

On the Blockade Lines

Kim Trainor at Fairy Creek

This is a personal account of a visit I made to Ada'itsx/Fairy Creek blockades, shortly after the injunction against the blockades was lifted by BC Supreme Court judge Douglas Thompson, on 29 September 2021. In his written decision, Justice Thompson refused to extend the in-



Chief Bill Jones addresses forest defenders, 1 October 2021

junction at Fairy Creek, which is situated within Tree Farm Licence 46 (TFL 46), north of Port Renfrew on Vancouver Island. He wrote that the “methods of enforcement of the court’s order have led to serious and substantial infringement of civil liberties, including impairment of the freedom of the press to a marked degree.”

A week later his decision was struck down and a temporary injunction reinstated by Justice Sunni Stromberg-Stein, who ruled that the on-going blockades were having a significant economic impact on Teal-Jones. Teal-Jones, a Surrey-based company, continues to log old growth trees in TFL 46. Fairy Creek is one of the last (mostly) intact old growth watershed valleys in the province. Endangered species found here include the marbled murrelet, the western screech owl, and rare old growth specklebelly lichen, (*Pseudocyphellaria rainierensi*).

Thursday 30 September (Reconciliation Day) – Sunday 2nd October. The injunction against the protestors has just been lifted. Heavy rain off and on. Everything in transition – free-

standing shelters being taken down to re-erect on Granite Main, the main Forest Service Road into TFL 46. Lots of people dropping off supplies. Hazelnut spreads out a map on the gravel showing all of the defenders’ camps, many of them having fallen during the long summer of the injunction,

leading to over 1,100 arrests for civil disobedience, so that Fairy Creek is now the largest action of civil disobedience in Canadian history.

Days before, Teal-Jones had gouged out two large trenches across Granite Main so that defenders could not use their cars to access the road and run people and supplies to distant camps further up the mountain. The only car access is by a private side road guarded by a steel gate and Teal-Jones employees in their ubiquitous, massive white pick-up trucks. Defenders have created a footpath through the forest to reach Granite Main. Just a little further down that road and off to one side, perched high above Renfrew Creek, lies Salmon camp, where Pacheedaht Elder Bill Jones carries out meetings and ceremonies with fellow Elders from other Nations such as Chief Sonny Wallace of the Quatsino Nation, as well as Indigenous defenders, and allies.

We pick up shovels and begin to dig, filling in the smaller trench, our shovels to Teal-Jones’ backhoe, one scoop of earth at a time. Within an hour there [Blockade ... continued on p3](#)

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FM Committee

Jon Paul Henry (Editor)
Ralph Ferrens
Jasmine Nicholsfiguredo

Contributors

Ralph Ferrens, Mark Gabbert,
Jon Paul Henry, David Moulton,
Devin Zane Shaw, Kim Trainor,
Hardev Singh Shergill, Penni Stewart.

Layout & Design

Jon Paul Henry

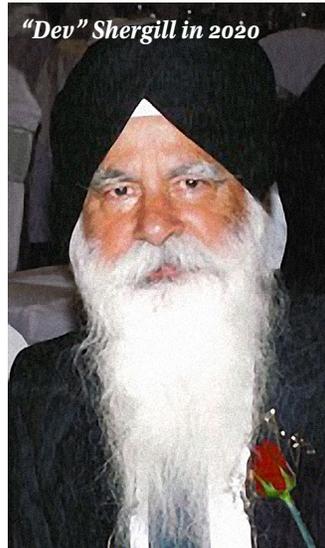
The views expressed are those of the individual writers and do not necessarily reflect the position of the Association. Contributions are welcomed and can take almost any form: letters, articles, reports, reviews, announcements. All copy received will be edited for length, clarity, and/or stylistic conventions. Submissions should be accompanied by a digital (text only) file, preferably in a recent version of MS Word or Pages.

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BRIEFLY NOTED

Faculty Association First President Hardev Singh Shergill



In 2021, the DCFA awarded an Honorary Life Membership to Hardev Singh Shergill, the first elected president of the Faculty Association. Hardev is a physical geographer and joined Douglas College in 1971 in the Department of Geography. In 1972 he was elected President of the Association, at a time when only about 50 of the 125 faculty belonged. Union membership grew substantially during his tenure and the union became certified. He had a tumultuous time at the college, including many conflicts with the then-Principal George Wootton. Education Minister Eileen Daily appointed Hardev to the Provincial College Task Force on Community Colleges in 1973. Hardev

was informed that his three-year contract with Douglas College was not going to be renewed. There was a newspaper article published Wednesday, May 8, 1974 issue of *The Columbian* by Jacke Wolf, *Columbian* City Editor, titled - "Does Star Chamber Exist at Douglas College?" that goes into detail about that process. Hardev went to North Island College in 1975 and then on to California where he still lives. Hardev contacted the DCFA in 2020 inquiring about Honorary Life Membership. He was scheduled to speak at the Federation of Post-Secondary Educators' (FPSE's) Annual General Meeting in the summer of 2020, but that convention to mark the fiftieth anniversary of FPSE was changed due to pandemic restrictions. Here is a link to a fuller biographical statement:

<https://www.sikhbulletin.com/Files/WhoAmI.pdf>.

Some excerpts from this memoir are reprinted in this issue, beginning on P10.

Douglas College Faculty Association
PO Box 2503
New Westminster, BC, V3L 5B2
Ph: 604-527-5166 Fx: 604-520-1496
www.dcfca.ca/facultymatters

Blockade ... continued from p1 is a six-foot stretch of the trench filled and tamped down well enough so that the small car owned by a man called Salamander, who has been trapped between the two trenches for several days, is able to drive over it and out onto the Pacific Marine road. Further along Granite Main we help set up a large white tarp twenty feet overhead, strung from the trees, and find stones for the fire pit beneath. Two volunteers in the make-shift kitchen need to leave; we take over. For now, the kitchen is rudimentary: a two-burner Coleman stove hooked to a tank of propane; two folding tables; a plastic bin for washing dishes; plastic barrels of creek water, hauled laboriously up from the rushing water far below. Chop vegetables. Wash bowls. Wash coffee cups. Boil water. Make coffee. Wash spoons. Combine last night's meal of vegan curry with this morning's rice for tonight's curry soup. Chop more vegetables. Wash dishes. People come and go, asking for coffee, for food, for supplies to take to the newly reformed Hayhaka, to Heli, to Ridge.

A meeting is called by Hazlenut at 7 p.m., as dark closes in, in a circle around the fire. A model of consensus. *We will do this? Do we agree? What needs to be done? Who volunteers? What else? The RCMP have not come today. Today is Truth and Rec. But they'll come tomorrow. We don't know what they will do without the injunction. We will sit in a circle when they come, here, by the fire, and we will not move or talk with them. Only one spokesperson. Do we agree? It is safest to be in a large group. We need nightwatch. Volunteers?* I agree to wake at four, take over from others. *We need a name for our new HQ. Any suggestions?* Someone shouts out, *HQO*. A shout of laughter. Everyone agrees.



