

# FacultyMatters

Views and News of Douglas College Faculty Association Members  
Number 19, Fall 2022

## Driving Your Card

This semester the Faculty Association is heading to the bargaining table to negotiate a new contract with the employer. One way we can attain leverage in bargaining is through organizing our members. As one part of a larger organizing strategy, we are launching a union card drive for our members. This drive has two goals: first, to raise awareness and visibility of the bargaining process; and second, to collect non-Douglas College email and phone contacts.

Members have been sent an invitation from the Faculty Association to enter their information via Simple Survey. The Faculty Association will collect two pieces of information for the card: your name and your department (see photo, right). At the conclusion of the form, you may upload a portrait for the card. The following information will be collected for Faculty Association business in order to communicate with members, but will not be included on the card: a non-Douglas College email address, a non-Douglas College phone number, and your non-teaching semester (if applicable).

Information about your non-teaching semester will be especially helpful for organizing members for open bargaining. The Faculty Association will be pursuing open bargaining, which means that any faculty member may attend scheduled negotiation meetings as an observer. We will inform you about how to participate when information on dates and times becomes available.

The Faculty Association will send the union card and lanyard to your home department once the card is printed.



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## **FACULTY MATTERS**

Number 19, Fall 2022

FACULTY MATTERS is a publication of the Douglas College Faculty Association.

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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.

FACULTY MATTERS is published at least twice a year, oftener if we can manage it.

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# Changes in Labour Relations

## Ralph Ferrens, DCFA Member at Large

Over the past two decades, the labour movement around the world has experienced many changes. The purpose of this article is to report some of the most notable instances which include: changes in union membership rates across the private and public sectors; changes in employer tactics towards unions; changes in labour relations approaches of unions, and; changes in post-secondary education labour relations. The information in this article is being presented for the purpose of empowering faculty with facts, evaluations, and suggestions for successfully protecting faculty rights and the integrity of the profession that we are all collectively privileged to work in.

**Change in Union Membership Rates Across the Private and Public Sectors:** Private sector unions have decreased year over year since 2000, while public sector unions have increased over the same span of time. The former has resulted from off-shoring and automation of manufacturing work, while the latter has resulted from increased desire to unionize in the Education, Government Services, Public Utilities, and Health-care Sectors. As of 2019, the Education sector is Canada's most unionized industry at approximately 68 percent (Dessler, G & Chinzer, 2019).

**Change in Employer Tactics Towards Unions:** Throughout the latter half of the twentieth century, employers attempted to curtail and suppress union activity through legal challenges and aggressive lobbying efforts. These efforts resulted in changes in labour relations laws surrounding union certification and job action provisions. In 1971, the US Chamber of Commerce commissioned what is now referred to as the Powell Memo (Lewis Powell later became an Associate Justice of the Supreme Court of the United States). The memo laid out the organizational and ideological blueprint for right-wing and neo-liberal think tanks, who have engaged in a concerted effort to create intellectual and media platforms favorable to business and hostile to unions and social justice movements (Gruenberg, 2016).

The past two decades have witnessed attacks on union activity through the introduction of union substitution and union suppression methods. Union substitution is a reflection of human resource management department advancement for the purpose of replacing unions, while union suppression is driven by anti-union intentions and attitudes (Ayentimi, D, Burgess, J & Dayaram, K., 2019). The former, or union substitution, has most notably been evidenced in the expansion of Human Resource department personnel. Organizations have attempted to circumvent and undermine union activity by using Human Resource personnel to duplicate the work duties and advisory functions that were traditionally performed by union Labour Relations Officers (Machin & Wood, 2003). In such cases, Human Resources personnel would advise workers from an "employer-centric position," rather than a "worker-focused one." The latter method, or union suppression, has entailed curtailing union certification efforts by the issuance of real and/or perceived threats (Ayentimi, D, Burgess, J & Dayaram, K., 2019).

**Change in Labour Relations Approach of Unions:** In light of these and other challenges, not the least of which include declining purchasing power, employment precariousness, or job elimination via outsourcing and automation, North American unions have restructured and redefined their labour relations approaches. To counterbalance the financial and political resources of ever-growing employers, some

## ORGANIZING MODEL VS SERVICE MODEL

unions have restructured and merged. A recent Canadian example of such a restructure occurred in 2013 when the Canadian Auto Workers (CAW), the Communications, Energy and Paper Workers Union of Canada (CEP), representing more than 300,000 workers in more than twenty different sectors amalgamated to create an enterprise level union known as UNIFOR (Van Alphen, 2013).

Not all unions have the base or capacity to create large, amalgamated organizations. Another route to building union strength involves a conscious shift from a “service model” to an “organizing model” (Forman, 2013; see also box, right). This practice has enabled unions to better empower workers and to improve worker total compensation by enhancing worker solidarity, engagement, and organization. The “organizing model” places a greater emphasis on attaining worker rights via organizing, transparent negotiating, and labour action, rather than via back room deal making between “overly chummy” union leaders and their employers.

	ORGANIZING MODEL	SERVICE MODEL
Attitude Toward Employer	Defending members is most important.	Good relationship with management is most important.
Attitude Toward Members	Inclusive. Tries to reflect workforce in composition of union leadership.	Exclusive. Little turnover in leadership, suspicious of newcomers.
Grievance Handling	Tries to involve all members in the department.	Tries to settle without member involvement.
Settling Grievances	Make immediate supervisor settle by showing solidarity of workers.	Settle at highest level with company or through arbitration.
Steward Selection	Election by co-workers.	Appointment by union leadership.
Bargaining	Large bargaining committee, constant flow of information to members.	Small committee, negotiations often kept secret until settlement is reached.
Strategy & Tactics	Encourage initiative and creativity of members.	Reluctant to involve members in bringing pressure on employer.
Organizing the Unorganized	Union represents all works – organized or unorganized – in a constant state of organizing.	Unwilling or unable to organize; feels threatened by newly organized.
Members View of the Union	Take personal responsibility for the success or failure of the union.	An insurance policy or a “third party” to call on when they have a problem.

