

## **Chapter Sixteen**

# **The Richardson Dismissal as an Academic Boomerang**

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Attacks sometimes recoil against the attacker, a process that can be called the boomerang effect. St. Michael's College's dismissal of Herbert Richardson can be considered to be a type of attack and hence analysed in terms of a boomerang effect. Kenneth Westhues's book provides a rich resource for examining boomerang dynamics in an academic dismissal case.

Attacks can boomerang when they are perceived as unjust by participants and observers. This is most obvious in the case of violent attacks on peaceful protesters. In 1930, Gandhi led a lengthy march with the stated aim of making salt from the sea, an unlawful act in violation of the British rulers' monopoly on salt production. In India, the salt laws were widely seen as unjust in themselves, and the march generated huge support throughout the country. At the culmination of the march, Indian satyagrahis (nonviolent activists) presented themselves to the police, who beat them mercilessly, with many protesters taken to hospital. Due to independent reporting, the police beatings of nonresisting protesters caused an upsurge in support for the Indian independence movement in India, Britain and elsewhere. It also weakened the resolve of the British colonial administrators in India (Dalton 1993).

Other famous cases where attacks against peaceful protesters backfired include:

- the shooting of hundreds of demonstrators in 1905 in Russia — so-called Bloody Sunday — which caused a massive increase in opposition to the Czar;
- the police shooting of protesters in Sharpeville, South Africa in 1960, which generated enormous outrage internationally; and
- the shooting of mourners in a cemetery in Dili, East Timor, by Indonesian troops in 1991, which stimulated a big increase in international support for the East Timorese liberation struggle.

The reaction against violent attacks on peaceful protesters is so predictable that Gene Sharp, the world's leading nonviolence researcher, included it as a stage in his dynamics of nonviolent action (1973). Sharp called this reaction "political jiu-jitsu," in analogy to the sport of jiu-jitsu in which contestants turn their opponents' weight and strength against them.

Sharp restricted his attention to nonviolent action, but it is possible to observe similar jiu-jitsu processes in other arenas. For example, the beating of Rodney King by Los Angeles police in 1991 was captured on video by witness George Holliday. When broadcast on TV, the beating triggered a massive public reaction against the participating police and against the police department generally. Similarly, the use of torture, if revealed, can recoil against the torturers, their masters, and the companies and governments supplying torture technology (Martin and Wright 2003). Censorship, which can be interpreted as an attack on free expression, can backfire (Jansen and Martin 2003). For this expanded application of the concept of political jiu-jitsu, I use the term *backfire* or *boomerang*.

Any violation of a social norm has the potential to recoil against the violator. In sociology as well as popular culture, most attention is given to norm violation by relatively powerless or stigmatised groups, such as criminals or the unemployed. In the examples given above, though, it is powerful groups, such as police, militaries or governments, that have violated norms.

The dismissal of an academic can be interpreted as an attack on the academic or on academic freedom, and thus can potentially boomerang. The dismissal of Richardson, if it had occurred quietly, would have had few repercussions for St. Michael's College. But a highly publicised dismissal, even if it gets rid of the academic, can generate negative attitudes towards the employer.

Determining whether, or to what extent, a dismissal boomerang, is a fascinating and challenging task. However, my focus here is on something slightly different: boomerang dynamics. Boomerang effects are not just events or consequences: they can be studied as a dynamic process. Attackers often realise, consciously or unconsciously, that their actions can be counterproductive, and thus seek to limit these consequences. At the same time, targets of attacks, and their supporters, may act to stimulate outrage from an attack.

By examining a range of cases (Jansen and Martin 2003; Martin and Wright 2003), it is possible to discover a variety of techniques by which attackers can inhibit a boomerang effect, namely through (1) cover-up, (2) devaluation of the target, (3) reinterpretation of events, (4) use of official channels, and (5) intimidation and bribery. Targets have various means to counter each of these techniques. In each of the following sections — one for each of these five techniques — I give several general examples and then apply the ideas to the Richardson dismissal process.

### Cover-up

If an attack is not widely known, it cannot be widely perceived as unjust and cannot generate significant outrage. Therefore, the most effective way to prevent a boomerang is to keep the attack secret. In the case of the Dili massacre, the Indonesian military controlled all media and communication out of the occupied East Timor. However, a western filmmaker, Max Stahl, videoed the shooting and was able to smuggle the videotape out of the country, enabling it to be broadcast internationally.