Awake at four, pitch black and clear, a partial moon far along this service road. The last watch is wrapped in a sleeping bag by the fire, dozing next to his dog. We boil water on the Coleman stove to fill the carafes, hot water for tea, hot coffee. Sit on plastic bins stuffed with supplies and stare into the blinding security light along the private access road that branches off from Granite Main. No movement. Add wood to the fire's banked embers. Blow on the flames and sit near to warm up, sip tea. No Teal-Jones, no RCMP. A few people wake up and grab coffee, join the fire. It is six, six-thirty. Lady Chainsaw arrives in a wheelchair and directs herself towards the fire, arms outstretched to the flames, begins her soliloquy, *I am light and I am dark. I might lead you into the light but I might lead you into the dark, into hell. But first I'm gonna have my coffee and have my cigarette and take a dump, just like the RCMP are drinking coffee and smoking cigarettes and taking dumps. The loggers and the RCMP are all doing the same thing. And then they'll come here and we will be here and we will not let them pass ...*

Around ten in the morning, there are perhaps 15 or 20 of us gathered. All is quiet. We go back to our tents, pitched at the edge of the road, to sleep. A tremendous noise goes up and I run outside, but it is only a false alarm, a girl playing her bagpipe. And then it is not a false alarm, and there are eight, nine, RCMP officers just beyond the parked car that has been positioned next to the fire by Whale Tail and Raven to block access to Granite Main. Twenty of us join in a circle. Hazlenut is there. *What will we do, she asks? We will stand here and tell them we are having a discussion circle, yes? We will sing?* She goes back



"Go patrol with your feet."

and forth between the circle and the Commander. She tells us, *they say we are blocking public access*. Someone responds, *tell them Teal-Jones is blocking public access by digging the trenches across Granite Main*. The Commander walks over to talk with us all. Everyone pulls out their phone to record the exchange. Raven argues with the Commander. *You don't have an injunction anymore. You can't tow this car if we're in it, and this is Indigenous land*. Raven is Algonquin, Whale Tail is Pacheedaht. They are formidable. The Commander says, *we need to access this road so we can patrol further up the mountain*. Whale Tail says, gesturing with one arm, *You guys can go for a nice walk. Go patrol with your feet*. The talk goes back and forth, back and forth. The cameras record. The Commander decides, *Okay, we're going for a walk*. Five or six officers walk past the large tent pitched next to the kitchen, past the parked car, the circle of defenders. Someone asks to see their badge numbers and the commander points to where his should be but he has forgotten to put it on. They walk up the road at a fast clip, accompanied by Hazelnut, and disappear around the bend. We stay in the circle. Twenty minutes later they return, and the officers leave.

But later in the day, they are back. Someone calls out, *one blue, one gray, two green*. The blues are the regular RCMP officers; the grays are the liaison officers; the greens are the officers with paramilitary training. Helicopters circle and hover overhead, estimating the presence of defenders. Eventually, these also leave, the helicopters, the blue, the

gray, the greens.

Late afternoon. As we rest by our tents for a moment, sitting in a rare burst of sunlight, Bill Jones walks past, smiling, greets us, *thank you for being here, thank you for all your hard work, wipe the sweat from your brow*. He is accompanied by Flip-flop and a camera crew. They are heading for Salmon camp. Later there is a ceremony around the fire. Bill Jones greets us all as elders look on. Oblique sunlight filters through mossy trees.

Chop more vegetables. Boil water. Carry water up from the creek. At seven there is another fire circle meeting, this

time led by Tarzan. Finch leads a song. More people have arrived, oldtimers and new, hearing of the lifting of the injunction. Camps are being moved, relocated. *Two new camps are being set up - Circus and Hayhaka. Hive is being taken down. Heli is still there. We need climbers for Ridge*. Supplies are requested, to be sent off to the camps. Siddhartha has set up a handwashing station, recycling, garbage, dish-washing. *We need to figure out who will have which role - communications, supplies, kitchen, please everyone, wash your own dishes and even someone else's as well. Our plan is to slowly move HQ closer and closer to our old site, further along Granite Main, testing the waters*. A Chief from Vancouver whose name I don't catch speaks, and introduces a group of Indigenous youth he has brought to the camp, bringing supplies to support the blockades, welcoming allies, condemning the Indian Act, telling us that Bill Jones needs allies to protect the grandmother and grandfather trees.

The defenders come and go all night; some have been here from the beginning; it is day 420. There have been 1,104 arrests. It is our first day. jm

Ageism?

David Moulton, CBA Steward

This last April 30th, I turned 71 years of age, and, unbeknownst to me, I became a second-class employee at Douglas College. Once you reach my age, you lose several benefits, including dental and extended health. The savings for the college in my case amount to over \$320 per month. My job and the work I do has not changed with my latest birthday. Spouses are victims too, even when they're younger than their employee partner. My spouse lost the coverage I was able to provide before I hit the magic number of seventy-one.

The college prides itself on the fact that it is inclusive and encourages diversity, but it does not include older workers who are doing the same work, at the same pace, and with same level of competence as their younger colleagues.

There is currently an arbitration case at the provincial level that deals with this case of discrimination against our older workers. For those of us awaiting the outcome of this process, it would be appreciated if college management took the initiative and reinstated these benefits. Such a move would be consistent with their stated values of inclusion and diversity. However, I'm not holding my breath. Our college has a bad habit of being "a day late and a dollar short" when it comes to actually matching actions to words. jm

The Case for Open Bargaining

Devin Shaw, VP Negotiations

In 2022, the Faculty Association will enter a new round of collective bargaining with the employer. Before the two bargaining teams exchange proposals, they typically meet to set bargaining protocols, which are mutually agreed upon rules of engagement.

One of those protocols has typically been that negotiations sessions are “closed.” In closed bargaining, negotiations are handled by bargaining committees, who work in confidential meetings. Broader membership participation enters only late in the process, when membership votes on the tentative agreement reached at the bargaining table.

This closed model of bargaining does not necessarily suit the goals of the Faculty Association in this round of bargaining; we will be seeking a mandate to prioritize faculty rights and faculty governance (among other key issues). In my view, our negotiating approach should reflect these aims by pushing for transparency within the bargaining process.

To be clear, not even “closed” bargaining is entirely closed. It does, however, disadvantage the Association by requiring it to navigate two contradictory protocols: the union maintains a right to communicate openly with its membership, and yet, in the last round, all discussions and documents distributed at the bargaining table were deemed confidential. This contradiction doesn’t hinder management’s bargaining style, for its team reports back to its principals within a hierarchical chain of command. The union, by contrast, is forced to manage the contradiction between confidentiality and communication with members and member participation.

In my view, our best interest lies in pushing for a different model, that is - open bargaining. What this means is simply that all negotiations sessions are open for all members to attend. It’s important to note that open bargaining doesn’t mean chaos. Organizer Jane McAlevey points out that open bargaining requires a high degree of collective self-discipline. Members must always maintain a poker face and may not disrupt

the proceedings; only designated representatives may speak at the table; and members commit to not bargaining through either the media or social media.

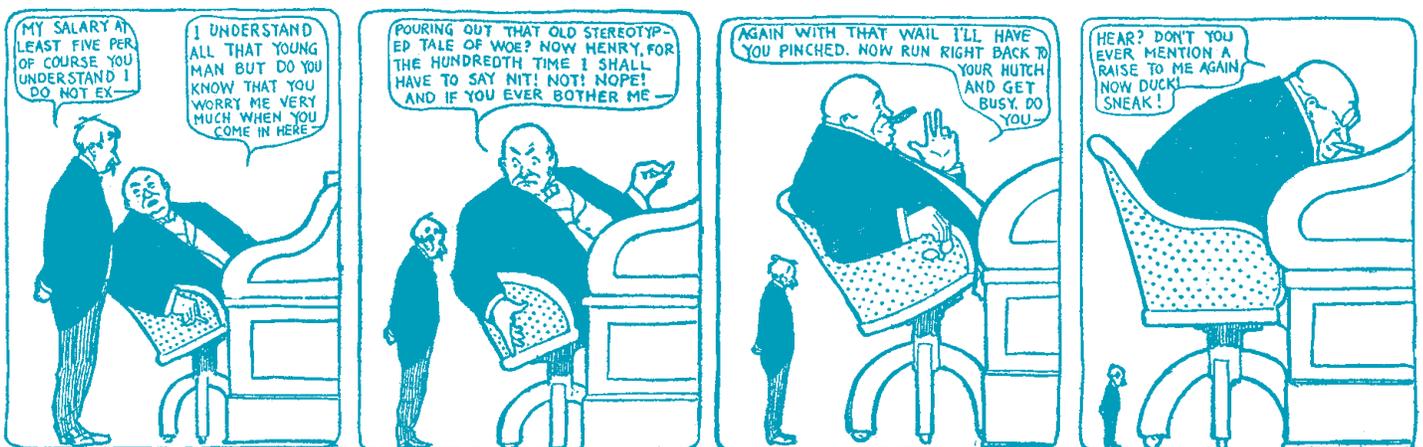
The point of open bargaining is neither to generate publicity nor to embarrass the other side. Rather, its purpose is to encourage member participation and transparency in the proceedings. It allows member participation during in the negotiating process: members may pass notes to the negotiator to provide information or call for caucus during negotiations. More importantly perhaps, open bargaining resolves the contradiction noted earlier: the union no longer has the burden of managing the contradiction between confidential proceedings and communication with membership.