**C**hange in Post-Secondary Education Labour Relations: Across the Canadian post-secondary sector, faculty have faced increasing challenges such as precarious work conditions, academic freedom infringements and program under-funding (“Precarious Labour in Our Academic Institutions,” 2022). Fortunately, faculty associations have been able to challenge some of these challenges faced by faculty through labour action, and the non-confidence vote process. For example, in 2021, the University of Manitoba Faculty Association (UMFA) successfully utilized labour action to address wage deficiencies (“U of Manitoba Faculty Union Says University Hemorrhaging Talent Due to Low Salaries,” 2021). The Faculty Association’s own, Table Officer, Devin Shaw, stood in solidarity with UMFA on the picket lines in the midst of a Winnipeg winter. In 2021, approximately twenty faculty associations across North America utilized the ‘vote of no-confidence’ process to display dissatisfaction in and/or to remove Senior Administrators, Deans, or Board Trustees whose views did not align with those of faculty, or whose views were deemed incompatible with that of healthy post-secondary institution culture (Zahneis, 2022). In 2019, the University of Northern British Columbia faculty passed a no-confidence vote due to dissatisfaction with the university president’s leadership (Williams, 2020). And earlier this year, the University of Saskatchewan College of Nursing passed a no-confidence vote against the executive team citing workplace safety as the motivation behind the vote (Ghania, 2022).

The labour movement seeks to ensure fair wages, equity, safe work conditions, and fair labour practices. The rights that we have are hard won gains, and our responsibility is to protect those rights. With solidarity, we can continue to impact positive change at Douglas College. Thank you for your ongoing support and for the privilege to represent you as a Table Officer.

### Sources

Ayentimi, D, Burgess, J & Dayaram, K. (2019) “Union Suppression and Union Substitution Strategies of Multinational Enterprises in Ghana.” *Industrial Relations Journal*, Vol. 50, no. 4, pp. 379–398.

Dessler, G. & Chinzer, N. (2019) *Human Resource Management in Canada*, 14TH Edition

[Massachusetts Nurses Association](#)

Forman, E. (2013). “The ‘Organizing Model’ Goes Global.” *Labor Notes*.

Ghania, Y (2022). “Faculty Expressed Concerns About Closure of Regina Campus, Quality of Nursing Education, Transparency.” *Canadian Broadcasting Corporation*.

Gruenberg, M. (2016) *The Powell Memo and The War on Workers*.

Machin, S & Wood, S. (2003) “Looking for HRM/Union Substitution: Evidence from British Workplaces.” *Centre for Economic Performance, LSE*.

Massachusetts Nurses’ Association (2022).

“Precarious Labour in Our Academic Institutions.” (2022) *Canadian Association of University Teachers*.

“U of Manitoba Faculty Union Says University Hemorrhaging Talent Due to Low Salaries.” (2021). *Canadian Broadcasting Corporation*.

Van Alphen, T (2013). “Merger of CAW and CEP Will Give Birth to a Single Name.” *Toronto Star*.

Williams, A. (2020) “UNBC Senate Passes Non-Confidence Vote in Former President.” *Prince George Citizen*.

Zahneis, M. (2022) “What’s Behind the Surge in No-Confidence Votes?” *The Chronicle of Higher Education*.

# SPOTLIGHT

## on Faculty



Hazel Fairbairn is a fiddle, viola, and violin player/sound artist, who works with electronic regenerations and manipulations of acoustic sources and instruments. She created a strings-based score for Kim Trainor's film realisation of her long poem *Ledi*,<sup>§</sup> which they performed live in Fall 2021 at the New Media Gallery, and is creating experimental scores and soundscapes for Kim's poetry-film series "Seeds." With roots in Irish Folk music, and a PhD in ethnomusicology, Hazel is endlessly curious about the way sound connects cultures, migrations, and the natural world. She "lives" in the Performing and Fine Arts Department at Douglas College; teaching breadth elective foundational courses, "Introduction to Music" and "Arts of the Modern World," alongside courses that serve the Music and MTD diplomas: World Music, History of Pop Music, Career Development for Musicians, and Community Music School Audio Courses.

**FM: You're working on a new Bachelor's degree in Performing Arts for the College. How did it come about? And what will be its focus?**

HF: So, it came about because the Bachelor of Performing Arts (BPA) which migrated between Douglas College and Capilano University, after almost a decade of not quite working, was finally dissolved. When Capilano and Douglas went to the ministry to formally terminate the BPA, the ministry suggested that both institutions develop their own arts degrees. The directive was the two programs would not compete or share focus. So Capilano, who have a really big film school and a big Motion Capture facility are relaunching the BPA with a trans-medial performing arts theatre focus. The ministry mandated Douglas College to develop a degree with a technological arts focus. We have a good foundation for this with great recording studios, industry-standard audio software, a well-equipped theatre and two of our four arts diplomas being tech- focused arts (music technology and stagecraft). We also find that students in the music department are very keen to acquire skills in audio technology. So, our focus will be audio and event technology for the arts.

**FM: And will that still include theatre?**

HF: I think it will be a great fit for the students who go into the theatre diploma and find that they have a real interest in the production side of it, who discover they are more interested in how the lighting's working than being under the lights. For students who have a strong focus on performing, and want to make acting and performing their life, there are multiple pathways from our theatre diploma into degree programmes that cater to that. For the students who want to act but want to go into a sort of more contemporary or experimental-creative space, the degree that Capilano is developing could suit them really well.

**FM: Does that mean that down the road in the future there won't be a theatre programme here? That there won't be plays staged and stuff like that? Or will that continue in a separate mode?**

HF: The theatre diploma is vitally important to the arts here at Douglas- it's a cornerstone, so yes, Theatre will continue, absolutely. Not least, the stage craft program is built around serving the theatre productions. Work BC's job forecast lists the top two skills for employability over the next ten years as Active Listening and Speaking. That's theatre! The new degree may not directly serve many of the theatre students, but theatre has much to offer our prospective applied degree students, and actually, all stu-

dents!

The degree itself won't affect the existing diplomas; it just adds the option to transition from any of the arts diplomas into a further two years for the Bachelor of Applied Arts. For theatre students, it's just that there won't be a degree option in house that serves a pure performance trajectory – if they wanted to go on and do a degree in that, they'd have to do what they do now and transfer to another institution, like UBC, SFU, Capilano, University of Wales or University of Alberta.

**FM: Right. So that must be a lot of work by the way, putting together a degree programme. But you have some time release for that and can concentrate on putting it together.**

HF: Yes.