Police beatings occur all the time. In the years prior to the Rodney King beating, the Los Angeles Police Department paid out millions of dollars in court settlements and judgements in cases involving alleged use of excessive force by police. The Rodney King beating backfired in a much bigger way because of the Holliday video.

A key reason that torture is almost always carried out in secret is because it is widely seen to be unjust. Covering up torture is the most effective way to prevent outrage. Amnesty International and other human rights organisations use publicity as a powerful means of opposing torture.

For getting rid of an academic without repercussions, the cover-up is a powerful tool. If few people know about the reasons, the processes and the outcome, then the potential for generating outrage is minimal. Many academics cooperate in a cover-up because they are

ashamed by the criticisms of their performance and because they are not accustomed to seeking publicity. Indeed, most academics avoid public engagement, much less publicity, seeking recognition only among peers through scholarly publications and conferences. This means that if discreet efforts are made to get rid of them, many are inclined to go quietly. For them, going public is not dignified. Scholarly self-image can get in the way of the quest for justice or even for survival.

In some cases when academics sue for wrongful dismissal, they reach a settlement with the university that includes a payment to them only upon acceptance of a silencing clause, namely a settlement condition that restricts future public comment about the case. Silencing clauses are potent means for cover-up.

From this it is possible to generalise: the most effective attacks on academics and on academic freedom are *Things Which Are Done in Secret*, to quote the title of Marlene Dixon's 1976 book on academic eliminations at McGill.

Richardson did not cooperate with his antagonists by going quietly. By fighting their attempts, he raised the stakes and greatly increased the potential for a boomerang, as shown by three examples.

First, in 1987, when Richardson was privately encouraged to leave St. Michael's, he stayed in his job. If, instead, he had left, the elimination would have occurred with no publicity, indeed virtually no awareness that anyone had been opposed to Richardson.

Second, Richardson pushed for and obtained an open tribunal. This raised the stakes for the attackers, making it far more difficult to hide the process. Richardson was not gagged by a clause in a settlement and the tribunal's report is available for scrutiny.

Third, after being dismissed, Richardson did not avoid publicity. Instead, through Mellen Press he published Westhues's book, which over the long term is likely to increase the boomerang against St. Michael's.

These examples show that boomerang can be seen as a process that can begin long before an overt attack and last far longer than a formal outcome. Even today, the Turkish government refuses to acknowledge the genocide of the Armenians in 1915. Cover-ups can last a long time. Likewise, for those opposing unjust attacks, it is never too late to expose what happened.

Westhues mentions the case of Liam Donnelly, a Simon Fraser University swimming coach dismissed for sexual harassment and date rape. "Then Donnelly went public with graphic offers of sexual favors that Marsden had sent him *after* he was alleged to have raped

her." (Westhues, p. 4). Media coverage, especially television, is extremely powerful in countering cover-ups and maximising backfire. A film of Richardson's life and dismissal holds the greatest potential for increasing the boomerang against St. Michael's.

### **Devaluation**

An attack can be less shocking, or even be seen as legitimate, if the target is perceived as lacking value. Consider a poorly performing, foul-mouthed academic, someone much more difficult to admire than Richardson. Dismissal of such an academic is less likely to trigger outrage than of a model scholar, even though the dismissal process is equally improper in each case. Therefore, devaluation of the target is a powerful means of inhibiting boomerang.

Within South Africa in 1960, blacks were not treated as equals by most of the white population. Therefore, when police shot and killed perhaps a hundred black protesters, this did not cause as much of an uproar as if police had killed even a few white protesters.

Rodney King, who was seriously beaten by Los Angeles police, was often called a "black motorist" in news reports. Supporters of the police were more likely to call him a "felony evader," a devaluing description. Police supporters regularly referred to King's prior criminal record. Subsequent to the beating, King was investigated or arrested several times in ways that compromised his credibility (Owens 1994).

The extermination of the Jews under the Nazi regime was preceded and accompanied by a sustained process of devaluation. Hitler and other Nazi leaders attempted to paint the Jews as subhuman, for example by calling them "vermin." Devaluation is a predictable feature of genocide.