Finally, open bargaining educates participating members in the power asymmetry between the employer and the union. That doesn’t mean the two sides cannot attempt interest-based bargaining. However, due to the power imbalance - which confidentiality in effect magnifies - the employer can simply refuse to bargain according to the mutual interests of both parties. And employers often use this tactic, a “take-it-or-leave-it” approach. It is one thing to recognize this at a conceptual level; it is an entirely different matter to observe the process first-hand.

One common objection to open bargaining is that management will refuse to come to the table without a closed bargaining protocol. Many unions have succeeded in forcing the issue. Employees have the right to ask whose interest is served by closing the proceedings and throttling the flow of information. Furthermore, the employer’s bargaining team knows that both sides may proceed to bargain without protocols in place.

The success of open bargaining rests in part on membership participation. But first we must put the conditions in place to make open bargaining possible. I believe that it serves the membership to push for open and transparent proceedings. It doesn’t serve the membership to accept the status quo of closed bargaining.

fm



Surveying Engagement

Ralph Ferens, Member at Large

At the end of the winter 2021 semester, Douglas College issued an *Employee Engagement Survey*. On the basis of the survey results, the college has announced it will pursue certain initiatives. But, irrespective of the content of those initiatives (posted on DC Connect by Dr Denton this last September), was this in the first place a valid survey? As a human resources management professional, I would say - 'No.' My evaluation is that Douglas College employee, and specifically faculty engagement is too low for any of the survey's conclusions to be taken as valid.

A metric which Human Resource departments monitor on an ongoing basis is employee engagement, or an individual's involvement with, satisfaction with, or overall attitude towards his/her workplace. A couple of common methods of evaluating employee engagement are tracking employee turnover and reviewing employee engagement survey scores. In unionized organizations, like Douglas College, employee turnover data is not usually considered reliable because employees rarely quit when they are dissatisfied. Thus, the latter tool, surveys of one sort or another, serve as potential barometers of employee satisfaction.

In the current case, the survey was available to 1,375 active College employees (faculty and non-faculty) between April 26 and May 20, 2021, yet only 534 "useable" responses were obtained; that's a response rate of a little under 40 percent (38.8). While this is a low response rate by any measure, the actual response rate may be even lower if the data for total employees listed on the Douglas College website is accurate. According to this site, 1,860 employees work at Douglas College, rather than

1,375, thus suggesting a response rate of closer to 30 percent (28.7).

How many employees actually responded? Despite listing 534 "useable" responses, the survey also listed a total respondent count of 462 employees, of whom a bit over one third (35.3 percent) were faculty members. The Douglas College website tells us that 960 faculty members work at Douglas College, so this suggests that roughly 164 faculty



members, or less than a fifth (17.3 percent) of Douglas College faculty actually participated in the survey. Given that the primary operational function of Douglas College is to instruct, and the predominant workforce is faculty, a 17 percent participation rate is low.

The initiatives proposed by senior management as a response to concerns noted in the survey may indeed have potential benefits. But the real question to be asked is - should action plans be developed in response to a survey which so few contributed to?

One idea for increasing faculty engagement, or at least collecting more faculty feedback, might be to issue an engagement survey at a different time of year. Survey participation rates may have been higher had the survey not been launched between April 26 and May 20, 2021, that is during the two weeks between the winter and summer semesters. While it's true that during those two weeks faculty are no longer teaching, it's even more true that the majority of faculty have commenced transitioning into professional development activities, research, or vacation following a long teaching year.

Perhaps engagement is low because Faculty Association members are mistrustful of participating in a survey that doesn't align with industry best practices, that is, using an external surveyor to design, issue and review the survey. Or perhaps faculty engagement is low because as Rod Stewart once said - "ain't no point in talking when there's nobody list'ning" (*Young Turks*, 1981).

The operational and academic success of Douglas College is dependent upon an engaged, involved and collaborative faculty community. Recognizing the importance of faculty engagement and their involvement in the operational and academic functions of the college, the Association has launched a secondary faculty publication called, *DCEA Update*; find it here: <https://www.dcfca.ca/dcfca-update/>. Douglas College Faculty are also encouraged to submit feedback, ideas, questions, (including confidentially reporting their concerns) via the *DCEA Member Questions* feedback tool, which you can find here:

<https://questionnaire.simplesurvey.com/f/s.aspx?s=b78a5f6a-110f-435f-8c1f-817f8ca0a6e5>. jm

R-E-S-P-E-C-T

Mark Gabbert (U Man) & Penni Stewart (York) for CAUT on Respectful Workplace Policies

In 1995 former York University President Harry Arthurs, speaking at a conference of University Presidents, said of academic freedom:

Academic freedom is a central, arguably the central value of university life. Anything which interferes with it has to be justified by reference to prior or higher values. I can think of very few, other than perhaps the protection of human life: certainly not institutional solidarity; certainly not institutional reputation.

The Canadian Association of University Teachers (CAUT) policy strongly affirms Arthurs' position. Freedom to teach, carry out research, to criticize the institution, to exercise one's constitutional rights without fear of institutional censorship or reprisal and to participate in collegial governance constitute the heart of academic freedom and are the fundamental principles of university life. Other institutional concerns and purposes must be pursued in conformity with this robust version of academic freedom.

CAUT's position is strongly supported by its membership. Unfortunately, however, some 20 years after Arthurs' ringing affirmation, many university presidents would not share his view of academic freedom. Indeed by 2011, at the centenary celebration of the Association of Universities and Colleges Canada (now Universities Canada), university presidents adopted a new and truncated statement on academic freedom. From now on, according to Universities Canada, academic freedom is to be constrained by the requirement that it must be exercised within a context of institutional priorities and sensibilities. Gone is the commitment to the right to extramural speech or freedom of expression, key components of academic freedom long-recognized in CAUT policy. Also absent is the right of faculty to criticize their institution, their administrators, and policies and procedures. CAUT has strongly criticized this attack on academic freedom, calling it "an attempt to reverse 100 years of advancement in the understanding of academic freedom."

Reverberations from the growing administrative attempt to undercut academic freedom continue to echo through post-

secondary policymaking. An example of this is the new challenge to academic freedom posed by employer-driven *respectful workplace* policies. Often rolled into documents attempting to meet legally mandated anti-discrimination and anti-harassment policies, the new regulations typically go well beyond the law: they not only prohibit harassment and discrimination, but require all members of the university community to act in accordance with ill-defined notions of respect, civility and concern for the dignity of others. Such policies impose a regulatory framework with complaints procedures, investigations, and disciplinary follow-up to enforce the requirement for respectful behaviour.

Respectful workplace policies imperil academic freedom by promoting the view that the exercise of academic freedom requires civility, and that civility is more important

At first glance, such policies may seem anodyne. After all, nobody disputes the goal of civil dialogue and debate. In daily interactions, it is not unusual to hear colleagues voicing a desire for more civility. But in moving from exhortation to regulation core values of academic freedom and freedom of expression are endangered. When such aspirations are codified within a disciplinary framework, the prevention of offense, however vaguely defined and subjectively experienced, is made a governing principle of university life at the expense of academic freedom. Respectful workplace policies imperil academic freedom by promoting the view that the exercise of academic freedom requires civility and that civility is the more important value. To the contrary, academic freedom in teaching, research, collegial governance, and extramural utterance can only thrive when expression is unfettered, however unwelcome or offensive it may be.