**FM: Are you enjoying it?**

HF: Yes, very much. And obviously it's something that's being shared with a big team. We've had retreats over the summer attended by the majority of the faculty from the performing arts programs to brainstorm high level learning outcomes and curriculum ideas, and now have a smaller working group of faculty from across the performing arts who will be developing curriculum. The Dean's Office and the Director of Performing Arts are navigating us through the ministry requirements for degree credentials,



the job market research, fiscal, logistical and governance side of things.

FM: **So to switch course a little bit now. You are teaching at the College in a couple of different departments?**

HF: I'm fully housed in Performing and Fine Arts. But some of the PEFA courses I teach serve the Music Technology and the Music programmes.

FM: **Right. So what are some of your favourite courses to teach?**

HF: I honestly enjoy teaching all of them. I feel I have the best gig in the world really. I love teaching the music ones because it's my area, it's what I've done all my life. But weirdly enough, one that I really enjoy teaching is the History of Art course, in which I wouldn't describe myself as being a big content expert, to be fair.

It's more a question of facilitating, trying to prod students to ask questions and be curious and explore things and go to galleries and talk to artists, talk to curators - it seems to give students the space to open up, to talk about things together that they might not explore otherwise. I just get really excited about the conversations they have.

The students have this final project where they have to make a piece of art, in any non-text medium, and it just completely throws them in the deep end. They do squawk and hate it quite a lot along the journey, but in the end they all do something whether it's a collection of photographs or performance art, or they try their hand at sculpture or painting, or something more conceptual. It kind of

gets them a little bit into that place where artists live. It facilitates great conversations because suddenly they will find, for example, that five of them have done something on climate change, so they have a big discussion about that.

And then two semesters ago there was a girl from Pakistan who did this incredibly powerful and moving performance piece on arranged marriage, and she'd said to me beforehand, "I don't know whether to do this, I'm quite nervous, because I know it will offend people." And actually, she ended up having a really good conversation with students in the group from India and from Pakistan about the issue, and they found that there were things that they could talk about and they'd all sort of been feeling quite isolated with their views. So that's all really quite exciting when students find that they can share things, they can actually talk about things that are meaningful to them, but feel somewhat taboo.

FM: **Like the way arts are talking with social issues and concepts and ideas.**

HF: Yeah, exactly. In a way because they are creating something non-verbal, I think it frees them to approach more personal or controversial issues. They don't feel quite as censored about what they say because they can make something and then it's largely the way the person views what they've created that starts the conversation.

FM: **Right. It's not an argument that they're constructing. It's an exploration.**

HF: Yeah, exactly.

FM: **So moving beyond the realm of the College to the larger community – and you're based in New Westminster – there's a really vibrant arts community here. How do you integrate the community into your teaching practice?**

HF: Not enough, is the first answer. Apparently, Douglas College is known to the local arts community as "Fortress Douglas." I just found that out a few weeks ago!

FM: **So we have some work to do.**

HF: We have some work to do. The New Media Gallery, which is based in the Anvil Centre, is this incredible resource. They show international artists' work right on our doorstep, without the line ups of big museums. The curators take all the visitors through and give them a personal one on one tour – it's a very powerful, and unique approach to arts curation and education. I'm always taking groups of students down there. And they will actually take students' responses to exhibitions, and with their permission, will use them in their Instagram feed, so there's kind of a real-world connection there too. Arts Council New West – this is something that really is being developed, but they're keen to develop a relationship, talking about things like getting audio students to maybe work on their community podcast workshop to help community members realize that. This is all an area that the new Performing Arts director is working on. So, I think there's a few things that are happening already, and that there is a huge capacity to do more.

FM: **Yes, absolutely. Now, you're cur-**



"I feel I have the best gig in the world really, because I love teaching music and it's what I've done all my life... It's also a question of prodding students to ask questions and be curious and explore things and go to galleries and talk to artists."

rently working on an Indigenous, Artist, and Scientist collaborative guided walk at Canoe Pass or Brunswick Point, or Hwlitsum in Ladner, with a fellow faculty member Kim Trainor. Can you tell us more about the project? I believe there was a research grant and there's a research student involved as well.

HF: Yes, Douglas College has given us a research grant, which has been amazing, and allowed us to employ one of the music technology students to go and do location audio recording at Brunswick Point.

My understanding of the whole project is that it's trying to get people to look at Canoe Pass, or Brunswick Point as it is now mostly called, from multiple perspectives: from a science perspective, from an ecological perspective, a poetic perspective, and a glimpse of an Indigenous perspective, and to try to get people to experience it at a deeper level, as opposed to just being a pretty place to walk a dog – which it is!

The ecological richness and depth of the Indigenous relationship with the land there are quite moving, but not the kinds of things you would see as a casual observer, so the project is really trying to bring some of that richness to the attention of the more casual visitor. And it's an ongoing and amazing experience to work on it. Kim has written a poem which weaves all of these strands together in an incredibly powerful way, and taken that into a poetry-film format using footage she has captured at Brunswick Point, and during a boat trip which we took with Hwlitsum elder, Lindsay Wilson, along with drone footage provided by the scientist on the project, historic maps of the area and microscopic images of diatoms. My role has been to create the soundscape for Kim's poetry film, using recordings made by our student assistant and the indigenous language consultant on the project. This is just one ingredient in the much bigger collection, curated by Amy Huetsis (Kwantlen Art Faculty) and Kim which will be both site-specific and available online.

It's just been an incredibly informative and inspiring thing to work on. It's also been really nice watching the student assistant get more and more excited working on it. He started out, going "hmmmm, what am I doing? why am I doing it?" and as he keeps going down to Brunswick Point, he's beginning to learn himself about the different birds and the migration and the ecology, now he's come back with recordings, and he's really excited about them, so it's been a really a real joy watching that process.

FM: Last question – we saved the easy one for last! What is the importance of performing arts within the College, in your opinion? And why does it matter to our students, and to the wider community in which we are embedded?