These examples illustrate that there are many roads to devaluation. It can be a facet of prevalent social attitudes or it can be a carefully engineered process. It can occur before an attack or be pursued afterwards, or both. It can be promoted by labelling and slander but also by actions that stigmatise the target.

Devaluation of academics can occur in a similar range of ways, including via general attitudes, through specifically promoted associations or labels, and at any stage in an attack. Needless to say, devaluation is relative to an audience and is constantly subject to both reinforcement and challenge. A person devalued in the eyes of some, due to characteristics or labelling, might achieve greater value in the eyes of others.

I use the term *devaluation* to refer to something quite serious. Although a sociologist might have lower status than a molecular biologist, both are highly valued in western societies. On the other hand, an illiterate or intellectually disabled person is likely to be seriously devalued, with consequent impacts on the person's life opportunities or even survival.

It would seem a tall order to devalue Herbert Richardson, a confident, reflective and high-performing academic. His scholarly output puts most colleagues to shame. But no matter how outstanding a person's capability and performance, it is possible to bring them down and hence to reduce the boomerang effect from an attack.

A potent tool for devaluation is "malicious gossip and whispering campaigns," listed under the heading "Back-biting" by Westhues as one of ten clues that a process of exclusion counts as elimination in his terms (pp. 30-32).

Richardson's role as a Protestant in a Catholic college would have had complex effects on his status, which might be lowered in the eyes of some Catholic colleagues and administrators but raised in the eyes of Protestants elsewhere. Given the level of concern about minorities, an attack on an isolated Protestant is likely to generate heightened concern, just as the beating of a black Rodney King by white police generated increased outrage due to people's inference of police racism. Richardson's role as an isolated Protestant might help to explain why he was subject to attack — Westhues certainly makes a powerful case in this regard — but it does not constitute strong evidence of inhibition of a boomerang effect through devaluation.

Richardson's association with the Unification Church and similar groups would have had a serious effect on his status. Westhues describes the "smearing of the Unification Church" (p. 124), a process of devaluation, and some of this rubbed off on Richardson. Westhues notes (p. 125) that Richardson's invitations to give lectures evaporated after he defended the Unification Church, a good indication that he had been tainted by association.

Richardson's reputation also suffered greatly due to the *Lingua Franca* article. Westhues describes how the article became more hostile to Richardson through different versions and details some of its misrepresentations, for example concerning the choice of Edwin Mellen for the name of Richardson's press. Whatever the means by which the article came to be published, it certainly had a damaging effect on Richardson, making him seem a less deserving victim.

Within the context of the tribunal, Richardson's contributions were minimised by the focus on his particular alleged deviations from

procedure, rather than his overall performance assessed in context. This was not a process of devaluation of the person *per se* but rather one of setting aside valued dimensions of Richardson's role.

In summary, Richardson's reputation was damaged most of all by his association with the Unification Church and by the *Lingua Franca* article. This damage no doubt made it easier to dismiss him. But in the wider society, Richardson's contributions were sufficiently great to make devaluation a difficult method for reducing backfire from the dismissal.

### Reinterpretation

When an attack can potentially be seen as unjust, attackers may interpret the situation in a very different way. If they can convince others of this alternative explanation, boomerang is inhibited.

The savage beatings of nonresisting satyagrahis in India in 1930 caused numerous injuries, with protesters sent to hospital; British authorities in India said that the protesters were faking their injuries. After the Sharpeville massacre, South African police attributed the incident to agitators. Police involved in the beating of Rodney King claimed that it was King who was "in control" during the incident, and that the beating, though harsh, was completely justified by King's threat to the police.

In some cases, the attacker's reinterpretation is a lie that can be readily exposed by any independent observer, as in the case of the beating of salt march satyagrahis in India. In other cases, though, the attacker's perspective seems genuine though lopsided from the point of view of outsiders. Though there were more than 20 law enforcement officials at the scene of the Rodney King beating, the officer in charge of the arrest thought that King was on PCP — giving him extraordinary strength — and that his behaviour, such as not going into the prone position, signalled a threat (Koon, 1992).