Generally, respectful workplace policies bundle the requirement for respect or civility with anti-harassment language to produce a comprehensive harassment policy that covers a very broad spectrum of speech and behaviour, from rudeness to sexual harassment. What were until recently regarded as matters of comportment are now categorized with actions and behaviours prohibited by law. The result is that the obligation to maintain civility and respect is confused with legally mandated requirements to address harassment, discrimination, and workplace violence. Failure to achieve civility is implicitly equated with violation of the law.

In these policies, the standards of respect or civility are too



often entirely subjective. There is a presumption that reasonable people ought to understand and agree on what is disrespectful behavior or speech. However, as most know, misunderstandings often arise in debate and discourse, since one person's definition of incivility could well be very different from that of another. Incivility to some may be a raised voice while to others that same tone is a sign of engagement! Lacking any objective standard of harm, all that is required is that a complainant perceives an insult or is caused discomfort.

It is easy to see how these policies can be used to attack unpopular or unwanted ideas. As students and faculty at Brock University discovered, calling for policy changes and raising complaints publicly about a policy can lead to charges of harassment with the threat of serious discipline. At Capilano University, an administration proposal to cut a number of courses had resulted in widespread student and faculty protest. As part of this protest a faculty member, George Rammell, created a satirical sculpture of the University president entitled *Blathering on in Krisendom*, a satirical reference to University President Kris Bulcroft. Professor Rammell also made an accompanying video to explain the cuts.

The Chair of the Board of Governors ordered the sculpture seized and destroyed under the University's *Respectful Working Environment Policy and Harassment Policy*. It was argued that the sculpture constituted personal harassment and intimidation. A CAUT investi-

gation found that Professor Rammell's academic freedom had been violated and recommended among other things that he receive compensation and a public apology.

Another recent example of this is the case of Steven Salaita. A specialist in Indigenous Studies, in the spring of 2013, Dr. Salaita had accepted a tenured position at the University of Illinois Champagne-Urbana and had resigned his tenured position at Virginia Tech. As he was preparing to move to Illinois, the Israeli incursion into Gaza took place. A supporter of Palestinian rights, Salaita posted a number of on-line comments strongly criticizing Israeli actions in terms many supporters

of Israel found deeply wounding. When protests about these posts reached the University of Illinois, the University took the unprecedented action of rescinding Salaita's appointment. The justification for this was that many of Salaita's prospective students would be offended by his views and that UIUC had to be a "university community that values civility as much as scholarship."

In the ensuing controversy, the American Association of University Professors condemned the University's actions as an assault on Salaita's academic freedom, Salaita's suit for violation of his first amendment rights survived a preliminary hearing, and the University's chancellor resigned. The matter was eventually settled out of court and Salaita was compensated for his unjust dismissal. Though he was vindicated and had a visiting appointment at the American University in Beirut, Salaita's subsequent attempts to find academic employment were unsuccessful. In July 2017 he announced that he was abandoning the profession.

The Salaita case shows how insidious the impact of respectful workplace policies can be. Armed with the principle of civility as the justification for protecting students from distress over Salaita's strongly expressed views, the University committed a gross violation of Salaita's academic freedom. The assumption was that if what Salaita said and how he said it were disturbing to some, then he was no longer protected by his right to academic freedom. Certainly, Salaita had used strong and provocative language to express the outrage he felt over the Gaza incursion. Of course, he had the constitutional right to use this language, rights which are included in the definition of academic freedom. Salaita's tone and language of outrage was as much an issue as the substantive content of his protests; and when civility is a requirement, objections to tone can all too easily cover unacceptable attempts to repress the content of speech. Moreover, as Michael Meranze has pointed out, in the end "the call for civility is a demand that you not express anger, and if it was enforced it would suggest that there is nothing to be angry about in the world."

Further, the affective side of a person's position on a particular question is arguably part of its content. And it is surely as important for students to know that a teacher finds their position on a particular matter deeply repellent as it is to be reassured that their opinion is supported.

The Salaita case reminds us that, whether technically covered by the *Charter of Rights* or not, the university must always consider itself governed by *Charter* values. As such, it must put the highest priority on remaining an arena for free expression where censorship is a last resort to be taken only when the law is violated. It is in principle unacceptable for the university to establish disciplinary policies that protect members of the academic community from being exposed to speech they merely find disturbing. In the end, if academic freedom does not protect expression that some may find offensive, then it protects nothing; for the essence of academic work is to question conventional wisdom in any field and to engage students, col-

leagues and the public in critical reflection even when such criticism causes outrage.

It is ironic that the relations among academic freedom, freedom of expression, and legal prohibitions on speech are sometimes better understood by authorities outside the university than by academic administrators. Examples of this are two recent decisions of the Human Rights Tribunal of Ontario dismissing claims of discrimination originating from Brock University. In both these cases, the tribunal took the line that the fundamental importance of academic freedom and free expression to university life precluded complaints under the Human Rights Code, never mind if the speech in question was disturbing or offensive.

The first case arose from the complaint of the University's Roman Catholic chaplain that a faculty member's opposition to a church-sponsored overseas study program amounted to discrimination based on religious grounds. In this case, Adjudicator Ken Bhattacharjee concluded that "the mere fact that the applicant found the respondent's views to be offensive and hurtful is not enough to find that they were discriminatory." The decision upheld the principle that universities should not be the subject of judicial intervention "where what is at issue is expression and communication made in the context of an exploration of ideas, no matter how controversial or provocative those ideas may be." The adjudicator concluded that:

In my view, given the importance of academic freedom and freedom of expression in a university setting, it will be rare for this Tribunal to intervene where there are allegations of discrimination in relation to what another person has said during a public debate on social, political and/or religious issues in a university.

He expressed his concern that such an intervention "would likely have a chilling effect on freedom of expression whereby individuals would engage in self-censorship to avoid being named a respondent in a human rights Application."

The second case involved a student's complaint that he had been discriminated against on grounds of race when the University failed to take action when a student delivered a paper at a student conference that contained racist language.

In dismissing this complaint, Adjudicator David A. Wright relied in part on Adjudicator Bhattacharjee's earlier Brock decision. He also relied in part on a passage from the Alberta Court of Appeal case *Pridgen v. University of Calgary*:

Academic freedom and the guarantee of freedom of expression contained in the Charter are handmaidens to the same goals; the meaningful exchange of ideas, the promotion of learning, and the pursuit of knowledge

The applicant had argued that the University's inaction had had the effect of discriminating against him in the provision of academic services; but Adjudicator Wright ruled that the *Code's* protection against the discrimination in the provision of services had to be construed in such a way as "to favour freedom of expression and academic freedom in the writing and presentation of academic papers". Had, for example, the university denied the applicant access to courses on grounds of his race, that would have been a violation of the *Code*. Nor would academic freedom protect hate speech, as legally defined. But the *Code* could not be understood "to regulate academic discourse within a university."

What is striking about these decisions is their high regard for the university as a haven for free expression, their robust view of the links between rights to free expression and academic freedom, and their determination to avoid the creation of a chilling effect on these freedoms. In the words of the CAUT Committee which investigated, such decisions remind us of the "unique character and requirements of the university as a workplace where academic freedom and freedom of expression overlap and strengthen one another."

Academic staff associations should not let these respectful workplace policies go unchallenged. As is stated in the 2007 CAUT *Bargaining Advisory* on the Negotiation of Institutional Policies:

Allowing the policy to be implemented without raising association concerns about its impact on terms and conditions of employment may well be interpreted by an arbitrator as consent to the policy, preventing the association from raising a challenge later. The second danger is more general: the creation of a workplace in which the employer is encouraged to look for ways around negotiating with the association.

