“Someone must have been telling lies about Joseph K., he knew he had done nothing wrong but, one morning, he was arrested.” So begins Franz Kafka's classic book, *The Trial*. The *Trial* was written one hundred years ago at this writing, although it wasn't published until 1925.

“And why am I under arrest?” Joseph K. inquired of the men who had appeared at his door.

“That’s something we’re not allowed to tell you. Proceedings are under way and you’ll learn in good time.”

As it turns out, Joseph K. never learns what he is accused of doing. No one will tell him. He doesn't have access to court records, including the indictment. There are never any written charges. He is told that the charges and reasons for them will come out, or can be guessed at, while he is being questioned at the trial, which will not be public. He can give his side of the matter at that time, they tell him, but the witnesses against him will not be present, and he won’t be allowed to question them at any time, and he won't be allowed to bring witnesses in his favor to the proceeding.

One of the saddest parts of the book is Kafka's description of one particular strategy Joseph K. contemplates employing since he doesn’t know what he is supposed to have done wrong. “He had often wondered whether it might not be a good idea to work out a written defense and hand it in to the court. It would contain a short description of his life and explain why he had acted in the way he had in any way important, whether he now considered he had acted well or ill, and his reasons for each.”
The Trial is compelling reading—the prose is remarkably contemporary, and while the account is chilling, it makes the reader grateful for being, as I am, an American. This is eastern Europe of a century ago. It is the kind of thing that went on there at that time, and under Stalin and in Germany under the National Socialists in the 1930s, and in China under Mao, and in eastern Germany before the fall of the Berlin Wall (with this last example, see the 2006 film "The Lives of Others").

Certainly nothing like this could happen here in America. The Sixth Amendment of our Constitution affirms that an accused person will be informed of the nature and cause of the accusation, be able to confront the witnesses against him, and be afforded a process by which he can obtain witnesses in his favor. While the Sixth Amendment is in reference to criminal prosecutions, it is more than that. It articulates a central element in the American creed, what this nation is about, what distinguishes us from authoritarian, totalitarian societies and cultures; this is who we are as a people, this how we treat people.

My faith in that reassuring thought has been shaken over the past few months.

I'm a professor of education near the end of a fifty-year career in education—really, that long, I started teaching in a high school in 1964. Things went well for thirty-five of my forty-five years in university teaching--tenure, full professor, no trouble--but the last ten years have been increasingly contentious and traumatic for me. Two major factors accounted for that: my outlook and expressions changed, including around race; and universities have become increasingly hostile to people with views like mine.

Over the last fifteen years, my perspective has shifted from an acceptable-in-the-university-world liberalism, which had been in place since my doctoral studies, to an unacceptable mix of conservatism and libertarianism. I began advocating traditional and individualistic schooling approaches. Since 2001, I have written under my own name about race from the perspective of respect and
concern for European heritage, white, people, particularly in the United States, analyzing and assessing their status and wellbeing and future; in some instances I have advocated for them. Such expressions do not play well at all in today's colleges of education, which are firmly committed to left-leaning progressive schooling approaches, and, the race part of it, in the university as a whole—these days, going public in a university with racial ideas that don’t put whites in their place is sticking one’s head out of a foxhole.

On April 14th, 2014, I received a letter from the office at my university that handles discrimination complaints informing me that it had "received information that you may have discriminated against students in [the name of an introductory education course I taught in the fall semester, 2013]." "The complainant is [the name of a first-year undergraduate woman student in that class]."

I’ll refer here to this office as the Office rather than its official title, and I’m not going to use any names in this writing other than my own. I don’t want this piece to be about this particular place or these particular people. It is about what was, and is, going on with me, and it’s about a pattern I see in American universities currently. I am using the personal as a vehicle for a depiction and analysis of something I consider to be of significant general importance in this country.

Attached to the April 14th letter from the Office were the university policies related to discrimination and the procedure for investigating and resolving discrimination complaints. The Office has two options for dealing with complaints of discrimination, informal resolution and formal investigation. The letter made it clear that this was a formal investigation and indicated that “[the investigator's name—male, early-thirties, a law school graduate I later learned] has been assigned to the case."

I read over the policies on discrimination. They said that the university is committed to equal educational opportunity and therefore prohibits discrimination on the basis of race, color, religion, national or ethnic origin, age, sex, sexual orientation,
marital status, disability, or gender identity or expression. They defined harassment as a form of discrimination involving verbal, written, visual, or physical conduct based on or motivated by a student's race, color, and the rest of the list, which creates an intimidating, hostile, and offensive environment that objectively and substantially interferes with a student's access to educational resources or educational performance.

The test of discrimination, including harassment, is that it denies educational opportunity or retards academic achievement, and that it does so objectively and substantially. It doesn't make your case as a complainant that someone said or did something you didn't agree with or that didn't set well with you. You have to establish that your educational opportunity or outcomes were restricted objectively and substantially.

As I read over the policies, per Joseph K., I couldn't for the life of me think of how I had discriminated against anyone in that course, or in any other course, for that matter, ever. My long career, my life, has been in opposition to discrimination (including against white people in school admissions, job applications, contracts, and so on). Whatever it was I was alleged to have done must have seemed pretty bad to the Office. The Office had the option to pursue informal resolution and it passed, choosing instead to conduct a formal investigation resulting, the policy indicated, in a report to my dean. Would it be circulated more widely, included being placed in my personnel file, broadcast to the university, shared with the media? I didn’t know. In any case, the word would get around among both students and faculty that I’ve been hit with a discrimination charge.

Speaking of harassment, I wondered about whether this charge was harassment of me by the university and students because of my professional and racial outlook and expressions. Or perhaps there is something about my person—my appearance, my manner, my persona, something along those lines—that set people off.

Whatever was going on, this was serious business. I could lose my job over this (one of the possible punishments listed in the policies). Trepidation pervaded my state of being for the rest of the
day. I took a pill to get to sleep that night.

