, in a direct or indirect  fashion, with or without information identifying the perpetrator
* Discuss, discourage and disparage behavior that is unacceptable, on the spot
* Deflect or derail the behavior unobtrusively as with humor, songs, posters
* Engage friends, family or associates to help deal with the behavior; engage other bystanders, and “bystanders of bystanders”
* Instigate or trigger a “generic approach” such as asking for a relevant community or organizational program on the subject, without identifying any individual
* Interrupt the behavior
* Mitigate the effects of unacceptable behavior by personal action
* “Name” or talk widely about associated unacceptable behaviors in the community, so they can not happen unnoticed
* Observe the behavior, gathering more information before choosing an option, collecting evidence, keeping a diary
* “Pivot” the situation, by encouraging or instigating positive alternatives for potential perpetrators.
* Prevent the behavior from recurring (e.g. by making certain behavior punishable, or eliminating resources)
* Punish the behavior (at the time or later) or act to see it punished
* Re-channel plans or persons or resources engaged in unacceptable behavior, (e.g. engaging the relevant person elsewhere, removing their access)
* Remediate the behavior, (e.g. noticeably or behind the scenes, in an overt way or completely “casually”)
* Report the behavior in one of many different ways, (alone or with others, once or repeatedly, in writing or orally, identifiably or anonymously, formally or informally, immediately or later, directly or indirectly, with few salient details or with exhaustive information)
* Repudiate the specific unacceptable behavior, after the fact, in an explicit public fashion
* Stop the behavior in the moment
* Stop the behavior and follow up, directly or indirectly, to see that it stays stopped
* Take covert action in such a way that the behavior of the perpetrator can come to the attention of some inside or outside authority
* Teach others how to identify unacceptable behavior and to assess: “Who, What, When, Where, Why, How, and with Whom?” in thinking about options
* Teach others how to lead and exemplify positive alternatives, with systematically affirming behavior (in groups, as relevant, or “Each one, Teach one; Each one, Reach one”)
* Try more than one of these interventions as needed.

In a specific case, local experts might ask, “What might help particular bystanders of interest to act responsibly in this situation, given recent events and local perceptions?”