In yet other cases, it is difficult to assess the genuineness of the attacker's claims, even when they seem outlandish. The US military attack on Iraq in March 2003 was publicly justified on the grounds that the Iraqi government possessed weapons of mass destruction that posed an immediate threat to the US, hence warranting a pre-emptive attack. For months before the invasion of Iraq, US officials made strong pronouncements about the threat from Iraq. Afterwards, though, many questions were raised about the basis for these claims. Probing the psychology of US officials at the time remains a virtually insuperable challenge, barring release of documents or testimony

showing that they were saying one thing privately and another publicly.

In the case of academics, it is standard for attackers to interpret the situation in a way that justifies their actions. Officials *never* say, "Professor Z was exercising her academic freedom, so we dismissed her." They *rarely* say, "Professor Z spoke out in an unacceptable way, so we dismissed her" and even then they might add, "This has nothing to do with academic freedom." What they more commonly say is, "Unfortunately, Professor Z's position was eliminated in a reorganisation" or "Professor Z's performance was substandard, so she had to be released" or "Funding shortfalls make it impossible to retain Professor Z's services." These latter sorts of justifications are far less likely to trigger outrage, as they do not indicate unfairness.

The degree of reinterpretation necessary depends on the potential for adverse reactions. If an academic has been severely devalued and has no allies, then an overt attack may not lead to repercussions. In some countries, radical academics are at risk of murder. But even ruthless regimes may seek to hide or reinterpret their actions due to pressures from human rights campaigners. "Disappearances" are less likely than open assassinations to recoil against the killers.

It is possible for attackers to misjudge the situation and be too blatant in their actions. This is a common source of boomerangs.

Richardson's occasional displays of temper were interpreted by some students not only as disturbing and unacceptable, but as indicating that he posed a threat. Personal behaviour is a rich source of interpretative diversity, with different observers often drawing entirely different conclusions from the same events.

In reporting his involvement with Edwin Mellen Press, Richardson separated scholarly and commercial dimensions, reporting only the scholarly side. The tribunal interpreted this quite differently, judging Richardson guilty of fraud for not following the reporting rules. The problem here is that rules do not interpret themselves, so it is often possible for attackers to offer a different but plausible explanation.

For an academic, setting up a scholarly press would normally be seen as a signal achievement. Richardson's attackers, though, creatively reinterpreted Mellen Press as some sort of shady operation and turned what would normally be an asset into a liability.

The tribunal also found Richardson guilty of a second charge, that he had committed fraud in his claims for taking sick leave. Westhues explains that Richardson needed to escape the stress of his situation at St. Michael's but that this did not preclude him from other sorts of



vigorous activities. However, the tribunal adopted a different interpretation, namely that Richardson's actions during his sick leave indicated that he was not all that sick.

I have seen a number of cases in which academics have suffered acute stress at work and needed to get away from their offices. In some cases, they have been able to work productively in a different setting, yet suffer a relapse as soon as they return. This is quite compatible with what is known about trauma and recovery (Herman 1992). But for some colleagues, this behaviour may be interpreted quite differently: the stressed academic may be seen as a lazy impostor or as someone who just needs to "pull themselves together." There are some people who fake symptoms of stress or other illnesses, so there are no automatic answers in such situations. The key point here is that an academic under stress may receive not sympathy but rather further stress-inducing attacks.

Many academics, through their research and teaching, develop considerable experience in interpretation and reinterpretation of actions and motives. The tribunal presented a persuasive narrative about Richardson's failings. Westhues has presented a contrary narrative that places Richardson's actions in a much more favourable light. The tribunal's narrative inhibits boomerang from the dismissal; Westhues's narrative accentuates it.

### **Official Channels**

An attack can generate immediate outrage from observers, if it is perceived as unjust. One way to inhibit boomerang is to justify the attack through some sort of official procedure, such as a commission of inquiry, a trial, a police investigation or an ombudsman's report. Official procedures give a stamp of approval to action taken. The most effective official channels are ones that are considered to have authority and to be fair-minded in dispensing justice.