The university policy directing the formal investigation states that the respondent (me) is to be provided with a written notice of the filing of the complaint, the identity of the complainant, and the general allegations in the complaint. After that, I’m to be informed of the specific charges, and then there’s an interview of me by the investigator in which I am to have the opportunity to respond fully to the complainant's allegations. Last, the Office submits a report on its findings to my dean—who incidentally or not incidentally is a black woman whom I consider to be less than enamored with my views and expressions around race—who can then do what she wants with it, including taking punitive action against me.

Incompliant with policy, the April 14th letter from the Office didn't provide the general allegations against me. It merely contained attachments of the university policies related to discrimination on the basis of race, religion, national or ethnic origin, age, gender, sexual orientation and expression, and the rest. I asked myself the obvious question: what am I supposed to have done in all of that? Is this about racial discrimination? Gender discrimination? Sexual harassment? Have I ever talked to the identified complainant alone in my office? No, I haven’t, which was a relief to realize, but what if she said I did and that I had made a sexual advance? This case could be about anything! What in the world did I do? So far, Joseph K. has nothing on me.

I went directly from my office to my two-room apartment where I live alone and read the USA Today Sports Weekly cover to cover and munched on pita chips and then took a nap. For weeks that basic strategy of dealing with this crisis prevailed. Maybe if I hide out and kind of go numb, this will just all go away.

Of course, it didn't go away. Does anything ever just go away? Six weeks later, on June 2nd, I received an email from the investigator.

Hi Professor Griffin,
I am writing to see if you are available to schedule an interview for the [Office] process, regarding the notice of investigation issued to you on April 14. [He then listed some possible times and places for the interview.] The interview will probably take about an hour. Thanks very much.

[signed with a nickname for his first name]

My first impulse after reading the email was to go straight to Hannaford's supermarket to get the *USA Today Sports Weekly*, but this was a Monday and the *USA Today Sports Weekly* doesn't come out until Wednesday and I'd already read every word of last week's issue, much of it more than once.

I took note of the informality of the investigator’s message: "Hi." "Thanks." As the case proceeded, signatures were invariably nicknames. Face-to-face contacts were smiley-faced and chatty. This jumped out at me, because from my side this was a deadly serious matter. This wasn’t about, or at least shouldn't have been about, whether I marked a paper or exam too low or gave somebody a course grade they didn't deserve; there is a grade grievance policy and process for that. This was about discrimination against someone because he or she falls into a particular category. My reputation, my honor, was on the line. I could be out on the street looking for employment. And yet it was "hi" all the way through, as it has been in other similar issues I've had to deal with in the university the past few years, ever since I’ve become so villainous in its eyes.

To put it bluntly, or is it sharply?, they smile while they stick it to you. What's this about? I asked myself. My assumption is that any pattern that predictably is repeated serves someone's purposes whether they are articulately aware of them or not, and it helps to understand both people and your dealings with them if you figure out how it does that.

I think this smiling-friendly-it's-me-Tom (or Vicky) self-presentation serves a couple of purposes from Tom and Vicky's perspective:
First, it keeps their intellectual challenge and workload down. If this is just upbeat-chitchatting, I (Tom or Vicky) don't have to feel pressed to attend to all sorts of complexities and moral issues and detailed procedures and formalities and put in a lot of prep time. And I don’t have to feel rushed; if I don’t get around to whatever-it-is until next month, or the month after that, that's OK.

Second, it lowers the chances of Tom and Vicky having to fight up close, as it were. If deep down—or maybe right there on the surface—they know they are messing over somebody in a major way, that somebody could get real sober, even irate, and face up with them and go after them big time, and that's no fun to deal with. Better if they can get the person they are working over to mirror their front-desk-receptionist “have a good day” manner.

In response to the investigator’s email about scheduling an interview, I emailed him back saying I would be happy to participate in an interview, but that there were process guarantees spelled out in university policy that needed to be honored prior to the interview. Namely, that I be informed of 1) when the complaint was filed, 2) the identities of all the complainants, 3) the general charges against me, and 4) the specific charges against me.

Whether this case goes forward at all is contingent on when the complaint was filed. The semester when I was alleged to have engaged in discrimination ended on December 18th, 2013. The university policy states that the complaint must be submitted to the Office within 90 calendar days. That was March 13th, 2014. I want hard evidence, I wrote, showing the date of the complaint's filing in order to make certain that the filing deadline was met. Why, I added, am I not simply given a copy of the complaint, which would have the date it was filed? That is an obvious thing to do.

The April 14th letter from the Office refers to my discrimination against students, plural, but there is the name of but one complainant. Who exactly are the complainants? Who are the victims of my alleged actions? There were twelve students in that class. Is it alleged I discriminated against all twelve without
exception? Some of them? Provide the identities of the students I discriminated against.

What are the general allegations? The April 14th Office letter from the Office merely attached the university policies related to discrimination, all the possible forms it can take. What am I supposed to have done in all of that? Are we talking about racial discrimination here? Gender discrimination? Sexual harassment? What? Did I do the same thing, whatever it is, to everybody?

Whatever I'm supposed to have done, it needs to fall within the purview of the Office, and you need to demonstrate that, I asserted. This should be about discrimination as defined in university policy, which interferes with a student's access to educational resources or accomplishment. I suspect this so-called discrimination action against me was a cover for attacking me and shutting down my ideological and professional expressions, that it is really a personal attack and a thought police action. Discrimination is indeed an important concern, but so too are academic freedom and freedom of expression, which are time-honored and cherished values in a university. Show me that this action falls within the purview of the Office.

Now we get into Kafka territory. The investigator's terse emailed response ignored my requests.

The [Office] investigative process is voluntary, and it is up to you whether or not you would like to participate. If you choose not to participate, however, please know that my report will be based on information provided to me by the complainant and any other participating witnesses.

Nowhere in the university policy is it stated that my participation in the interview, or any part of the process, is voluntary. The investigator obviously made that up out of thin air to threaten me: if I insist that my rights prior to the interview be
honored, it will be taken as choosing not to participate in the interview. Thus, not only is the Office going to deny me the rights granted me prior to the interview, it stands ready to deprive me of the interview itself, the chance to speak in my own behalf. I was being told this by an attorney. I considered it unconscionably unethical for a member of the bar to do what he did.