1. The term “bystanders” as used here refers to people who observe or come to know about unacceptable behavior or wrongdoing by others, but who are not knowingly engaged in planning or executing that behavior. “Unacceptable behavior” as used in this article refers to behavior that would normally seem to the observer to be serious and to require action. [↑](#footnote-ref-1)
2. See BOX. [↑](#footnote-ref-2)
3. Fein, R.A., Vossekuil, B., Pollack, W., Borum, R., Reddy, M.,& Modzeleski, W. “Threat assessment in schools: A guide to managing threatening situations and creating safe school climates.” U.S. Department of Education and U.S. Secret Service, May 2002. (E.g., “Targeted violence is the end result of an understandable, and oftentimes discernible, process of thinking and behavior,” p. 22.) FBI recent study. [↑](#footnote-ref-3)
4. See BOX. [↑](#footnote-ref-4)
5. Except as noted, the examples in this article are taken from ombuds practice. [↑](#footnote-ref-5)
6. As reported by Anthony Breznican: http://ew.com/tv/2017/05/23/remembering-mr-rogers/ [↑](#footnote-ref-6)
7. In negotiation theory, a BATNA is the Best Alternative To a Negotiated Agreement or “fallback” position, a “Plan B.” [↑](#footnote-ref-7)
8. Instantaneous actions of this sort—like jumping to save a child who falls from a subway platform—may be what Professor Daniel Kahneman would characterize as “System One” actions that occur faster than “conscious” decisions can occur. (Daniel Kahneman, Thinking, Fast and Slow, Farrar, Straus and Giroux, 2011.)  [↑](#footnote-ref-8)
9. See “Dealing with—or Reporting—Unacceptable Behavior,” Mary Rowe (MIT), Linda Wilcox (HMS), and Howard Gadlin (NIH), in the Journal of the International Ombudsman Association, Winter 2009, 2(1).  [↑](#footnote-ref-9)
10. See for example, “Bystander Intervention in Emergencies: Diffusion of Responsibility,” John M. Darley and Bibb Latané, Journal of Personality and Social Psychology,1968, vol.8, No. 4, pp 377-383. [↑](#footnote-ref-10)
11. There are many articles about various “bad consequences” suffered or anticipated for bystanders who intervene. As two illustrative examples, see “Does defending come with a cost? Examining the psychosocial correlates of defending behaviour among bystanders of bullying in a Canadian sample.”, [Lambe LJ](https://www.ncbi.nlm.nih.gov/pubmed/?term=Lambe%20LJ%5BAuthor%5D&cauthor=true&cauthor_uid=28131946)1, [Hudson CC](https://www.ncbi.nlm.nih.gov/pubmed/?term=Hudson%20CC%5BAuthor%5D&cauthor=true&cauthor_uid=28131946)2, [Craig WM](https://www.ncbi.nlm.nih.gov/pubmed/?term=Craig%20WM%5BAuthor%5D&cauthor=true&cauthor_uid=28131946)2, [Pepler , [Child Abuse Negl.](https://www.ncbi.nlm.nih.gov/pubmed/28131946) 2017 Mar;65:112-123. doi: 10.1016/j.chiabu.2017.01.012. Epub 2017 Jan 26.DJ](https://www.ncbi.nlm.nih.gov/pubmed/?term=Pepler%20DJ%5BAuthor%5D&cauthor=true&cauthor_uid=28131946)3. [Bystander interventions for sexual assault and dating violence on college campuses: Are we putting bystanders in harm's way?](http://www.tandfonline.com/doi/abs/10.1080/07448481.2016.1264407) Tricia H. Witte, Deborah M. Casper, Christine L. Hackman & Mazheruddin M. Mulla [Journal of American College Health](http://www.tandfonline.com/toc/vach20/65/3) Vol. 65 , Iss. 3,2017 See also Rowe, Wilcox and Gadlin, op.cit. for a long discussion about why individuals my hesitate and what individuals may fear. [↑](#footnote-ref-11)
12. In listening to bystanders talk about not acting, I have wondered if their occasional point that “there were other people at the scene who could have acted” is sometimes a post hoc rationale for a prior, unconscious intuition that action might have bad consequences. [↑](#footnote-ref-12)