The *Advisory* suggests that associations negotiate an article restricting the scope of institutional policies, and ensuring that any policies that are negotiated will have the consent of the academic staff association. This remains good advice.

Post-secondary institutions have an obligation to address legally defined harassment, discrimination and violence in the workplace including sexual violence. But for all the reasons given above, such policies should not be expanded to impose a requirement of civility and respect. Some forms of incivility may be the basis for valid claims of harassment under the law, in which case they should be labelled and treated as harassment. Short of that, no disciplinary action should be taken. Elevating politeness to a regulative principle of academic life enforceable by discipline and justified by the purely subjective responses of complainants presents a fundamental threat to academic freedom.

Associations should not incorporate respectful workplace policies into collective agreements. Even incorporating language on civility or respect or acknowledging the employer's policy implies acceptance. Where an employer has instituted a Respectful Workplace/Civility Policy, the Academic staff association should work to have it rescinded and replaced with policies limited to

addressing offenses defined in law. Short of that, every effort should be made to ensure that the policy and its procedures:

- ❑ acknowledge *unambiguously* at the outset the primacy of academic freedom and any articles in the collective agreement;
- ❑ are subject to grievance and arbitration;
- ❑ are required to be consistent with terms of the collective agreement;
- ❑ include provision for due process in investigations; including timeliness, openness, transparency, prohibition of the use of anonymous materials, access of the respondent to all material upon which an investigator relied to come to a decision, and the requirement that the respondent be provided with the identity of all complainants;
- ❑ include confidentiality provisions that protect the privacy of the complainant and the respondent but clearly affirm the respondent's right to consult the faculty association at all stages of the process;
- ❑ include provision for the Association to receive notice of complaints and be informed throughout the process;
- ❑ acknowledge that any discipline arising from an investigation will be subject to the discipline clause of the collective agreement;
- ❑ do not exceed requirements of current Federal and Provincial legislation.

Academic staff associations should endeavor to ensure that such policies acknowledge *without qualification* that academic freedom is fundamental and that fostering values such as respect, inclusivity, and civility are not intended to limit

academic freedom or freedom of expression. Ensuring that such policies and their procedures are subject to grievance and arbitration protects association members from harm ensuing from the application of the policy and ensures due process. Requiring the policy to be consistent with the terms of collective agreements and provide confidentiality and timely, transparent investigation procedures upholds the principles of fairness and due process governing the agreement. Similarly, it is critical to include a provision that requires that in the event a member is found to have breached a policy, any discipline will be exercised under the discipline article of the collective agreement. It is equally important to ensure that members are only disciplined within the parameters of the collective agreement which usually demands progressive discipline since the sanctions for harassment are often severe.

Confused with legitimate and legally mandated policies to address discrimination, harassment, and workplace violence, Respectful Workplace Policies are increasing in number across the country. Academic staff associations have a duty to their members, to students, and to the public to make every effort to ensure members' rights and freedoms are protected and that the principles underlying academic freedom and freedom of expression are vigorously promoted and protected. This means assuring protection against discrimination, harassment, and violence, but resisting all attempts to regulate expression that may offend some but is not illegal.

Only then can we assure the unique nature of the University as a site where, to return to then President Arthurs, academic freedom is "all the time and everywhere." jm

I was born in Sakruli, a village in Hoshiarpur district, Panjab, India in 1934, and in the same house where my mother was born, as was the custom for first-borns in those days. When I was two my family moved to a new home, village 35BB in the Ganganagar district of Bikaner state. Unlike the Panjab, this was not part of British India, but ruled by Maharaja Ganga Singh. The village had been founded by my grandparents in 1927 when the Maharaja imported Panjabi farmers to practise irrigation farming, his own farmers not being familiar with such techniques.

Our village was very small, with only six land-owning families and a dozen farm workers' families, but it was self-sufficient and met all the necessities of life. There was a water carrier who supplied households with pitchers of water drawn from the village water storage tank; and Kotwal, the courier between the *numberdar* (headman) of the village

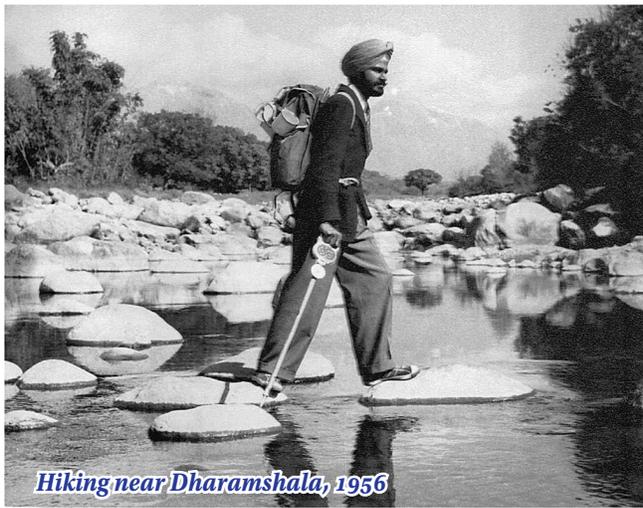
(my grandfather) and the government administrators; and our own carpenter who thrilled us children by making play equipment and toys out of wood. Except for hockey sticks. These we made ourselves from the young branches of acacia trees which had a natural curve.

Every year the world came to our village in the form of the *gaddian wale*, whom the western world calls gypsies and who call themselves Roma and Romani. They put on shows which included snake charmers, domesticated bears, trained monkeys, acrobats, and puppet shows. The Romani were excellent metal workers, and it was awe-inspiring to see them convert the village's discarded metal containers and other metal objects into useful articles and toys.

In September 1936 a primary school opened, literally in our own family compound, one of two gifted by the Maharaja to our *Tahsil Padampur* (an administrative unit). The school started with 18 students, and since the school was in our family compound, I attended from its very inception. The school day started with all the students lined up to repeat after one senior student a prayer for the long life of Maharaja Ganga Singh. Prayer was followed by lesson in civics and cleanliness, and then on to other lessons. The day ended with everybody lined up once more, but this time with a senior student

Who Am I?

Hardev Singh Shergill Looks Back On an Eventful Life



Hiking near Dharamshala, 1956

leading us in repeating the multiplication tables up to 40. Afterwards, we played football until dusk.

Education was new to our family of farmers. It caught the interest of my grandfather when the *tehsildar* – the local tax officer – inquired of him whether there were any educated members of the family to whom he could offer jobs. None of my ancestors had ever gone to school because there were no schools, and so I was of the first generation sent to school.

At age 21, upon completing my Master's degree in Geography, followed by a B.Ed., my first job was as a professor at a teacher training college. Two months into the job I was promoted to Vice-Principalship. This was followed by a two-year stint teaching Geography at the Air Force Central School in New Delhi, and from there I set out on the adventures that had long been in my mind and heart.

I had applied for immigration to Canada from India in 1957, soon after my B.Ed. examination, but my application was rejected, without explanation. I decided instead to study in the U.S., and in 1960 I was accepted as a Ph.D. student in Geography at the University of Washington in Seattle. My grandfather gave me \$1,200 to meet my first year's expenses at the university. However, given that a one-way airfare from New Delhi to Seattle was also about \$1,200, I decided not to fly, but rather to hitch-hike from New Delhi to Seattle with just my US Army surplus WW II backpack, entrusting to a friend a metal trunk full of my clothes and other necessities to be shipped by sea to Seattle.

On September 21ST 1960, I arrived in Seattle having left New Delhi on June 24TH 1960. I still have my diary for that year, and the entry for that day says – "This is the end of my 3 months' adventures and my mission fulfilled. It has cost me only \$18 from New Delhi to here. \$15 up to London; free across the Atlantic; \$3 to Yuba City and nothing up to here [Seattle]." The entry also notes the distance (15,200 miles), the money remaining (\$1,200) and adds – "Miraculous!!"