In an emailed reply, I reiterated my demand that I be granted my procedural rights prior to the interview. The policy stipulates that during the interview I am to be given the opportunity to respond fully to the specifics of the allegations. Beyond what it says in the policy, it is obviously common-sense wrong to force me to show up at an interview cold and just wing it, so to speak. Plus, there is something very unjust, I noted, about not being able to question or challenge those who are making charges against me.

The interviewer's response was to tersely reiterate that the process was "strictly voluntary." The Office isn’t telling me when the complaint was filed, the general nature of the complaint, or who the complainants are, and it isn’t telling me what the specific allegations are. Why aren’t they telling me this? They aren’t saying. Kafka lives in the United States of America.

Came the day for the interview of me in mid-June conducted by the investigator.

I didn't know what I was accused of in the interview and thus had no chance to prepare a defense to it. I brought the syllabus for the course in question and copies of email correspondence with the complainant’s name provided me in the April letter from the Office, and a copy of a paper she had written containing my comments and a grade. I regret to report that, ala Joseph K., I conjured up a list of good things I had done in my courses over the years that I was prepared to interject into the interview.

There I was in a closed room, just the investigator and me. I flashed on Joseph K:

Both Joseph K. and I could give our side of the matter at the trial/interview, but the witnesses against us would not be present and
we would not be allowed to question them.

There was no provision for either of us to bring witnesses to speak in our favor.

Like Joseph K., my trial would not be made public, though in my case, I'm not sure about Joseph K.'s, the results of it would: the Office's final report would be distributed to my dean for her information and, perhaps, to serve as a basis for her punishment of me—I guess pretty much whatever came into her mind.

Joseph K. had no right of appeal. Per university policy, I had no right of appeal. The Office report is the Voice of God in this matter.

Joseph K. wasn't provided with written charges or access to court records or a copy of the indictment, and neither was I. I found out very early in the interview why I didn't get a copy of the complaint. It didn't exist.

I also found out why I wasn't informed of when the complaint was filed (the complaint had to be submitted within ninety calendar days). The Office didn't know when it was submitted. There was no record of it.

And I learned why I was never informed of the general charge. It was never formulated.

There was no paperwork on this case at all. The investigator just had a piece of paper with some hand-written notes on it.

I never learned why I wasn't informed of the specific charges prior to the interview so that I could prepare a full response to them as called for in the policy. Like Joseph K., the charges and the reasons for them would have to come out in the trial--the interview was my version of the trial.

The interview took two hours. During that time, I was subjected to a series of allegations and negative characterizations of me, most of them extremely upsetting to listen to and all of them false. I did my best to respond to the assertions that were sprung on me. It was certainly not my finest performance. But then again, you try responding off-the-cuff to charges you didn’t know were coming.
I'll do my best here to take on the task laid before Joseph K.: to discern, or guess at, the charges from the particulars that surfaced during the interview. Every last one of them, relevant to this case or not, made it into the final report.

As it turns out, the one identified complainant wasn't even alleging that I discriminated against her in a way prohibited by university policy.

She said she had been diagnosed with ADHD. Discrimination against people who are disabled that denies them equal educational opportunity is prohibited by university policy. However, she stated that she doesn't identify herself as learning disabled, nor does she believe I viewed her as disabled or that I discriminated against her on that basis. So nothing related to learning disabilities had any business being part of this case or in the final report.

But it was. The complainant alleged that in a private meeting outside the classroom prior to the beginning of a class session, when she informed me she had ADHD, I dismissively replied, "We all have our problems."

What I actually said was "Don't let that get you down, we've all got something to deal with. I can't hear well. What you have to do and what I have to do is figure out what the problem is and take it on and not let it defeat us. Don't see yourself as less capable, or that you can't perform." I was trying to support and encourage her, and I think any reasonable person would agree with that.

But again, she wasn't asserting that I discriminated against her on the basis of her disability, and this exchange should not have been part of this case.

The complainant contended that I discriminated against her because her ideas differed from my own. She provided no argumentation or documentation (comments on papers and tests, etc.) to support that contention, and simply, her allegation was false. I don’t do that kind of thing, period. But regardless of whether her allegation was true or false, discrimination on the basis of belief is not one of the prohibited categories in the university discrimination
policy, and thus this claim should not have been part of this investigation. 4

The complainant reported that I said to a Hispanic student--a woman, a senior--"You are doing a good thing for your people being in a university." The Hispanic student was reported to have indicated to the complainant that she found my comment inappropriate and offensive.

What I actually said to this student after she had several times referred to her Hispanic ethnicity publicly in class, is, "I'm glad you are here. [There was no reference to doing a good thing for your people, anything of that sort.] This university is for everyone. I wish there were more black people here. I wish there were more students from [the low income white part of the city]. I want everybody here. Welcome to the class."

After the interview with me, the interviewer included in his final report that he spoke with the Hispanic student and she said she found my comment "highly offensive." However, and this is crucially important, she did not see it as discriminatory toward her, and she did not contend that it deprived her of academic opportunity or held back her achievement.

Offending or putting this student down was the last thing in my mind on that occasion. I was trying to make her feel welcome in the class when she identified herself as a minority student. I believe any reasonable observer would agree with that. I feel very bad to learn that what I said was offensive to her. I spent a year teaching Hispanic students in an East Los Angeles high school, and there has not been a more gratifying and rewarding experience in my professional life. I cared deeply about those Los Angeles kids, and I think they cared deeply about me. I cared very much about this Hispanic student in my education course and wished her well, and in a private conversation with her after a class session ended, I told her that.

Whether or not she found what I said offensive, her inner, or subjective, experience should not be the sole measure of whether it
was or not. There is also my motive when making that comment, and there is what actually happened, what I said and the context in which I said it; outer, concrete, reality matters greatly. Indeed, anything at all can be experienced by someone as offensive or inappropriate. The question is, was that response a reasonable, justifiable, reaction to what occurred? In this case, no, it wasn't.