13. “Third Parties, Violence, and Conflict Resolution: The Role of Group Size and Collective Action in the Micro-regulation of Violence,” Mark Levine, Paul J. Taylor and Rachel Best, Psychological Science 2011 22: 406, originally published online 8 February 2011; and “Be aware to care: Public self-awareness leads to a reversal of the bystander effect,” Marco van Bommel, Jan-Willem van Prooijen, Henk Elffers, and Paul A.M. Van Lange, Journal of Experimental Social Psychology, available online 22 February 2012; and “The Responsive Bystander: How Social Group Membership and Group Size can Encourage as well as Inhibit Bystander Intervention,” Mark Levine and Simon Crowther, Journal of Personality and Social Psychology (2008) Volume: 95, Issue: 6, 1429-1439. And see the outpouring of help in communities around the world following recent disasters. [↑](#footnote-ref-13)
14. “Peers Nip Misconduct in the Bud,” Gerald Koocher and Patricia Keith-Spiegel, Nature vol. 466 July 2010. [↑](#footnote-ref-14)
15. As an example, Ury, William The Third Side, Penguin Books Ltd, London, 2000. [↑](#footnote-ref-15)
16. The reader will note a few actions in the BOX, which illustrate bystander commitment to dealing with unacceptable behavior in part by fostering exemplary behavior. [↑](#footnote-ref-16)
17. See BEHAVE: The Biology of Humans at Our Best and Worst, Robert M. Sapolsky, Penguin Press, 2017 for an extraordinary presentation about how, why and when each human may care for or harm another, and of how complicated it is to understand, let alone predict, the good or bad behavior of an individual. [↑](#footnote-ref-17)
18. As a publically known example, Officer Sean Collier of the MIT Police, who was murdered in 2013 by the Tsarnaevs, had in a few short months undertaken hundreds of warm and respectful interactions, in the international student community and with other communities, that might often have been reticent with law enforcement. [↑](#footnote-ref-18)
19. Readers familiar with relevant social psychology and behavioral economics literature will immediately recognize in these examples the importance of Cialdini’s work on influence and motivation, and studies of relevant cognitive biases such as selective perception and risk aversion. [↑](#footnote-ref-19)
20. See, Arien Rack and Irvin Rock, Inattentional Blindness, MIT Press, 1998, for a famous experiment where participants were asked whether they noticed a gorilla walking through a scene where they were to concentrate on a different task. [↑](#footnote-ref-20)
21. Max H. Bazerman and Ann Tenbrunsel use this term in Blind Spots: Why We Fail to Do What's Right and What to Do about It, Princeton University Press, 2011.  [↑](#footnote-ref-21)
22. In my experience managers, employees and community members often do not know or understand all the laws, regulations and policies relevant to unacceptable behavior. [↑](#footnote-ref-22)
23. In my experience, concern about investigations is a major impediment for effectively managing information about unacceptable behavior. There are many different reasons why investigations are disliked, including the facts that investigations are often disruptive, invasive of privacy, expensive in time and costs, and it may be impossible to please everyone. See: [“Workplace Justice, Zero Tolerance and Zero Barriers: Getting People to Come Forward in Conflict Management Systems,” (PDF)](http://ombud.mit.edu/sites/default/files/documents/zero_zero.pdf) with Corinne Bendersky, in Negotiations and Change, From the Workplace to Society, Thomas Kochan and Richard Locke (Editors), Cornell University Press, 2002, fn 5: “Many employers have discovered that there is no way to design a formal investigation that the whole workplace will like. Relatively “cooperative” people (those whose typical strategy in interpersonal relations is “win-win”) tend to dislike the dry, formal, tough methods of criminal investigation that have crept into the U.S. workplace for issues like sexual harassment. However, “win-lose” people, who are oriented toward rights and power, paradoxically also