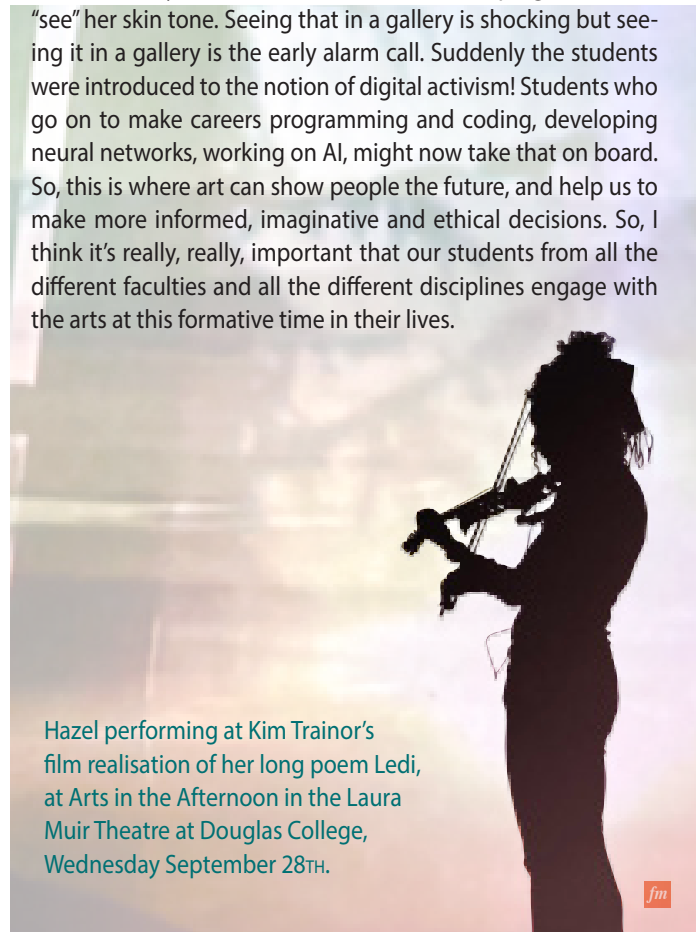
HF: I think it's really crucial to giving students a new and alternate perspective of the world; as I was talking earlier on about the conversations happening around them making art, but also as we go to exhibitions, etc.

Many of these students have never been to an art gallery, have never been to a concert before, never been to the theatre, and just to hear them coming out going, "oh wow that was an amazing experience" makes me believe that they will do that again in their life. In PEFA, Christine Dewar and I share this mission to create the art audiences of the future so that students will

have this experience in the College, whether they are studying art or business or computing science or nursing, and that they will continue to do this in their lives.

But I think as well, it's important because art is progressive by its very nature, artists are visionaries, they see things and they kind of recognize and show us things before perhaps they've entered mainstream culture or before they've entered production. Our business students, for example, need to be visionaries too. And I think it's really important for them to see how our world is imagined and created through art, even long before it reaches commerce. Artists are right on the cutting edge. I mean the avant garde comes from a military term for the front runners that get shot first! It's important for students of all disciplines to realize how crucial art is to the way that we conceive our future and to doing that in an ethical way, because art also investigates morality and ethics; it looks at ecologies, it looks at equity, it looks at diversity.

For example, I took a group to The Imitation Game at Vancouver Art Gallery this summer. I ended up having a huge conversation with a couple of students about Artificial Intelligence and the way that neural networks are being created. Work by artists like Stephanie Dinkins spotlight the fact that many AI's are already being created racist. The students were saying, "wow, we have this incredible opportunity to create equitable AI that doesn't see colour because it's an AI, but it's being programmed within the system we're working in already." There's one video piece in Imitation Game where a code poet, Joy Buolamwini, demonstrates that as a black woman, she would only be recognized by a neural network if she wore one of those white Guy Fawkes "anonymous" masks, because it wasn't programmed to "see" her skin tone. Seeing that in a gallery is shocking but seeing it in a gallery is the early alarm call. Suddenly the students were introduced to the notion of digital activism! Students who go on to make careers programming and coding, developing neural networks, working on AI, might now take that on board. So, this is where art can show people the future, and help us to make more informed, imaginative and ethical decisions. So, I think it's really, really, important that our students from all the different faculties and all the different disciplines engage with the arts at this formative time in their lives.



Hazel performing at Kim Trainor's film realisation of her long poem Ledi, at Arts in the Afternoon in the Laura Muir Theatre at Douglas College, Wednesday September 28th.



# Know Your Rights

## DCFA

Sometimes the details of contract language can seem arcane, even remote, but it's important to understand that they have real-life impacts on how we do our work as teachers. With that in mind, there are two topics that are timely and relevant, negotiating directly with union members; and the documentation of performance, particularly for probationary and contract employees.

### Topic No. 1: BC Labour Relations Code – Negotiating directly with union members

Negotiating directly with union members, or private arrangements with union members as it is sometimes referred to, is a prohibited practice. Generally speaking, labour relations legislation (regardless of Canadian province), prohibits employers from circumventing the union's rights as exclusive bargaining agent by entering into arrangements with individual employees that are outside of the framework of the Collective Agreement (Mitchnick & Etherington, 2018). In other words, employers are legally required to conduct their operations, and design new initiatives in conformity with Collective Agreements, and arbitrators have consistently held that private understandings entered into without the union's consent violate the statutory principle of exclusive union representation as well as the union recognition clause in the collective agreement (Mitchnick & Etherington).

It is important for unions to maintain their exclusive representation status because solidarity enables unions to attain higher levels of compensation, job protection and workplace rights for their members than individual members would have been able to attain independently.

In a college/university context, negotiating directly with union members could include any situation where a faculty member works directly with the employer, without the involvement of the union, and in this work the union mem-

ber agrees to waive or alter provisions that are described in the Collective Agreement. Another example would be situations where a faculty member agrees to programs, processes or policies that waive or alter rights that are described in the Collective Agreement, or agrees to promoting programs that violate the Collective Agreement.

Administering the collective agreement isn't always easy, and there are times when faculty inadvertently agree to workplace provisions, or witness workplace provisions that contravene the Collective Agreement. If you ever become aware of, or are involved in a work practice and you are unsure about whether this practice aligns with the Collective Agreement, please contact your DCFA Steward or the DCFA Office for support. Alternatively, you may report your concern anonymously through the [Feedback link](#) on the website. The Faculty Association will investigate, review the practice, and if in fact the practice does differ from the Collective Agreement, we will work with the employer to address the situation.