And anyway, the Hispanic student did not contend that I discriminated against her. Whether or not my "you are welcome in this class" comment was offensive is worthy of consideration in some setting, but not within the confines of a formal investigation of discrimination. Why was the Office going forward with this charge?

The complainant said that it was her impression that I called less frequently on two Jewish students than the others. No elaboration, no documentation. I didn't even know there were Jewish students in the course. No Jewish student ever identified him- or herself as Jewish in the class, and no one had a Jewish-appearing name. I learned the identity of one of the two Jewish students from the investigator; I still don't know the name of the other one. According to the investigator, neither of the Jewish students alleged discrimination by me against them because of their religion or ethnic identity, so why was this allegation in this case? If I had known that anti-Semitic-based discrimination was going to be charged, I would have brought extensive positive correspondence from Jewish students I have received in the past. Never has a Jewish student—any minority student--complained about my treatment of them. Simply, I don’t do such a thing.

The complainant told the interviewer that she went to my web site and saw that I am anti-Semitic. She offered no examples to support that contention, which is untrue. At times in my published writings on race from a white perspective, I have been critical of the actions of Jewish individuals and organizations—I don’t believe anyone is above critique and criticism--but I have never reflected the generalized and irrational animosity associated with anti-Semitism; I wish everyone on this planet well. Since there was no
assertion that I used anti-Semitic materials or expressed anti-Semitic sentiments in the class, this charge had no business being part of the interview and included in the final report which should have been about discrimination against individuals in that class, but it was. This allegation was simply a smear and the Office aired it.

Charges of anti-Semitism based on an impression by a non-Jewish student and undocumented assertions of anti-Semitism in my public writings are inflammatory, irresponsible, and cruel. I’m convinced that this kind of thing would not have gone on ten years ago in the university. There is a climate in American universities in our time that encourages it and makes it seem justified.

The complainant said my web site was "pro-white," as if it is understood that there is something wrong with that. Indeed, my web site writings, which are voluminous and on a wide variety of topics, include those that advocate for white people. It is telling that in today's university that being pro-white is an allegation of misconduct. Imagine if a black professor had to deal with the charge that his or her writings were pro-black, or a Hispanic professor that his or hers were pro-Hispanic. That this "charge" is included in a formal proceeding against me says much more about the circumstance in the American university in our time than it does about me. You can be pro anybody in today's university except pro white. The only purpose this assertion served in the report was to smear me and damage my reputation and shut me up, and to let other faculty know, particularly young faculty coming through the ranks, that if they dare to go public with affirmations or defenses of white people, what happened to me is what they are going to get.

The complainant said I told the class, “If any student ever tried to report me I would have them expelled.” Untrue. Outrageous. Imagine anyone saying this. The Office took her seriously.

She said I told the class that my nine-year-old daughter is interested in playing the trumpet and made a comment, “What would a guy think of that?” Absurd. Ridiculous. Absolutely untrue.
She said I told the class, “My daughter’s mom doesn’t like me and doesn’t agree with me.” Absolutely untrue. Speaking of offensive.

She said that I told the class that since I have tenure I could grade papers when I wanted to and not have to give an explanation for my grades. Absolutely untrue. In fact, without exception, I returned all writings and tests with grades and comments the very next class session after they were submitted.

She said I yelled at students and shouted people down. I'm hearing impaired and can't hear the volume of my voice well. I tell all my classes that I may speak louder than necessary, and that sometimes I can’t tell when people end their point and I unintentionally interrupt them, and to let me know if I do any of that. Until this case, no one has ever twisted my hearing impairment into yelling and shouting at students. I don’t yell and shout at anyone in any context.

Every one of these damning and embarrassing, and totally fallacious assertions was part of the report. The report made it clear that it did not take a stand on whether or not they were true, leaving the impression that they very well might be.

Nominally the final report submitted by the investigator absolved me. In fact, it crucified me.

"Complainant's allegations cannot sustain a hostile learning environment claim." The case wasn't about whether I created a hostile learning environment per se. This was a case about discrimination. Reference to a hostile learning environment in the policy was as one of a number of possible outcomes of harassment, with harassment being a form of discrimination resulting in the limitation of educational opportunity and accomplishment. In this case, everything needed to be related to the charge that I discriminated against particular students in that class in such fashion that I objectively and substantially restricted their educational opportunity or achievement. Cherry-picking and highlighting a hostile learning environment shifts the nature of the charge and
opens the door to legitimizing the inclusion of every "this is a bad guy" slur anybody can dredge up.

"Complainant's allegations of discrimination in violation of [university] policy are not sustained under a preponderance of the evidence standard." Preponderance of the evidence standard? Where did that come from? It’s not in the policy. The university policy says you can't discriminate against anyone in the university community that falls into certain designated categories, period. The question in this case was, did I do it or didn't I do it, yes or no. And if I did it, to whom and how? Adopting a preponderance of the evidence standard leaves the option of declaring that the preponderance of the evidence doesn’t establish I discriminated against anyone and leaving it at that, which is what the report did. It never takes a stand on precisely what I did and didn't do. If I were an outsider reading that the preponderance of the evidence doesn’t demonstrate that somebody did something, I would infer that there was evidence against them--and possibly a lot of it--but it just didn't add up to the 51% assurance it would take to convict.

There was no evidence that I discriminated against anyone in that class. Nevertheless, I feel certain that university administrators and any others reading this report are going to conclude that this jerk got off on a technicality. It didn't reach a high enough threshold to convict him, as it were, but we know what's going on here. This is a racist, anti-Semitic, sexist, boorish bully pushing around university undergraduates. He tells them that if anybody goes up against him he'll have them expelled from school. He flaunts that he is a tenured professor and can do whatever he pleases. He shouts people down who disagree with him. He goes on inappropriately about his personal life, including his antiquated, sexist beliefs about what girls are supposed to do, and he brings his problems with his daughter's mother into the classroom. If you disagree with this fascist he sticks you with a bad grade. Which is absolutely not true of me, in this or any other circumstance.