sometimes dislike formal investigations. For example, the win-lose witness may feel “he who is not with me is against

me,” unless the investigator appears to side with that witness. Since a good investigator will strive to be and to appear

impartial, the distrust that is sparked by impartiality happens quite often. In addition, the employer that protects privacy

will discover that many employees think that “nothing is ever done” against those who behave illegally. (An employer

that does not protect privacy in an appropriate way, and that speaks openly about individual offenders, may be attacked

by all sides for several other reasons.) We believe, in sum, that there will always be some tension about investigation

procedures. And this tension has implications for the design of complaint systems, since any tension about

investigation procedures also increases the majority’s general dislike of formal, win-lose, grievance options. This is yet

another reason to offer problem-solving options in a complaint system, so that only the bare minimum number of

concerns, those that must be investigated, actually go to formal processes.” [↑](#footnote-ref-23)
24. See for example, Reuben, E., Stephenson, M., “Nobody likes a rat: On the willingness to report lies and the consequences thereof.” J. Econ. Behav. Organ. (2013); and Dyck, A., Morse, A., & Zingales, L. “Who blows the whistle on

corporate fraud?” The Journal of Finance, 65, (2010). 2213–2253. Lindy West wrote **in the NYT, p A19, July 12, 2017 in** “Real Men Might Get Made Fun Of”: “Our society has engineered robust consequences for squeaky wheels, a verdant pantheon from eye-rolls all the way up to physical violence. One of the subtlest and most pervasive is social ostracism….” [↑](#footnote-ref-24)
25. Many studies make this point, e.g., Colvin, op.cit., p.14, and many ombuds practitioners hear this view. [↑](#footnote-ref-25)
26. “The unresponsive bystander: are bystanders more responsive in dangerous emergencies?” Fischer, P., Greitemeyer, T., Pollozek, F., & Frey, D. (2006). European Journal of Social Psychology, 36(2), 267-278; and “The Bystander-Effect: A Meta-Analytic Review on Bystander Intervention in Dangerous and Non-Dangerous Emergencies,” Fischer et al, Psychological Bulletin, 2011, Vol. 137, No. 4, 517–537. [↑](#footnote-ref-26)
27. The point is frequently reported by ombuds practitioners. [↑](#footnote-ref-27)
28. An excellent review of relevant research studies (in this case about bullying) is Preventing Bullying: Through Science, Policy and Practice, The National Academies Press, Washington DC, 2016. It considers antecedents and consequences of bullying, individuals within communities, various different populations and contexts, law and policy, preventive interventions pros and cons, comparisons of different systems approaches and directions for the future. Bystander training and programs are specifically included. [↑](#footnote-ref-28)
29. #  For recent discussions see: Quabbin Bystander Mediation Training (https://quabbinmediation.org/home/training-active-bystanders); and Toward the Next Generation of Bystander Prevention of Sexual and Relationship Violence Action Coils to Engage Communities, Banyard, Victoria L.,Springer, 2015; and Journal of Interpersonal Violence; Students as Prosocial Bystanders to Sexual Assault Demographic, Correlates of Intervention Norms, Intentions, and Missed Opportunities, January 29, 2017 [Jill C. Hoxmeier](http://journals.sagepub.com/author/Hoxmeier%2C%2BJill%2BC), , [Alan C. Acock](http://journals.sagepub.com/author/Acock%2C%2BAlan%2BC), ,[Brian R. Flay](http://journals.sagepub.com/author/Flay%2C%2BBrian%2BR). And Stopbullying.gov: A federal government website managed by the US Department of Health and Human Services, 200 Independence Avenue, S.W. - Washington, D.C. 20201 that includes discussion of bystanders; and Engaging Bystanders in Sexual Violence Prevention, Joan Tabachnick, The National Sexual Violence Resource Center, 2009. A White House Task force on Bystander-Focused Prevention of Sexual Violence, April, 2014 is available at http://www.nccpsafety.org/resources/library/bystander-focused-prevention-of-sexual-violence/.