This trip was my dream come true. Crossing Pakistan and Iran, I stayed with Muslim and Sikh families, whose addresses I had acquired from their family members living in New Delhi. Upon entering Turkey, I was left to my own devices. Not having

any contacts in Turkey, I had been concerned about my reception there, but my fears proved groundless. In all my travels, the nicest and most helpful people I came across were the Turkish and Yugoslavs, and the worst were the British. Eventually, hitch-hiking via Texas and California, I arrived in Seattle.

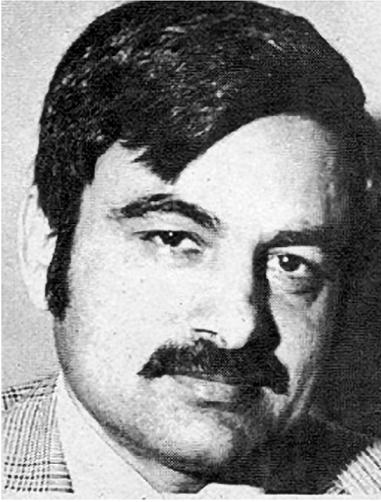
The university of Washington had a superb program for guiding foreign students. When the Director of the program inquired about my objectives. I told him I wanted to see the world by teaching in the various English-speaking countries that were emerging from British Colonialism. His advice was that getting Ph.D. in Geography was not what I should want. He advised me to get Master's Degree in Audio-Visual Education, a degree they had started that year in two of Washington state's Teacher Training Colleges, Thus it was that I went to Western Washington State College in Bellingham, partly because of its location on the coast, but also because of its proximity to Vancouver and its Sikh community.

In 1961, while I was still studying, I began writing letters to English-speaking countries in Central America and western Africa, but the responses were not very encouraging. They had already started getting educators, at no cost, through the efforts of the United Nations, and wanted me to apply from within India. An opportunity soon arrived in a totally unexpected way. In 1962, Canada modified its immigration policy to eliminate overt racial discrimination; skill became the main criteria for determining admissibility rather than race or national origin.

By mid-March 1962 I had finished all the course requirements for my M.Ed. degree in audio-visual tech, and had moved to Seattle to work for the Rarig Motion Picture Company, which had an AV equipment contract at the Seattle World's Fair; I also doubled up working at the Indian Government Pavilion. While I was working at the fair, my uncle Beant Singh (who had moved to Vancouver with his family some years previously, having been sponsored by his Canadian citizen father-in-law), informed me of Canada's changed immigration policy and I applied for permission to emigrate. I contacted the Immigration office in Ottawa for the details, which turned out to be simple. Once I had a letter a letter of appointment as a teacher, I should mail it to them, and they would then arrange for a medical exam for me in Seattle. When they had the appointment letter and the



On the road in Turkey, 1960



In the newspaper, 1972

headed south on Highway 101 to Disneyland. I was twenty-eight.

In those days, teachers in BC only required a Bachelors's degree, and they were quite mobile, often being hired on one-year contracts. In some cases, school boards would travel to the UK or to Australia, and bring back a charter plane-load of teachers for the coming year. In 1968, I was substitute teaching in Vancouver, but after six years I wanted to teach my "real" subject, Geography, and I knew that in Ontario schools Geography was taught as a separate discipline, not within Social Studies (which was History with a different label), and so I applied for a position at a school just north of Toronto.

One day, a clerk from the Principal's office came to my classroom to say that there was an important phone call for me. It was Ontario offering me the job; I accepted. However, the instant I got home my wife told me there had been a call for me from the Superintendent of the Vancouver School Board. Next morning the Superintendent told me that a job I had been chasing for several months was mine. I broke the news to him that I was sorry, but I had already accepted a job in Ontario. My conscience would not allow me to back out, although taking that job proved to be a life-altering experience for me.

And so, off I went to Ontario.

If I had accepted my 'dream job' in Vancouver I would never have a run-in with George Wootten six years later and wouldn't now be sitting comfortably in the sunshine state of California. I suppose in that sense, I should be thanking George Wootten for his contribution towards my rich and rewarding life, and to the person I have become. It is up to the individual to turn adversity into opportunity provided your actions are based on certain fundamental principles of life. My advice to everyone who reads this is to give the best of yourself to any task in life that you choose, without fear, and go around the obstacles to the next higher plane.

By 1971 I was the head of the Geography Department at the Kent County Board of Education in Chatham, Ontario. I had enjoyed teaching high-school Geography, but over the Easter break that year I heard that there was a teaching position in Geography opening up at Douglas College in New Westminster; one year on probation followed by a three-year contract. I knew nothing about the college, but this was an opportunity to get back to British Columbia, an appealing idea because New Westminster was my wife's home town.

After my probationary year, in 1972, I received a three-year contract. That same year, George Wootten, who had been President of the Douglas College Faculty Association, was appointed Principal of the college, and he put forward my name for Faculty Association President for the upcoming year; I was elected by acclamation. The reason for Wootten's doing this became clear on the very evening of my election, when the

medical results in hand, they would issue the letter of entry.

At the end of June 1962, I received a letter of appointment from the Nelson School District, telling me I would be teaching Geography and Social Studies to junior and senior high school students in Salmo. Within days I had received my immigration permit from Ottawa. When I checked in at the Douglas border crossing at Blaine, with my letter from the Minister of Immigration, the Canadian Immigration officer took one look at my immigration permit category and said - "They must have liked you, up there in Ottawa, very much." Five years later, I received my Canadian citizenship. The first thing I did was to buy a used Karmann Ghia and

past President invited me for dinner with the college Principal, where "collegiality" was preached. George Wootten did not want the Association to succeed and that was the reason why only a small fraction of Douglas College Faculty belonged to it; it was perceived as useless. Things changed quickly. Membership increased. By arranging to have me nominated for as President of the Faculty Association, George Wootten made a big mistake, both for himself and for me.

Some background might be in order here. In 1972, British Columbians elected an NDP government, and one of the things the party had promised the people was access for all to two-year college education. To that end, the Minister of Education appointed a Task Force on Community Colleges, which was staffed by representatives chosen by him out of sets of two nominated by various stakeholders. Out of the two nominations from the College Faculties Federation he chose me. All the hell broke loose. George Wootten panicked. Because he had not been chosen for the Task Force from the names proposed by the principals, he feared he was losing control. He immediately set out to harass me by using or abusing several of my colleagues. These poor characters obliged him by scheduling my classes from first thing in the morning to last thing at night at opposite ends of the large jurisdiction where Douglas' classes were held (from Richmond, to Surrey, to New Westminster), leaving me no time to attend the Task Force meetings.

I have never in my life given up easily.

The Chairperson of the Task Force was a female member of the Douglas College Council as well as being a good friend of Minister of Education Eileen Dailly. I took my concerns to her; she spoke to the Minister; and the Minister instructed the Director of the Task Force to see to it that I was allowed time to attend the Task Force meetings by providing a substitute teacher. (I cannot give a full account of all the machinations because I simply do not know; a lot of activity happened out of sight. I learned about much of it in a local newspaper article which appeared on May 8, 1974, "**DOES STAR CHAMBER EXIST AT DOUGLAS COLLEGE?**")

January 31ST 1974 was the last day for the initial College Council that had given George Wootten practically dictatorial powers to run the college. Coming from an industry background he wanted to run the college like the CEO of a business. Needless to say, George and I had irreconcilable differences. The Council had been compliant with whatever George wished, and before the Council stepped down, he wanted me out of the way. The only way to do that – and against which I had no recourse – was to buy out my contract, as would be the practice in a business setting. Knowing that was going to happen, my entire effort was directed at getting rights written into law for the protection of the teaching faculty.

By buying out my contract George wanted to kill two birds with one stone: get me out of his hair forever; and see me thrown off the Colleges Task Force. Unfortunately for him, neither happened. I was appointed full time to The Task Force, something which led me to my starting a brand-new college and (of course) sitting across the table from George in principals' meetings. That was North Island College, and I was familiar with that territory from 1966-67, when I had served as District Librarian and Adult Education Director for the five School Districts and chartered five Lions Clubs. These things played a large role in the Minister's assigning me this task.