An indication that my speculations along this line might have some validity is that this coming semester, I was scheduled to teach
this same course that drew this complaint. I have taught it for many years without incident. I learned of my removal as the instructor of the course from the published course schedule.

Word about this case has surely gotten out to advisors and students and found its way into rate-your-professor surveys. He's bad news, stay away from his classes. My enrollments will go down.

I didn’t win this case, I lost it. And even more, I can’t see how I could have won it. Under the current circumstance in universities (in American life generally?), in the areas of race and gender you are guilty if charged unless you can prove it isn’t so, and proving a negative is virtually impossible. I must admit I have a grudging respect for how the system operates. If they don’t like you, they can get you, and there’s not a thing you can do about it.

Pieced together from the last pages of *The Trial*:

It was about nine o’clock in the evening, the time when the streets were quiet--two men came to where Joseph K. lived. They waited only until the front door before they took his arms in a way that K. had never experienced before. They kept their shoulders close behind his, did not turn their arms in but twisted them around the entire length of K.’s arms and took hold of his hands with a grasp that was formal, experienced and could not be resisted.

Whenever they passed under a lamp, K. tried to see his companions more clearly, as far as was possible when they were pressed so close together. “The only thing I can do now is keep my common sense and do what’s needed right till the end. I always wanted to go at the world and try and do so much, and do it for something that was not too cheap.”

There was a quarry, empty and abandoned, near a tall building. Here the men stopped. The moonlight lay everywhere with the natural peace that is granted to no other light. As he looked round, K. saw the top floor of the building. He saw how a light flickered on and the two halves of a window opened out, somebody, made weak and thin by the height and the distance, leant suddenly far out from it and stretched out his arms. Who was that? A friend? A good person? Somebody who wanted to help? Would anyone help? Was he alone?
One of the gentlemen opened his frock coat and from a sheath hanging on a belt stretched across his waistcoat withdrew a long, thin, double-edged butcher’s knife which he held up in the light. The hands of the other gentleman laid on K.’s throat while he pushed the knife deep into K.’s heart and twisted it there, twice.

Joseph K.'s case ended in his physical death. I'm still alive, but something in me--my spirit, my vitality, my resolve--has died, it's been killed. Right now, writing this, I just want to go to sleep.

My assumption is that whatever happened to me in this discrimination case is the result of an interplay of public and private, or personal, factors, so I’ll consider both in an attempt to make sense of what went on.

Increasingly over the past couple of decades, what psychiatrist and scholar Robert Jay Lifton has termed totalism has become pervasive in American universities in the social sciences, humanities, education, and social work. Totalism involves the fervent commitment to get everybody working harmoniously together in alignment with your particular vision and in service to your particular ends. A totalist outlook goes beyond simply arguing for your position and agenda, trying to persuade people, making your case to them, selling them on your ideas and ways, and accepting the idea that individuals and groups might not buy your product, so to speak. Totalism supports arranging people's lives, managing and controlling their circumstances and experiences and rewards and punishments so that they will see the light, your light, and enthusiastically get with your program. Part of this is making sure that competing "products" to yours are demonized, marginalized, and silenced to the point that you can in effect operate a monopoly.

Totalism in our time takes the form of the left-of-center concept of social justice. Another concept, organizer, for this thrust
is the idea of *diversity*. Their intellectual roots lie in the neo-Marxist ideology of *critical theory*. The basic assumption behind this thrust is that Western culture and the white race have been on the wrong side of history, and something needs to be done about that.

With America as the referent, the idea is to de-Europeanize this country (which includes de-Christianizing it), de-nationalize it, collectivize it (make the group, not the individual, the salient reality), equalize it, and democratize it (empower the group, especially the government, over the individual--constitutional republics, we pledge allegiance to one, don't go far enough in that direction). This involves bringing minorities up a peg and white people down a peg (at least), and using the government to confiscate resources from people who are considered to have too much and redistribute them to people who, so it is believed, have too little.

A central element in all of this is to get hold of white children and young people in schools and clean out their racism, sexism, ethnic bias, and sense of entitlement and superiority, and to get them busily working on setting the world straight, that is to say, making social justice a reality. The students who brought charges against me were white. In my field of education, the doctrine that aligns with this orientation is progressive education, whose patron saint is John Dewey (1859-1952), a socialist enamored of the schooling reforms being instituted in the Soviet Union.

These beliefs take the form of a secular religious creed. Adherents view themselves as bound to a mission to spread the Word and rid the world of heretics (like me), denouncing them and relegating them to pariah status. The challenge of scholarship within this frame is not so much *knowing*—really, what needs to be known is obvious when you look at things from the correct angle—as *believing*, accepting and professing the faith and disseminating it and defeating the forces of darkness that oppose it. The job of educators within this outlook is to preach the gospel to students, and the job of students is to take it to heart and give testimony to it,
which includes publicly expressing a fervent commitment to become missionaries, as it were, spreading the Word and cleansing the world of ignorance and evil.

If you are a totalist university administrator or faculty member and students come to you with reports of the sinful behavior of one of their professors, you aren't about to encourage dialogue and a meeting of the minds between them and the professor as traditionally has been the pattern. You are going to, in effect, hand the students spears and tell them to carry forth the righteous crusade against the infidel. If you are students who have accepted the Word, you are going to do that with a fervor, no holds barred. The ends are unimpeachably moral and valid and of imperative importance and urgency, there isn't a shred of doubt about that, and thus any action that brings them about, including stretching the truth, are justified, and zealotry is the ideal.

The final report quoted the complainant as saying the group took their issues to unnamed college of education (my home college) administrators. I have no evidence to suggest that these administrators did anything but encourage the students to pursue formal charges, an adversarial rather than collegial approach, rather than try to work it thorough with me to come to a mutual understanding. No student informally expressed an objection or concern about anything to me during the course or after the course ended, after grades had been submitted. The administrators and students in this case were propelled to take this adversarial, accusatory, formal action when they wouldn't have been in times past, before the university became so politicized.