 [↑](#footnote-ref-29)
30. Fenton, R. A., Mott, H. L., McCartan, K. and Rumney, P. (2016) A review of evidence for bystander intervention to prevent sexual and domestic violence in universities. Technical Report. Public Health England.; Katz, J., & Moore, J. (2013). Bystander education for campus sexual assault prevention: An initial meta-analysis. Violence and Victims, 28, 1054-1067. [↑](#footnote-ref-30)
31. As just one example, see “Bullying and the Peer Group: A review,” Christina Salmivalli, Aggression and Violent Behavior 15 (2010) 112–120. It extensively reviews the literature on bullying among children, concluding that children, as well as adults, generally hesitate more often than acting, to stop bullying. [↑](#footnote-ref-31)
32. See for example, a review of research studies by Christopher Colvin, “An Exploratory Study of the Fundamental Characteristics Influencing the Analysis and Communication Activities of Health Care Incident Reporting Systems,” Masters Thesis, University of Toronto, 2011, and the ombuds practitioners’ study by Mary Rowe, Linda Wilcox and Howard Gadlin, op.cit. [↑](#footnote-ref-32)
33. See for examples, Randi L. Sims, "Comparing ethical attitudes across cultures," Cross Cultural Management: An International Journal, Vol. 13 no.: 2 (2006) pp. 101 – 113; Young Sook Moon and George R. Franke, “Cultural Influences on Agency Practitioners' Ethical Perceptions: A Comparison of Korea and the U.S;” Journal of Advertising, Vol. 29, No. 1 (Spring, 2000), pp. 51-65. This point is reported in many studies. [↑](#footnote-ref-33)
34. As an ombuds for more than forty years I witnessed the beginning of harassment policies and training, and the development of modern safety training. These initiatives made a difference to responsible bystander action about virtually all criminal behavior.. [↑](#footnote-ref-34)
35. Because bystanders often consider a wide range of options other than just reporting to authorities, “See something? Do *something*, don’t do nothing!” may be more useful than “See something—say something.” But systems training on this point may need to be combined with policies that countenance appropriate kinds of informal bystander action, and access to confidential resources, so bystanders feel safe in discussing responsible options that are informal. [↑](#footnote-ref-35)
36. Koocher et al, op.cit., make this point in detail, urging bystanders to be willing to act on the spot informally, in many or most situations. The “User-Friendly Guide” that accompanied their article in Nature can be offered to everyone in labs; by extension that Guide can be one possible model for organizations and communities writing their own Guides. [↑](#footnote-ref-36)
37. Ombuds practitioners frequently deal with peoples’ hunches and “inadequate evidence,” helping constituents to think through what all the possible options are, for waiting, seeking more data, consultation with others, etc. [↑](#footnote-ref-37)
38. Mary Rowe and Michael Baker, Harvard Business Review, Vol. 62, No. 3, (May-June, 1984), pp. 127-136, “Are you Hearing Enough Employee Concerns? A review of non-union complaint systems in the U.S.”  [↑](#footnote-ref-38)
39. Amy Edmondson and colleagues at Harvard Business School have studied this phenomenon in some depth. It is important to note that in some countries, and some organizations and communities, unit heads and human services staff may have an obligation to report unacceptable behavior to the authorities. See mandatory reporting discussion below. [↑](#footnote-ref-39)
40. See Rowe, Mary, “Workplace Justice, Zero Tolerance and Zero Barriers: Getting People to Come Forward in Conflict Management Systems,” with Corinne Bendersky, in Negotiations and Change, From the Workplace to Society, Thomas Kochan and Richard Locke (Editors), Cornell University Press, 2002. [↑](#footnote-ref-40)
41. The Standards of Practice for an organizational ombuds, available in many languages, may be found at https://www.ombudsassociation.org/About-Us/IOA-Standards-of-Practice-IOA-Best-Practices.aspx [↑](#footnote-ref-41)
42. In contemporary Title IX discourse, in the US, ombuds should be designated as a Confidential Resource. [↑](#footnote-ref-42)
43. The current debates about requirements in various organizations to report sexual assault, sexual harassment, “radicalization” or all illegal behavior, illuminate this issue. [↑](#footnote-ref-43)
44. Zero tolerance often appears as an attractive policy wherever a particular unacceptable behavior has produced outrage. There are millions of Google entries and hundreds of research articles on the subject. Considerable research suggests that zero tolerance policies have perverse effects (in dissuading targets and bystanders from taking action or reporting) as well as other, serious associated costs. Preventing Bullying, op cit., after comprehensive research, discusses zero tolerance policies as a “non-recommended approach.” [↑](#footnote-ref-44)
45. For a list of functions and how an ombuds fits into a systems approach, see [“Organizational Ombudsman,”](http://mrowe.scripts.mit.edu/docs/Other/Organizational%20Ombudsman%20CPR%202014.pdf) Mary Rowe and Randy Williams, in Cutting Edge Advances in Resolving Workplace Disputes, The International Institute for Conflict Prevention and Resolution, New York, New York, 2014, pp 97-11. [↑](#footnote-ref-45)
46. Colvin, op.cit. [↑](#footnote-ref-46)
47. Colvin, op.cit. [↑](#footnote-ref-47)
48. Rowe, Mary, MIT IWER, Commentary, Unconscious Bias: May Micro-affirmations provide one answer? http://iwer.mit.edu/posts/unconscious-bias-may-micro-affirmations-provide-one-answer/ [↑](#footnote-ref-48)