The effort to start North Island college began in earnest by hiring a college Bursar, teaching staff and starting classes, including an arrangement with the University of Edmonton in the field of Adult Education. Once the college was up and running,

however, it fell under the jurisdiction of the local school boards. They advertised the position of college Principal, I applied, but the job went to an Englishman who had migrated to Canada same year I did, 1962. He was gracious enough to ask me to stay on, but I had other ventures to explore, perhaps (I thought) in the non-educational field. After two years working non-stop to establish North Island College, and after giving fourteen years of my life to Canada's education system, I had achieved the highest position I could. This was enough.

When I was a child living in 35BB in Ganganagar district of Bikaner State, we used to experience almost daily sand storms during the dry summer months before the rains came. These dust storms changed colour over time from a frightening black wall of sand coming at you, through various shades, to a milky white due to suspended small dust particles in the air, through which one could look at the sun directly. I let my imagination run wild, imagining the colourful dust came from East Africa where my mother's cousins were living and where I wished I too could go. Often I dreamed of seeing the wide world beyond the limits of our annual family train ride from 35BB to Sakruli. This desire to see the wider world only gained in strength as I grew up. In 1949 when I was in first-year college at Mahalpur, one of my mother's cousins was visiting India. I bugged him to take me back with him. He didn't, but I knew that one day I would leave to see the larger world. And so I have. 

Political Fictions

Jon Paul Henry on Hilary Clinton's State of Terror

Should Presidents write novels? Well, a Prime Minister once did – Disraeli – but even there, opinions are divided over the results. Still, Disraeli did sit down and write, he did the work, and in fact, throughout his political career he never stopped doing it, writing eighteen novels over half a century and leaving an unfinished nineteenth at his death. Of course, Disraeli belongs to an earlier age, when it was more common for politicians to write their own speeches, when the labour of composition was part of the job. Today's politicians almost never write their own material, but rather, like talk-show hosts, have a writer's room to generate each day's talking points, announcements and speeches, which the Great Man often merely touches up before delivery. Of the recent Presidents, Clin-

ton and Obama are reputed to have written much of their own material, and both, post-presidency, have continued to write and publish, so I suppose that comes as a sort of proof that they can indeed string thoughts together coherently, thus, can write.

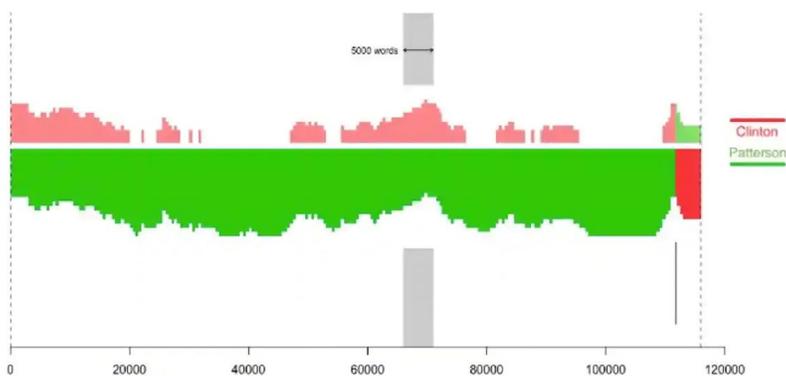
Still, I must confess to a small shock of surprise when I heard that Bill Clinton had turned to fiction, co-authoring a novel with best-selling writer James Patterson. There is no doubt that Clinton knows how to write, but most of his work before had been non-fiction: an autobiography; and various proposals to help make the world a better place. But fiction? One can't help but wonder whether the frustrations and compromises of the actual job of being President – of wielding power – are what eventually led Clinton to spinning out a fantasy of he-

roic power, where the singular hero's actions end up being responsible for all the good that is done, as well as the various evils that are prevented. In any event, *The President is Missing* duly appeared in 2018 and instantly shot to the top of the best-seller lists.

Full disclosure: I have not read *The President is Missing*. I may get around to it later (perhaps if I find it remaindered at Chapters), but everything I have read about James Patterson suggests he can't really write at all. What he does is dream up a plot and then hire him a "co-author" to do the majority of the heavy lifting. For me, the Patterson Workshop, isn't really in the running – its chief products being murder mysteries, and those products having the reputation of being uniformly awful in point of actual, you know, *writing*. Call me old-fash-

ioned, but I prefer my thrillers to be produced by those who produce them for a living, the Tom Clancy Workshop for example. And I call these Workshop products because that is what they literally are, with the names of the “co-author” dutifully recorded on cover and title page, but using the Patterson or Clancy name as a brand to identify a certain sort of relaxing, undemanding reading experience, which apparently millions of purchasers prize.

All right, so two authors were authors are listed – but who actually wrote *The President is Missing*? Clinton or Patterson? The scholars Simon Fuller and James Sullivan (applying a method and visualization of stylometric analysis devised by Maciej Eder) had used computers to analyse a number of Patterson branded novels, thus, having a Patterson database ready to go, within a week of *The President is Missing*’s publication, Sullivan published an analysis in the *Guardian* accompanied by the Eder-style graph below. Sullivan explains:



[The] graph represents the novel on the x-axis, broken into segments: the thicker the bottom line, the more certain the decision made by the classifier, which can be intuitively interpreted as the proximity to the relevant author’s style. Considering Patterson’s fingerprint is represented by green, it is plain to see that, contrary to our previous study, this is a co-authored novel in which he was the scribe.

Called into service by the ex-President then, Patterson decided to write this one by himself, with some input from Bill. As to the Eder diagram, it’s hard to know precisely what to make of it, given that for much of the text, both pink and green contributions stand out, meaning that we can’t completely absolve Clinton from blame in having brought this product to market. I suspect too, as Fuller and Sullivan admit in their original paper, that sometimes the similarities which the computer turns up are likely not a result of specific authorial “styles,” but merely genre signals; after all, there are only so many verbs you can use for such things as driving, punching, shooting, and so on. One does wonder why Clinton chose Patterson as his partner, but the result was *The President is Missing*, a book which ends up seemingly much like Clinton himself, that is, a book no better than it ought to be.

What about folks slightly lower down the political totem pole, novels written by ex-Presidential candidates and ex-Secretaries of State? Should they write novels too? To answer that question, fortuitously, a test case is at hand, *State of Terror*, co-authored by Hilary Rodham Clinton and crime writer Louise Penny. Incidentally, this may reveal a first rule of creating such works, that the title should directly recall the writer’s previous job. If, for example, current US Postmaster Louis DeJoy were to retire and write, his thriller novel would need be called *Stamp of Danger*, or *Franking Wars*, or something similar.

Another rule (for Clinton co-authored works at least) seems to be that the protagonist not have a spouse. In *The President is Missing*, President Jonathan Lincoln Duncan, is a widower; in *State of Terror*, Secretary of State Ellen Adams is a widow who has been married twice, once, in youth, disastrously (result, a son) and second to her “beloved Quinn,” (result, a daughter). Another brief aside here: a subsidiary rule for writing books like these seems to be that the WASP-y heroes have to have names – Quinn, Duncan, Adams – which sound like brands of faux antique furniture. I don’t know why this is the case (though I suspect such “white” names are used to connote access to power and competence), I just note in passing that it is so.

As well, when both fictional avatars of the Clintons, President Duncan and Secretary Adams, enter the world of their novels shorn of a significant other, and feeling slightly the worse for wear because of it, one is inevitably tempted to speculate on the state of the Clintons’ own marriage, that in the fantasies projected through the novels, each protagonist has been abandoned by their long-term love. At this point, however, the true critic is obliged to step back and leave that task unfulfilled.