### Topic No. 2: Labour Relations Documentation & Letters of Estoppel

The Faculty Association has recently learned of two current employer practices that contradict articles 5.08 (a) and (b) of the collective agreement. Both practices involve processes related to faculty evaluations. These practices have been ongoing for several years.

As a result, the Faculty Association has sent two estoppel letters to notify the employer that it will be enforcing the plain language of articles 5.08 (a) and (b) once the next Collective Agreement has been ratified. At the bargaining table, the employer will have an opportunity to negotiate new language that aligns with current practices. If a new Collective Agreement is signed and the articles in question remain unchanged, the Faculty Association will then grieve any violation of these articles by the employer.

The first letter concerns partial evaluations of probationary and contract faculty. Last year, the Association learned that the employer conducts student evaluations for every course taught by a probationary regular or contract instructor. For example, the employer could run student evaluations each semester for a contract instructor who worked all three semesters during the academic year. The Collective Agreement requires all such evaluations to include all the elements, and to occur a maximum of twice a year. The employer's practice of requiring student evaluations for every course was a clear violation. It also served to privilege student evaluations over other elements of the process. During the grievance process, it was brought to our attention that former Faculty Association officers were aware of the employer's practices. We withdrew the grievance and filed a Letter of Estoppel.

The second letter concerns the role of Chairs and Coordinators in the evaluation of probationary and contract faculty members. Several documents on evaluation procedures present Chair/Coordinator evaluations of probationary and contract faculty as a general requirement in the process. According to the Collective Agreement, however, they do not have a role, unless requested by a Selection Committee.

The methods used to collect information for probationary and contract faculty member evaluations – Articles 5.08 (a) and 5.08 (b) – are listed in the Collective Agreement. These include:

- (a) Written faculty member peer evaluation;
- (b) Written student evaluations (where applicable);
- (c) Written self-evaluation by the probationary faculty member; ...
- (e) Written Responsible Administrator

evaluation.

Please note that there is no required Chair/Coordinator evaluation in the Collective Agreement. A Chair/Coordinator evaluation could be added only by the Selection Committee, if they decide this is a good idea (see Article 5.08 below). This is a decision made by each department/discipline/program Selection Committee.

5.08 b.(2)(d) Other methods agreed to by the Selection Committee and by the Responsible Administrator, in which case the

probationary faculty member will be informed of such other methods in writing before the evaluation process begins.

At this stage, we ask faculty members to continue following current practices in their area. We will update faculty on the status of this issue once a new agreement is signed.

fm

#### Source

Mitchnick, M. G., Etherington, B., & Bohuslawsky, B. (2018). *Labour Arbitration in Canada*, 3RD ed., Lancaster House.

## Confronting the Liars

### Jon Paul Henry on Antisemitism as Racism

Conspiracy theories were never the exclusive property of the twentieth century. The nineteenth had its own, for example, the notion that the Freemasons were a malign élite, puppet masters controlling nations and markets with a secret hand. Likewise antisemitism, which already had a long history in Christian belief, shifted and changed its nature in the late nineteenth century, and it was out of those dark phantasmagorias about Jews that the Nazi enterprise sprang. The economic policies of the Nazis were almost entirely about preparing for war; and the war when it came was always going to ultimately be about murdering the Jews. Hitler imbibed many of his crazed notions as a young man in Vienna, when the city was run by antisemitic mayor Karl Leuger's Christian Social party. At the time, and, linked to the imperial ventures of the great powers, a broadly conceived racism, including antisemitism, was more or less normative – and socially acceptable – across much of the western world. Hitler had lots of company in his insanity.

After the spring of 1945 and the revelation of the true dimensions of the Holocaust, antisemitism at least lost its notional "respectability," and faded from the public stage. But it never went away, and in North America recently – partly because of Donald Trump's dog-whistling encouragement of white supremacists – it has once again been asserting itself. How should we respond when such deranged ideas try to insinuate themselves into civil discourse, with its exponents dressing themselves up not in absurd imitations of Nazi regalia but rather in khakis, oxford cloth dress shirts and windbreakers, looking for all the world like FBI agents or Secret Service protective details?

Deborah Lipstadt, a professor at Atlanta's Emory University, is something of an expert, having devoted much of her career to studying how the Holocaust is both remembered and misremembered, a subject which connects naturally to antisemitism. Her latest book, *Antisemitism, Here & Now*, offers a detailed discussion on how to identify the old antisemitism when it comes cloaked in its more modish modern disguises – keeping in mind always that these are disguises, that the essence of the thing, unchanging, unreasoning hatred remains unchanged.

Lipstadt's book is aimed at a broad general audience, but it begins, in true academic fashion, with some ground-clearing, for example – what is the correct spelling? Anti-semitism? Anti-Semitism? Or antisemitism? "Rarely," says Lipstadt, "has so much meaning been vested in a hyphen and an uppercase letter." Readers will have already noticed my preference, which I've adopted from Lipstadt. So: no caps and no hyphen because there are no Semites, period. "The word 'Semitic,'" Lipstadt tells us, "was coined in 1781 by a German historian to describe a group of languages that originated in the Middle East and that have some linguistic similarities." There never were any "Semitic" peoples, united either by physical characteristics or by shared cultural practises, thus, antisemitism doesn't mean hostility towards Semites (because there are none), it means simply hostility towards, or hatred of, Jews. By the same token, it means that anyone who tells you – "Hey, I'm also a Semite, therefore I cannot possibly be antisemitic" – is blowing smoke.

The term antisemitism itself, says Lipstadt, was first popularized in the late nineteenth century by German journalist Wilhelm Marr, who not only formed a "League" to propagate his hatred, but extended that hatred even to Jews who had converted to Christianity, on the grounds that such assimilation was not possible. Why? Don't ask, because to ask in the first place assumes that the notion can be made intelligible, and as Lipstadt says, the whole cluster of antisemitic beliefs are non-factual, which is to say, unsusceptible to reason, a phantasmagoria.

As for definitions, Lipstadt offers several, the chief of which she takes from sociologist Helen Fein. "Antisemitism," says Fein,

is a persisting latent structure of hostile beliefs towards Jews as a collectivity manifested in individuals as attitudes, and in culture as myth, ideology, folklore, and imagery, and in actions – social or legal discrimination, political mobilization against Jews, and collective or state violence – which results in and/or is designed to distance, displace, or destroy Jews as Jews (emphasis in original).