In this discrimination case, the course I was instructing had a unique enrollment demographic. It is an introductory education course designed for first and second year students in the arts college—that is, they aren’t education students in training to become teachers. I've taught it for many years, and very occasionally a senior might enroll. This time, however, there were five seniors, nearly half of the total enrollment of twelve, who had gone through three years of an undergraduate education steeped in what I’
calling the Word. I believe the seniors, perhaps all five, were the prime movers in this complaint. Though I don’t sense she realized it, the complainant, a first-year student, basically fronted for them.

Never have I had to deal with anything like what went on that class, including in high schools in the inner city and when I taught incarcerated youth, as they were called. I couldn’t get the seniors to raise their hands to speak, and they would interrupt me and other students, and students were complaining to me that they were being cut off by other students and telling me to do something about the free-for-all in the classroom. I talked in class about respectful classroom decorum being necessary for learning but it had no effect.

I was on my own with the problem. I had no one to go with it. When there were discipline problems in the secondary schools I have taught in, I could send students to counselors or the administrative office, and there were processes in place to support me. The prevailing ideology of today’s university focuses on power imbalances and inequities and defines male professors like me as all-powerful and students as powerless. If there is one thing I’m certain about it’s that students--at every level of schooling--are very powerful and know how to wield their power. The students who decided to bring me, and the class as a whole, down were highly effective at doing it. And they were in a system that was on their side in doing it.

Contributing to the attack against me was the labeling that is now so prevalent in universities. I wasn’t a particular, unique human being in this situation, I was a category, and a negative one at that—white, male, privileged, oppressive, old. I was a racist—or the more common parlance these days, a white supremacist--and an anti-Semite, and a sexist; I was a demon, the enemy. I had become an abstraction, and nothing that happens in the real world, nothing I could ever do, would change that except my complete renunciation of what I believe and kowtowing and groveling, and I’m not doing that. That’s a hard realization that’s hitting home to me in a big way.

Neither the complainant in this matter, nor any students,
faculty, and administrators that encouraged her actions, nor the Office that chose to conduct a formal investigation of me, demonstrated the least concern for what they were doing to a fellow human being. It's early August as I write this and I'm hurting bad, and if anyone at the university cares about that fact you couldn’t prove it by me.

Social scientists Nicholas Christakis and James Fowler point out that human beings have the tendency to conform to what others around them are thinking and doing, whatever it is. A principal way this happens is through what Chistakis and Fowler call contagion: they absorb memes, ideas and memes and behaviors from each other in a way that's akin to how somebody gets a cold. Thus, whatever conception some people have of me--in my college, in a class—is "catching." I believe that the majority, perhaps the vast majority, perhaps all, of the students in that course, contrary to what was really going on, were in accord with the perspective the complainant came to hold: he is a really bad guy and something needs to be done about him.

I had taught this same course with this same syllabus the previous year and students were highly positive toward me. I think what happened this time was an example of group think, or social learning, where people come to believe whatever the group believes, and what the group believes is a function of what influential members of the group put forth (the seniors in a course otherwise made up of first-year students). I don’t see these students, including the seniors, as bad seeds, anything like that. It was a small class and I got to know the students quite well, and these were solid, upstanding young people, and I personally liked every one of them. An outcome of this incident for me is an appreciation of how people under the right circumstances are capable of constructing inner, subjective realities that override external, objective ones.

It doesn't take a modern day social scientists like Christakis and Fowler to note the tendency of people, and not just young
Two policemen were standing on the coast highway. As far as they could see there was nothing but cars. Thousands of cars were jammed bumper to bumper and pressed side to side. The highway was solid with them.

The two looked at the crowd of people walking toward the beach. Many of them talked and laughed. Some of them were very quiet and serious. But they all walked toward the beach.

As the two policemen watched, the crowd of people moved across the gray sands of the beach and walked into the water. Some of them started swimming. Most of them couldn’t because of their clothes. The policeman saw a young woman flailing at the water and dragged down by the fur coat she was wearing.

In several minutes they were all gone.

One policeman said to the other, "You go. I'll wait a while and see if there's anyone else."
"All right."
They shook hands.

The policeman stood smoking his cigarette and watching his friend walk across the gray sand of the beach and into the water until it was over his head. He swam a few dozen yards before he disappeared.

After a while the policeman put out his cigarette and looked around. Then he walked into the water too.

In 2013, I wrote an article for my personal web site called An Educator's 10 Concerns About Social Media. Nothing characterizes young people in this time more than their emersion in social media, all day, every day. In that article, I contended that social media breeds groupthink.

Social media breed a collective identity; you become a member of a virtual community and absorbed into it. Membership in any community comes at the cost of autonomy and true individuality.
That is particularly the case with the social media because in that community you are never private. You are always on display: nine o’clock on a Thursday night, there you are, they can see you. Your life becomes increasingly transparent. You live perpetually in public. A life in public contributes to an increased need to belong, and the way to belong is to go along with the crowd, conform. Social media involves self-disclosure. The more you talk about yourself—in any context, not just the internet—the more you reveal about yourself, especially negative self-disclosures, the more subject you are to control by others. Social media breeds a kind of networked intelligence: accepted, and acceptable, thought is whatever the wisdom of the collective happens to be. Morality becomes shared morality. Truth, proof, becomes social, what is in the wind, or better, what is in cyberspace.

In that same writing, I contended that immersion in social media fosters a “let me tell you what I think” predilection.

Social media are centered on off-the-top commentaries and self-references. They are about what I think, what I prefer, how the world looks to me. They are about telling my story and letting people know what somebody else’s story brings up for me. Subjective truth, what’s true for me, my opinion, my reactions, takes precedence over the search for the truth outside myself. Social media prompt engaging other people’s ideas just enough for them to prompt what I want to say about myself with regard to whatever, whoever, it is. Social media-shaped people aren’t interested in what you think but rather what they think. And what they think is what’s been put into their heads by the schools and mass media and politicians and clergy since at least kindergarten, and by their parents and peers who have had the very same things put into their heads.