In the aftermath of the Sharpeville massacre, the South African government set up a commission of inquiry to reduce the serious adverse effects of the massacre for its reputation as a democratic state. Following the beating of Rodney King, the Los Angeles government set up an inquiry. In addition, four police were charged with assault and tried. However, there are limits to the capacity of official channels to inhibit outrage. When a jury acquitted the four police officers, the discrepancy between the outcome and people's own judgement from watching the video of the beating triggered days

of rioting in Los Angeles, causing massive damage and numerous deaths.

Attackers do not always obtain the endorsement they seek from official channels. The US government sought endorsement from the UN Security Council for its planned assault on Iraq. Because this was not obtained, popular antagonism to the attack was greater than it otherwise would have been, judging by opinion polls. In the end, the US government did not actually present a motion to the Security Council, obviously judging that a formal rejection would be more damaging than not bringing the matter to a vote.

Endorsement through official channels can inhibit boomerang even though the official channels are not neutral. The UN Security Council is a highly politicised body, subject to enormous pressure by the US government. But many people are not aware of this, believing that authorities are neutral and dispense justice. Similarly, courts are not neutral, serving those with wealth and power far more than the poor and dispossessed, but many people believe that the court system dispenses justice.

The belief in a just world is extremely deep and hard to budge (Lerner 1980). Many whistleblowers speak out fully expecting that their concerns will be fairly investigated and judged by bosses or regulatory bodies. These whistleblowers are shocked when they come under attack instead. Yet they continue to believe that there must be some higher authority that will provide justice, and so they continue to make appeals to ombudsmen, courts, politicians, auditors, anti-corruption bodies and others. Unfortunately, none of these appeal bodies gives more than a remote chance of success (De Maria 1999).

A tribunal was vital to minimising backlash from Richardson's dismissal. By following procedures, the dismissal decision was given an official stamp of approval. Most observers assume that a formal tribunal provides justice. Few bother to examine the actual process and to scrutinise the reasons given for dismissal. Westhues's account is invaluable precisely because it critically examines the reasons.

Imagine an alternative: summary dismissal without following any of the formal procedures laid out by the institution. This is very likely to backfire, as shown by the case of the dismissal of biologist Ted Steele from the University of Wollongong in 2001 (Martin 2002).

Next consider Richardson's counterattacks: his action for defamation against *Lingua Franca* and his appeal for judicial review of his dismissal. These were unfortunate for Richardson in several ways. First, he lost. Second, the court decisions gave additional official endorsement that his dismissal was fair, despite the fact that

the courts did not look at the substantive issues involved. Third, as a consequence, the boomerang from his dismissal was dissipated rather than augmented.

The implication of this analysis is that in order to increase the boomerang effect, it is wise to avoid official channels and instead take one's case directly to potentially concerned audiences. Official channels usually serve those with more power, money and institutional centrality. Richardson would have gained more sympathy by not suing anyone, as Westhues is pained to emphasise.

The boomerang effect is not a goal in itself. There may indeed be good reasons to use official channels. But if one's primary goal is justice, then the experience of whistleblowers and others suggests that using official channels has a surprisingly poor chance of success.

### **Intimidation and Bribery**

Attackers sometimes intimidate the victim, witnesses and others. If effective, this can inhibit boomerang. For example, police who use excessive force often charge their targets with assault or resisting arrest or threaten them with charges should they make a complaint. Sometimes witnesses are threatened too. After the Sharpeville massacre, South African police went through the township arresting anyone they could blame for the "disturbance." They also dragged anti-apartheid activists from the hospital. This intimidation helped reduce the willingness of witnesses to testify against the police at the commission of inquiry (Frankel, 2001).

In academia, these sorts of heavy-handed tactics are unusual in industrialised countries. But western academics can be cowed even without the threat of violence. Most academics are so concerned about their jobs, their grants, the respect of their peer groups, and their good standing with superiors that they are very unlikely to take an unpopular public stand, especially as a lone voice. Most academics are willing to acquiesce to dominant views without the need for explicit threats or attacks. The hurdles and peer pressures in an academic career serve as a way to create "ideological discipline" (Schmidt 2000). Unconscious self-censorship becomes a way of life.

Michiel Horn, author of *Academic Freedom in Canada* (1999), wrote to me that "Most academics are conformist Milquetoasts. If we weren't we wouldn't have entered academe." Obviously there are exceptions to this generalisation: a few individuals are willing to stick their necks out on behalf of colleagues, and in some places and cases a union or professional association offers principled defence.