Of course, a definition can raise as many questions as it set-



ties, and Lipstadt spends the remainder of her book anatomizing the many, many varieties of antisemitism, both overt and hidden. And anyone who has had experience with racism will quickly recognize many of the types Lipstadt discusses, including the kinds which those who espouse them don't think are racism, or rather, they would be appalled if you were to explain to them just what it is about what they said, or what they did, which was in fact racist.

Or maybe in some cases not appalled, but just sneeringly complacent, hiding behind various forms of double discourse and a feigned incomprehension.

Currently Lipstadt is serving as President Biden's Special Envoy for Monitoring and Combatting Anti-Semitism. The position required Senate approval, which was held up for a year by the opposition of the not overly intellectually well-endowed Wisconsin Senator Ron Johnson, he who has lately espoused an "interest" in a particular version of racism, the so-called "replacement theory" embraced by white supremacists and antisemites. Lipstadt was finally approved when a couple of other Republicans decided to vote with the Democrats on the appointment.

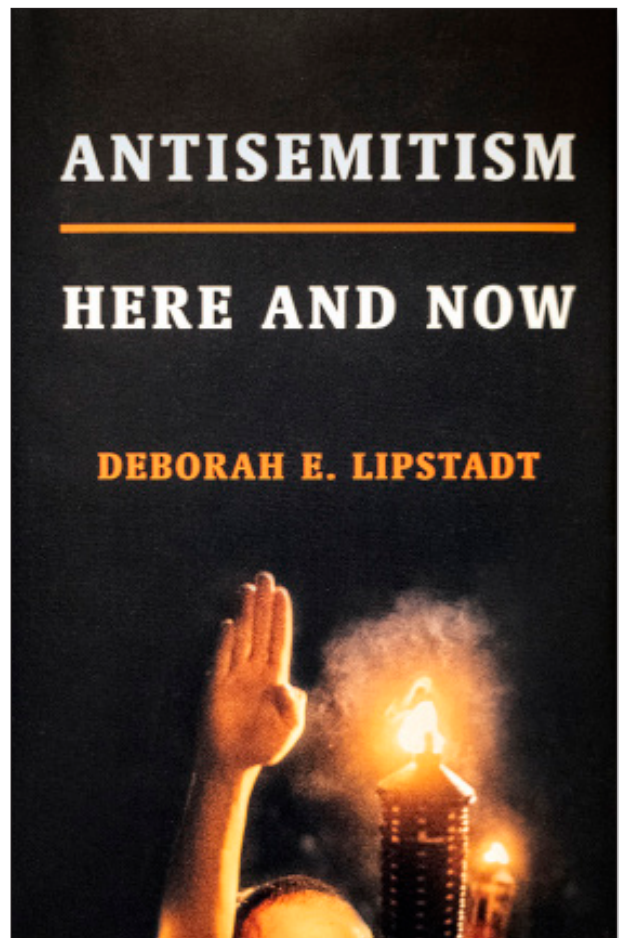
Lipstadt is perhaps most famous, however, for a libel case launched against her, and which captured the headlines some twenty or so years ago. Her academic work on how the Holocaust was being remembered and mis-remembered led her to closely examine one particular branch of modern antisemitism, Holocaust denial. One of her key insights about the deniers was that they were not making "a cognitive error," by which she meant, it wasn't a question of providing deniers with facts so that they can correct themselves. As she said in a 2017 lecture, "It's not that they didn't get the memo," rather

it's that they come to [the question] as antisemites. The prism through which their view of the Jew is refracted is an antisemitic prism – and a prism, as you know, refracts light, bends light – so that their view of the Jew is a bent, warped vision, just like that of the racist. ... That's what prejudice is: it warps their view.

The denialists first came to prominence in the early 1980s, and over the next decade and a half managed to gain a good deal of publicity for their lies. In a number of European countries, telling such lies became illegal, but in North America and the UK, free speech rules allowed the liars to, if not exactly flourish, then to evade the toughest of sanctions. In 1993, Lipstadt published the results of her research, *Denying the Holocaust: The Growing Assault on Truth and Memory*, and in it she commented on British popular historian and denier David Irving who, she said,

is one of the most dangerous spokespersons for Holocaust denial. Familiar with historical evidence, he bends it until it conforms with his ideological leanings and political agenda. ... A review of his recent book, *Churchill's War*, which appeared in *New York Review of Books*, accurately analyzed his practice of applying a double standard of evidence. He demands "absolute documentary proof" when it comes to proving the Germans guilty, but he relies on highly circumstantial evidence to condemn the Allies. This is an accurate description not only of Irving's tactics, but of those of deniers in general.

Irving took offense. He said that passage (and others) constituted defamation and, three years later – and after he had gone to the US and noisily disrupted one of Lipstadt's lectures – he launched a libel suit against her and the publishers, Penguin Books, in the UK. Why not sue in the US where the book originally appeared? Because



Deborah Lipstadt. *Antisemitism: Here & Now*. Schocken, 2019. ISBN: 978-0-8052-4337-6. \$34.95.

there the First Amendment means that in order to win a defamation suit, especially if one is a public figure, as Irving arguably was, he would have to meet the nearly impossible burden of proving not only that Lipstadt's characterization of him was false, but as well that her statements had been made with "actual malice," and "a reckless disregard for the truth." In the UK, by contrast, the burden is on the defendant to prove the truth of their published statements, to prove that they didn't lie. It took more than four years and cost an enormous amount of money, but with Penguin's help, and with able counsel and the assistance of historians Richard Evans and Christopher Browning (and others), in April 2000, Lipstadt prevailed. Why? Because she showed that her statements, both about the Holocaust and about Irving, were "justified" because they were true. Judge Gray said:

Irving has for his own ideological reasons persistently and deliberately misrepresented and manipulated



Hollywood made a movie about the Irving trial, *Denial*, which came out in 2016, with Rachel Weisz (left) playing the part of Deborah Lipstadt (right). All of the exchanges in the trial scenes – shot in a reproduction of the Old Bailey as it existed in 1999 – were taken verbatim from the trial transcripts, that is, nothing was made up for dramatic effect. Lipstadt was on set as an advisor, and enjoyed seeing Weisz playing a glamorized version of herself: “She is a great beauty. It’s amazing. I dressed nicely for the trial but I am not elegant: I’m a professor!” The location pictured is the London Guildhall.

historical evidence; that for the same reasons he has portrayed Hitler in an unwarrantedly favourable light, principally in relation to his attitude towards and responsibility for the treatment of the Jews; that he is an active Holocaust denier; that he is anti-Semitic and racist, and that he associates with right-wing extremists who promote neo-Nazism ... therefore the defence of justification succeeds.