Students who are already conditioned by the currently highly politicalized university to view courses as places to express their social/political opinions are reinforced in that direction by their involvement with social media.
*Time* magazine in the current issue as I write this, quotes an author of parenting books as saying that the Internet creates a culture in which “slander, backstabbing and libel are normal parts of human interaction. It normalizes the dehumanization of others. It promotes the tendency to look for someone to blame.”\(^1\) At the same time that today’s students are good folks, there is also this dark side. Is it that human beings have always had a nasty streak and the Internet has helped to unleash their nastiness? Whatever the case, my stomach churned when I was in front of that class.

Rudolf Dreikurs (1897-1972) was a psychiatrist and educator and the medical director of the Community Child Guidance Center in Chicago. He identified four goals that motivate student misbehavior (I believe it applies generally, beyond students): attention-getting; power and control; revenge; and the desire to counteract feelings of their own inadequacy.\(^1\)

The students that got after me received attention in spades: from one another, from college administrators, from a university office, and from me.

They wielded power and got in control of the action in that class.

As for revenge, I suspect that, for some, what went on was payback for getting low grades from me. These days, there is a deal struck between faculty and students in universities. From faculty to students: don't give us trouble and we’ll throw grades at you. From students to faculty: give us good grades or we'll give you trouble.

As for counteracting feelings of inadequacy, a web site thought I wrote back in 2007, "On Victoria's Dogs," might speak to this.\(^1\) Victoria is Victoria Stilwell, a transplanted Brit to the United States, who had a PBS show called "It's Me or the Dog." Victoria would go into people’s homes and teach them how to manage their unruly dog(s). I decided that Victoria's insights and strategies for dealing with unruly dogs applied to dealing with unruly people. Victoria pointed out that a dog giving you trouble is many times one
who feels inadequate and insecure. I extrapolated that understanding to people and took some comfort in the realization that grief coming at me very often stems from people's deficits, not assets or strengths. What went on in that class may have been a way for students to suppress a sense of their own intellectual limitations. To the extent they were successful in their undertakings, academic achievement wasn’t what the course was about; rather, it was about what to do about this heretic.

More than just salve students’ feelings of inadequacy, it actually set them up as my superior. Everyone in this case, was one up on me, including anyone in my college the students went to see and the Office investigator, who truth be told, didn’t strike me as being among the best and brightest. There they were on the high ground, judging me, looking down on me. They weren’t an ignorant and evil racist and sexist, and that put them above me, regardless of their capability, credentials, or accomplishments compared to mine. That must have felt good to them.

Back in 2011, I wrote a website thought called "On Jerry Lewis' Socks," which set out what I see as a potentially profitable line of inquiry: how people who aren't superior to other people get themselves in a place where they have that status.\(^{17}\) Bringing a discrimination charge in a university isn't a bad strategy in this regard.

Psychologist Abraham Maslow (1908–1970) posited that there are basic human needs, or anyway wants, that compel human thought and action in particular directions.\(^ {18}\) People's first order of business, according to Maslow, is to satisfy their fundamental desires for safety, sustenance, sex, social acceptance and inclusion, and self-esteem.

Students could attack me from long range; they stayed safe and secure. They never had to stand up and be counted and answer questions or defend what they said about me. They never even had to be in my presence. Anybody in the college who counseled or
encouraged the students involved in this case to go after me could do it anonymously.

My mother used to tell me, "If you have something bad to say about somebody, say it to his face." You don’t have to do that these days in a university. While I don’t respect the way people who came at me did it, I have to acknowledge that it was a safe thing to do; it served a basic Maslow need for them.

This action against me, basically a group undertaking, contributed to students’ and faculty’s sense of social acceptance and inclusion.

It contributed to their self-esteem: any problem in that class, including low academic performance, was my fault and had nothing to do with them.

Yes indeed, a Maslow winner for the people coming after me.

How did I contribute to what went on? How was I a player in all this?

For one thing, I violate the rules of show business. I did it in the course in question, and I do it in every other public context in my life. When anybody violates the rules of show business, there are dues to be paid.

By show business I'm not referring to the conventional meaning of that term, the entertainment industry, movies and television programs, and so on. I’m talking about anybody whose business it is to show. Politicians and journalists and--the focus here--teachers at all levels of schooling are in show business.

There are four rules that contribute to success in show business. By success, I mean having your audience like and respect and approve of you and accord you credibility and go to your movies and buy your books and vote for you and sign up for your courses and give you awards and ask you to speak at their meetings or graduation ceremonies. Right down the line, I violate these four
rules, and to think for a minute I'm going to get away with doing that simply isn’t reasonable.

Show business rule number one is to confirm your audience’s preconceptions. Tell them what they already know and prefer. Do it in an engaging way and add a new wrinkle here and there, but the basic message to people is, “You’ve got it right already.” Stay within their frame of reference. Don’t come on with topics and ideas that are foreign to people. The message to the audience needs to be, you already know enough, you have it wired, you are on top of things, you’ve got it all figured out. Talking up the virtues of traditional education or pointing out the downsides of diversity is like telling Baptists that Christ wasn't divine and expecting them to throw you an award dinner.

Rule number two is to make your audience feel good about themselves. Somebody else is dumb, wrong, out of it, misguided, malevolent, anachronistic, and such, but not your audience. They are cool and on the side of the angels. They are better than those yoyos over there, and there isn’t anything they have to change about themselves or do differently. They can pat themselves on the back and have a restful night’s sleep. Telling students that an introductory education course isn't just about sharing their off-the-top-of-their-heads opinions on various educational issues, and that they need to get better at understanding and analyzing other people’s ideas, and giving them Cs and Ds, is not making them feel good about themselves.

Rule number three is to keep things simple, clear, and unequivocal. No complications. No ambiguities. No contingencies—this if this happens and this other thing if that happens. No loose ends, no contradictions, no uncertainties, no dilemmas. No equally weighted competing claims. Nothing unresolved. Certainty. A course structured around the analysis of complex and competing educational perspectives and proposals, as mine was, is looking for trouble.
Rule number four is to be personally appealing. In all honesty, I rub a lot of people, including college undergraduates, the wrong way. There’s just something about me.