An attack on an academic, whether a reprimand or dismissal, can serve as a form of intimidation. Many academics are deeply shamed by any official criticism and wish to go into hiding. Many leave rather than fight. It requires a robust character to survive psychologically in the face of widespread condemnation, especially to persist in the face of a degradation ceremony.

Intimidation did not work against Richardson. He ignored the strong suggestion in 1987 that he leave. He demanded an open tribunal. He counterattacked through legal actions. He continued his business. He published Westhues's book. All this indicates an exceptional character and unusual inner strengths.

For academics who would resist unjust attacks, or even just survive the everyday environment of a toxic workplace, developing this sort of inner strength should be a priority. Wyatt and Hare (1997) present one way of building this strength. Arguably, psychological skills for understanding and negotiating organisations should be in every curriculum, from primary school to university.

For inhibiting boomerang, bribery is the partner of intimidation. Those who cooperate with an attack may be rewarded by praise or promotions, or at least protection against similar treatment. In the most famous Australian academic dismissal case, the sacking of philosophy professor Sydney Orr from the University of Tasmania in 1956, some commentators allege that key figures who collaborated in the attack on Orr were rewarded by plum jobs (Eddy 1960). Bribery usually has to be inferred in the academic context, because there are no written promises or even conscious intentions. Westhues does not give any evidence of this sort of bribery at St. Michael's. This is not surprising given that he relies heavily on written documents of a sort that are unlikely to reveal unsavoury activities carried out behind the scenes. Another factor is defamation law, which inhibits reporting of such activities.

Intimidation and bribery can backfire if they are exposed. The first task is to survive intimidation. The next is to expose the intimidation so that it boomerangs against the attackers.

### Conclusion

Looking at the process by which an attack can boomerang seems a fruitful way to examine the dynamics of Richardson's dismissal. Those who acted to get rid of Richardson used most of the standard methods that, as revealed in a wide variety of attacks, often inhibit boomerang. The attackers in the Richardson case attempted to cover

up the attack, devalue the target and reinterpret the events. They used official channels. Though there is no public evidence that the attackers used intimidation and bribery, any attempt at dismissal is intimidating for most academics.

The model of attack and boomerang can be revealing even without making any judgement about the validity of the process and the methods. Boomerang dynamics operate on the basis of perceptions. A dismissal may be quite justified by the evidence and still boomerang if it is perceived as unjust. Likewise, a dismissal may be quite unjust and yet proceed without arousing concern, by effective inhibition of boomerang.

This analysis suggests what is likely to be effective in magnifying the boomerang effect. The first, most vital thing is to expose the attack. Richardson did this by refusing to go quietly and by demanding an open tribunal.

A second method is to counter the process of devaluation of the target. For example, Richardson and his supporters might have tried to use publicity to paint him as a courageous defender of religious freedom and as an inspiring if somewhat confrontational teacher. However, Westhues gives no mention of any pro-Richardson publicity campaign.

The third method is to advance one's own interpretations and undermine the attackers' interpretations. Richardson attempted to do this at the tribunal. To be more effective, his perspective needed to be taken to wider audiences.

The fourth method is to avoid relying on official channels to obtain justice. Perhaps Richardson could not have avoided the tribunal, but he could have used it as a platform for a publicity campaign. Organisational attackers hate adverse publicity more than anything.

Sympathy and outrage are more likely to be generated when people perceive a large, powerful organisation attacking an individual who does not strike back. Therefore, from the point of view of magnifying boomerang, Richardson's counterattacks — his legal actions — were ill-advised. They gave the appearance of justice and of a battle between equals.

The fifth method is to refuse to be intimidated. In this, Richardson succeeded remarkably well, by not leaving St. Michael's quietly, by pushing for an open tribunal and by publishing Westhues's book.

Looking at academic attacks in terms of the boomerang effect is just one perspective. Its great strength is in providing insight into the dynamics of a struggle and offering guidance for action. By itself,

though, it does not provide background, context or an assessment of right and wrong. For these dimensions of the Richardson saga, Westhues's book is invaluable. The book can also be seen as a highly potent intervention in an ongoing process of academic boomerang.

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