Irving had represented himself in court, and as the loser, was obliged to pay the costs of the trial, around £2 million. Within a year he had declared bankruptcy. He had been in financial trouble even before the trial (he’d taken out five mortgages on his residence) and one suspects that he represented himself in court partly for reasons of ego – he seems to enjoy being “on stage,” being the centre of attention, and may even have relished the image of himself as a valiant little David challenging the Goliath of academic history – but as well for practical reasons: there would have been little point in his engaging counsel if he lacked money for a retainer.

Since the verdict, Irving has dwindled greatly as a media presence. He no longer has an entrée either to mainstream publishers or to the profession of history. These days, says the Southern Poverty Law Center’s extremism tracker, he goes on multi-city speaking tours in the US, “for which he charges hefty sums,” and in those countries where he is not banned, he hosts denier “tours” of various Nazi military sites, also fairly pricey. He continues to sell his books (\$100 a pop, plus shipping, unless you want a deluxe slipcased version, at closer to \$300) through his website, the front page of which features a continually updated “Action Report,” linking to various “news of the day” items from both above-ground media, and the murkier network of antisemitic web publications; it’s a moot point to which of those categories Tucker Carlson might belong, but links to his show also appear on Irving’s current homepage.

Several other items on the front page link to news items about “liar” Lipstadt, so apparently, Irving is still bothered by the outcome of the trial.

One wonders in passing whether, being an antisemite, Irving is delusional in other respects, as conspiracy theorists sometimes turn out to be – the Boston Bombers, for example. Before the trial came on Irving said to a reporter that, because of the mere fact of the trial, no matter what the outcome, win or lose, “My reputation as a histo-

rian has been greatly enhanced.” He was apparently confusing temporary media visibility with lasting reputation. Was that delusional? It certainly seems poorly anchored in an accurate perception of either himself or the world.

The barrister who shepherded Lipstadt’s defense to victory was Anthony Julius, who had previously been best known as the lawyer who handled Princess Diana’s side of her divorce from Prince Charles in 1996. When the divorce papers were filed, the Tory-leaning Daily Telegraph ran a story comparing the Princess’ and Prince’s lawyers (Fiona Shackleton vs Anthony Julius), saying Shackleton favoured a “conciliatory approach” to divorce settlements and that much of her career “has been geared to arranging favourable divorce settlements for her clients.” This, said the Telegraph, was “at odds with the more bullish attitude” of Julius, whose background

could not be further from the upper-class world inhabited by his opposite number. He is a Jewish intellectual and Labour [Party] supporter, and less likely to feel constrained by considerations of fair play. “I’d be very worried if I were the Royal Family,” says a Cambridge don who taught him. “He’ll get lots of money out of them.”

Lipstadt, who includes this tale in her book, identifies this as an example of “dinner-party,” or “some of my best friends are Jews” antisemitism, where the perpetrator seems blissfully unaware that they are in fact retailing offensive stereotypes. “Pretty impressive,” says Lipstadt. “In a few sentences the Telegraph managed to slur Jews, members of the middle class and people with liberal political views – all of whom seemed to have no scruples at all.”

A storm of protest ensued and, seeking to get ahead of the weather, the Telegraph’s legal director phoned Julius to

apologize. Sort of. It turned out, said the legal director, that a copy editor had mistakenly deleted a word, "outmoded," so the article should have said that Julius was "less constrained by outmoded considerations of fair play;" that is, that while the rest of us were still getting used to the absence of fair play in the modern world, Jews have never played fair, thus, have an advantage in that respect. The legal director then added "that the editor of the Telegraph was herself Jewish," the implication being, says Lipstadt, either that nothing it printed could therefore be antisemitic, or if it was, "it was her fault." Blame the woman, in other words.

There are a couple of things here which Lipstadt, being from New York, doesn't comment on because she may not quite have heard them. Part of the English "self-image," so to speak, at least among a certain type of older, male, white English person, is the notion that the English play fair, that they respect fair players, even if the chap on the other side is a Bosche, or a Frenchie. The charge that Julius doesn't bother to play fair, in short, signals the Telegraph reader that he isn't genuinely English, that is, it is a none too subtle version of the slur that Jews have divided loyalties; which of course only makes sense if you harbour the view, articulated or not, that there is a world-wide Jewish conspiracy. The fact that the notion may not be fully articulated doesn't make it any the less offensive. Second, while Shackleton and Julius are described as doing exactly the same thing (doing well for their clients), Shackleton's description is positive – a career geared to arranging favourable settlements – while Julius' description is negative – unscrupulously getting as much money as he can.

As might be expected, the "apology" issued some days later by the Telegraph mostly restated the offense. "We referred to Mr Julius' background," it said, in a way which "we now recognize, to our profound regret, to have appeared pejorative." It went on:

Many of our readers have taken the strongest exception to this paragraph, making it clear that they regard it as a racial slur. In acknowledging the force of this criticism, we offer our sincere apologies to Mr Julius and to

all those who took offense.

In other words, it wasn't actually a slur, it only appeared that way to many readers; and we understand that those readers are really pissed off; and we're sorry they're pissed off (we acknowledge the strength of their feelings); and so we're not apologizing for the offense itself, meaning, we're not sorry we said it and you guys are a bunch of snowflakes.

This is the sort of everyday racism that is hard to take and hard to fight, because even when you feel it, "to the centre of your bones," as Orwell might have said, it still sometimes takes an effort to explain it to both the offenders and others, the former of whom will often apologize and the latter of whom, equally often, will call you "over-sensitive," or tell you you are "making a fuss over nothing."