Another similarity, for what it’s worth: both Clinton novels feature dilemmas faced by President and Secretary where they must, in order to continue to do good, use underhanded or even unethical means to gain the advantage over the bad guys. Is this a politician thing, or merely a Clinton thing, the result of living with each other for over fifty years, that is, the idea that principles are all very well, but, in real world tests, they must give way to a certain amount of expedience? Whatever we may think of the morality of such decisions, clearly both Clintons (and a good portion of their readership, one would guess) believe that being in general on the side of right can, in particular circumstances, allow you to play a few dirty tricks if it will help you win. But perhaps this is to invest the novels with a level of seriousness that they do not really intend.

So is Secretary Clinton’s book any good? Well, unlike Patterson’s stuff, Clinton and Penny have written something that is *not bad*. It may not be good in the larger sense of being good literature, but it’s not at all bad. Judged by the standards of the contemporary thriller, the book has all the requisite elements, plus just a little bit more to make it an enjoyable read.

Thriller element number one, of course, is a hero who is

close to the secret world of agents and terrorists. In this case, Ellen Adams is close not just because of her position as Secretary of State, but because in her previous life she was the owner of a “media empire.” As such, she has overseen the production of documentaries on terrorists, and especially a documentary on Pakistani arms-dealer Bashir Khan, who is the chief villain in the story.

Element number two is a global scale, or rather what subs in for that in these sorts of books, travel to exotic locations. Thus, thriller heroes are always jetting off to Indonesia, Kazakhstan, Singapore, Paris, Dubai, Berlin or any number of foreign locales with which the writer must evince a more than Google-ish familiarity. Thus, often in such tales, we will be told that in Istanbul, on a narrow shadowed back street, is an Anatolian restaurant where the proprietor greets the hero as an old friend, and serves him or her an item which is not, in fact, on the public-facing menu, and whispers in his ear that Berat will be in later tonight with Information, and so on and so forth. It’s very much a Richard Hannay, Bulldog Drummond sort of trope, carried over from the thrillers of the early twentieth century and dressed up in jeans for the twenty-first. There’s less of this vicarious tourism in *State of Terror*, but Secretary Adams does occasionally tell us about delicious dishes which the actual ex-Secretary Hilary appears to have enjoyed at state dinners on her various foreign jaunts.

All novels of this type have to have at least one Special Forces raid, though thankfully, the one in *State of Terror* happens largely offstage, so we do not once again have to sit through “Firearms Exposition 101” (“the SR-1 Vektor was an ugly-looking little beast but durable, reliable, efficient. Klimov had executed many men with ... ” etcetera, etcetera).

A key rule is that these novels have to start with a bang, usually literally, and in this case, three buses are bombed in three European cities, killing hundreds. Tracking down those responsible happens remarkably quickly and, of course, takes us all over the world – Frankfurt, Islamabad, Tehran, Moscow and then back to Washington for a nuclear finale. The good thing for Ellen Adams is that

she has easy access to Air Force Three (is that a thing? I wondered; turns out it is, but it’s a call sign rather than an actual 747), although at one point President Williams does query her on whether she is using it for purely personal reasons rather than job-related ones.

As for that finale, yes, once again, the plot involves the Bondian standby of terrorists acquiring – with the help of bad state actors, who yes, are once again brown persons – workable nuclear weapons, and yes, once again, this is a countdown type story where the heroine is literally racing against the clock.

We could go through the entire list of required tropes for such novels, but suffice it to say that while they are all present, what’s different about *State of Terror* is that it’s central character, the eyes that see, are those of a woman – and a good number of the secondary characters are also female – meaning that the point of view for almost the entire novel is female. For the men in the novel, this turns out to be, mostly, devastating, as they are constantly being unmasked as impulsive, hormone-driven creatures whose perception and judgement is weak at the best of times, and often disastrously wrong at the worst of times – that is, the times when rational calculation and judgement are most needed. Ellen Adams always has both.

Now it’s not the case that typical modern thrillers lack central or strong female characters. In the original Bond novels, yes, that is indeed true. But Bond author Fleming was the product of a different era (the 1930s) and things have moved on. The problem with the female characters in most thrillers is that they are basically boys with bumps, so to speak, no different in outlook, values and abilities than the SEAL team guys they hang with. But you cannot get very far into *State of Terror* without realizing that the authors have taken great care to show the world from a woman’s point of view, and especially, in Hilary Clinton’s case, the ways in which men (read: foreign leaders, American politicians) constantly underestimate and dismiss the women they work with. Indeed, this turns out to be one of the major themes in the

Clinton dips her pen into a smidgen of acid to portray ex-President Eric Dunn, an ignorant blowhard under the influence of the Russians, and now ensconced in his mansion in Florida.

book, as do Secretary Adams’ musings on what it means to send young men and women to their certain deaths in the service of their country, something which rarely makes an appearance in male-crafted thrillers in anything more than a cursory way.

Does the book have flaws? Of course it does. For example, one gets tired very quickly of Ellen Adams’ wish to sit down with a big bottle of Chardonnay and a slice or two of cheesecake (very much a 1980s thing), and the short sentence fragments which are a feature of Penny’s style likewise rapidly wear out their welcome. And the plot! My goodness, the plot. The best one can say for it is that it makes about as much sense as the plot of any other thriller.

Finally, Clinton’s turn as Secretary of State allows her to dip her pen in a smid-



gen of acid and give us a portrait of an ex-President, Eric Dunn (or “Eric the Dumb” as even his pals call him), ensconced in a palatial mansion in Palm Beach, Florida. Dunn, it turns out, is an ignorant blowhard who was under the influence of the Russians, and who released villain Bashir Khan from house arrest essentially at their behest, in order that he could do the villainy required by the plot.

Does Dunn remind you of anyone? Clinton and Penny have publicly said that their characters are not supposed to be anyone you may have heard of, and that Eric Dunn is intended to represent

a type of foolish and vainglorious prince, sorry, President, who ran a chaotic administration which broke everything it touched, so no, he’s not the notoriously litigious Trump. To which one can only say, ‘Yeah, right.’

The British PM, Bellington, “his hair askew, as always,” is clearly a quick sketch of Boris Johnson; though I wondered about that later, when it turned out that Bellington proves to be not quite such an idiot as he at first seemed. As far as I can tell, received opinion among both friends and enemies is that Johnson is an idiot, so perhaps this attribution of intelligence is a mere novelistic flourish. But is President Ivanov of the Russian Federation supposed to be Pu-

tin? Ellen Adams drops in on him in a flying visit to Moscow. Here is Ivanov’s introduction:

Maxim Ivanov stood in the middle of the room, not moving. Forcing Ellen to go to him, which she did. These petty gestures, meant to insult, had no effect on her. Once they might have gotten up her nose, but not today. ... They shook hands. ... [He] was much smaller than she expected. But his personal presence was intense. Standing close to him felt like being next to an explosive whose trigger was held in place by a tightly

strung elastic, stretched to breaking. There was almost nothing between the Russian President and bedlam. He had that ... in common with Eric Dunn. What was different ... was that while Eric Dunn had a natural instinct for other people’s weaknesses, what he didn’t have was calculation. He was far too lazy for that. But this man? This man calculated everything, with a coldness that would have given Siberia a chill.

Machiavellian, but driven by unacknowledged emotion; Ivanov does indeed seem to fit what has been reported of Putin. The other message here seems to be that Trump and Putin go together like peas and carrots.

There are probably other “real” characters in the novel, but I am not deeply enough versed in Washington politics to be able to recognize them. Would I recommend this novel? Give it two thumbs up, or four stars, or ten, or whatever the going rate is in reviewers’ commendations? Maybe. If you like to read thrillers, this one is not half bad, and is definitely worth your time and money (get it at Costco; their prices are waaaay lower than Chapters). And if it turns out you do like it, dear reader you are in luck because the ending of the tale clearly hints at a sequel. As Bill and Patterson hath done, so, it seems will Hilary and Penny do likewise. Who would have thought that thriller writing was a competitive sport?

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