I think Lipstadt's is an important book, but I want to circle back to the question of form, because, as I said, I don't think it's particularly well-chosen. Ever since Plato, academics have yearned to write philosophical dialogues, to out-Plato Plato, so to speak. The noted psychologist Jerome Kagan, for example, tried it in his 1989 book, *Unstable Ideas*, putting a dialogue on self-consciousness – *Simpliciter* has a chat with *Reflectiva* – at the very end of that volume of essays; it was not a compelling read. Similarly, dialogism appears to have also been an itch Lipstadt wanted to scratch and so *Antisemitism: Here and Now* is cast in dialogue form. The book presents itself as a series of letters between Lipstadt, a young student of hers (Abigail, heading off to grad school) and a colleague who teaches law and religion (Joe). The two correspondents raise questions and then Lipstadt goes to town laying out the answers. The problem for the reader is that the "voices" of these two correspondents are simply poorly done; they're not really distinct, as voices, from Lipstadt's own. The gain in doing it this way is that it deals with antisemitism actually encountered in the contemporary world, but the loss – and for me it's a big one – is that it's thoroughly unconvincing as a framing device. The book creaks at these seams, and one does tend to skim through the set-up letters

rather quickly to get to the meat of each chapter.

As I noted earlier, I think Lipstadt wanted to present her arguments in a way that would be reader-friendly for as broad an audience as possible, that is, to a public whose lack of skills in both reading and thinking has been well documented; in 2020, just over half (54 percent) of all adult Americans were reading at below Grade Six level. (Though we could also look at the "half-full" side: 46 percent of Americans are operating at a Grade Seven or higher level.) In any event, the vocabulary level of the book is disappointingly un-high, so to speak, and this has the unfortunate effect of the author seemingly talking down to the reader, an impression which the epistolary/dialogue format – even though Lipstadt doesn't fully engage with it – rather tends to amplify. The book seems to want to connect primarily with high-schoolers or maybe sophomores, hence perhaps the figure of "Abigail," as a reader surrogate. The "Joe" character then becomes a sort of textual denial that it's only intended for undergrads. But as an attempt to be non-highbrow, it doesn't work; once the "letter" beginning each chapter is out of the way, the rest proceeds almost as would an essay in, say, the *Atlantic*, or the *New York Review of Books*.

The penultimate pages of Lipstadt's book examine antisemitism on the political left, something which she had hinted at earlier with a glance at the career of the unfortunate Jeremy Corbyn. She deftly skewers the way in which Corbyn's reflexive – and often laudable, she avers – sympathy for the underdog, when combined with his "class- and race-based view of the world" has so often led him astray. "Anyone white, wealthy, or associated with a group that seems to be privileged cannot be a victim. Anyone who is or claims to be victimized by those who are white, wealthy, and/or privileged deserves unequivocal support." It's the unequivocal part that I think Lipstadt objects to, the reflexivity of Corbyn's responses which, time and again, have got him into hot water.

But then, in this respect Corbyn is like many politicians, which is to say, he is



able to think, mostly, but seems more or less immune to reflection in any deeper sense. Having narrowed his universe of concerns to a few fixed stars (America bad, Socialism good, Zionism bad) he responds always by the light of those distant beacons rather than reflecting on how changing situations might require changing responses. Something like this perhaps seems to have been why Corbyn was unwilling for a good while to admit that the Russians were responsible for the attempted assassination, on British soil, of Sergei Skripal and his daughter Julia; in that case he suggested that samples of the poison be sent to Russia so that their labs might confirm or disconfirm that it was of their manufacture. (And may I pause briefly here to say that naivety in a politician is as rare as some tropical orchids and should, I believe, be treasured and preserved, whenever we find it, as a national cultural asset.) Then too, as an old-time Bennite, Corbyn may have felt a residual tug on his heartstrings for the inheritors of the departed Soviet empire, the ex-fraternity of socialist states.

But Corbyn's apparent unreflectiveness is also how he ended up supporting the notoriously antisemitic clergyman, Steven Sizer, because Sizer professed, entirely disingenuously, that he was not antisemitic but rather anti-Zionist. And while Corbyn and others on the left often disclaim antisemitism, they are just as often vociferous in their anti-Zionism.

But why in the first place would some on the left choose "Zionism" as a focus of their criticism of the policies of the government of Israel, given that many, many Israelis, also on the left, also criticize those government policies without using that focus? Zionism originated in the nineteenth century, in some iterations as a variety of socialism, but today, say James Mendelsohn and Bernard Howard (writing in the *Journal of Contemporary Antisemitism*), "the core idea of Zionism is that Israel has the right to exist as a Jewish state." Thus, from Lipstadt's point of view, the problem with being "anti-Zionist" is that by creating such a large container for a critique of particular policies, all too often anti-Zionism turns into a demand that Israel cease to exist; and that, she says, is by definition antisemitism. At the same

time, Lipstadt criticizes those Jewish organizations that resort to the charge of antisemitism too easily and too often. "There is a vast difference," she says,

between being opposed to the policies of the Israeli government [about the West Bank] and being an antisemite. Those of us who want to fight this scourge do ourselves no favour if we automatically brand ideas with which we disagree "antisemitic." Too often, some Jewish organizations and their leaders automatically fall back on this accusation.

Similarly, Lipstadt decries efforts by some Jewish campus organizations to "out" professors who support the Boycotts-Divestments-Sanctions (BDS) movement. You don't fight one blacklist by creating another, is her idea. As much as Lipstadt disagrees with the whole idea of the BDS movement – she notes that its founding documents call for the disappearance of the state of Israel – she disagrees even more strongly with the notion of choking off debate. She points out too, that boycotts against Israel and Is-

raeli products launched by Arab nations are nothing new; the difference with BDS is that it has managed to attract a large amount of support on the political left, which is new, and which she finds particularly dispiriting, since she considers herself equally a progressive.

In spite of the book's subject being antisemitism, Lipstadt closes with "joy rather than 'oy,'" as she puts it. "If antisemitism becomes the sole focus of our concerns we run the risk of seeing the entire Jewish experience through the eyes of the people who hate us." It would be a mistake, she insists, to let this "longest hatred" become the linchpin of Jewish identity.

Jewish tradition in all its manifestations – religious, secular, intellectual, communal, artistic, and so much more – is far too valuable to be tossed aside – and replaced with a singular concentration on the fight against hatred.

Exactly so.

But we should still fight, nonetheless.

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