I wore a "kick me" sign around my neck in that class. Victoria Stillwell, the PBS show dog trainer I referred to earlier, makes the point that when you are having trouble with your dog--I'm extrapolating here to people--you very likely have some work to do on yourself. You probably need to get yourself closer to being an alpha dog in bearing and manner. An alpha dog (person) is calm, confident, in charge, no nonsense, direct, and action-oriented. When you come on as an omega, or bottom, dog--reactive, whiny, flitty, overly expansive, shifty-eyed, and nervous--as unfortunately I am prone to do when I feel disconfirmed or rejected--it compounds your problem. I would do well by myself, and not just in education courses, if I would figure out what's between me and becoming more of an alpha dog and moving myself in that direction.

I didn't feel well physically in that class and it showed. For as long as I can remember, I have had chronic fatigue syndrome symptoms (tests have never shown anything). I'm pale and sickish-looking and exhausted and looking to take a nap every waking moment of my life. Trying to teach students who are basically antagonistic, as many of the students in the class that resulted in a discrimination charge against me were, is akin to being a lion tamer in the circus, and that's a tough act to pull off with what feels like a case of the flu. For one thing, you can look to the lions as if you are prime for the kill.

Last, I think I came off isolated and unsupported in that class, because, well, I was isolated and unsupported in the university. Students could accurately agree among themselves that there’ll be no cavalry coming to the aid of this guy. In fact, we'll get accolades for chasing him down and putting an arrow through him.
Singer Kenny Rogers’ best-known song "The Gambler" includes these lyrics:

On a warm summer's eve
On a train bound for nowhere
I met up with the gambler
We were both too tired to sleep
So we took turns a-starin'
Out the window at the darkness
The boredom overtook us, he began to speak

He said, "Son, I've made a life
Out of readin' people's faces
Knowin' what the cards were
By the way they held their eyes
So if you don't mind me sayin'
I can see you're out of aces
For a taste of your whiskey
I'll give you some advice"

So I handed him my bottle
And he drank down my last swallow
Then he bummed a cigarette
And asked me for a light
And the night got deathly quiet
And his face lost all expression
He said, "If you're gonna play the game, boy
You gotta learn to play it right

Every gambler knows
That the secret to survivin'
Is knowin' what to throw away
And knowin' what to keep 'Cause every hand's a winner
And every hand's a loser
And the best that you can hope for
Is to die in your sleep"

You've got to know when to hold 'em
Know when to fold 'em
Know when to walk away
And know when to run
You never count your money
When you're sittin' at the table
There'll be time enough for countin'
When the dealin's done

I should have folded them in the university before that course even started. And if I didn't know enough to walk away and run back then, there's no excuse for not knowing it now.

Postscript

It’s November of 2018. What thoughts and feelings are with me about the matter described above as I sit here on this leather couch in my living room, where these days, retired, I spend most of my time?

The big thing, that I’m 78-years-old. I was 74 when I wrote the article you just read. How long does this, can this, go on?

I’m struck, at least in the first instance, not by what I did back then, but what I didn’t do back then, didn’t even think about doing.

Except for the briefest and most unpleasant contact with my union (which is politicized left), I never sought counsel or support from anybody. I took this is on alone, totally.

It never entered my mind to see an attorney and explore the possibility of suing the university for violating university policy with me.

I didn’t think about pursuing the possibility of filing a formal grievance against the complaining student who told untruths about me which hurt me deeply—they still hurt.

I didn’t consider the possibility of detaching personally from this process, giving it as little energy as possible beyond a posture of contempt for this, indeed, contemptable affair.
What I did is what I have done all my life when I’ve been attacked or accused of something, you read about it: fear, stewing, pleading, hiding out, enduring the hits.

I retired from the university the next June. I did it voluntarily; nobody indicated, explicitly anyway, that they wanted me to leave. I didn’t retire simply because of this case. Its outcome was never brought up to me. I was old, 75, and the work was getting old for me, especially in a setting in where I was suffered rather than celebrated. That said, per the Kenny Rogers lyrics that ended the 2014 writing, this incident was, or so it seemed then, the last straw for me. Should I have stayed on for a few more years? I didn’t work that through before I left. Was I clear about what I was going to do the next day after I retired? No.

To get at why I did what I did back in 2014 and 2015—I’ve put a lot of energy into thinking about that the last few days—would take me into personal matters dating as far back as childhood, and I’m not up to getting into that here. I’ll leave it with this advice to you: Review your life like it was a movie (that’s still going on). What’s happened thus far? What parts have you been taught to play? Whatever has gone on up to now, you’re needed in this world as a heroic lead in a movie you write and direct, you really are. Get about conceiving and making your movie with all you have; don’t let anyone or anything stop you. Get as informed and mentally and physically healthy as you can—don’t try to create and perform your best parts unaware, handicapped, sick. And keep in mind that your time on this earth is limited and that someday your movie is going to end, or you’ll be so exhausted and spent and your possibilities so circumscribed that it’ll feel as if it has ended. I just finished a biography of the former Yankee baseball star Mickey Mantle. In his last years, someone asked him, “What are you doing these days, Mick?” “Waiting to die,” Mantle replied. I can relate.

Notes for Part Three

2. To learn more about my public expressions, see my web site, www.robertsgriffin.com. It contains references to my books, and I divide my short pieces into two sections, writings and thoughts.

3. I make no determination whether or not the complainant has ADHD, and anyway it is moot in this case. I know I have never seen any documentation from a medical source or university office that attests to her ADHC. Dr. Richard Soul, M.D., a professor, clinician, and researcher has authored a new book at this writing book entitled *ADHD Does Not Exist: The Truth About Attention Deficit and Hyperactivity Disorder* (HarperCollins, 2014). Soul points out that an ADHD diagnosis is the result of a self-report. If you check off things like you fail to pay close attention to details, have difficulty organizing and sustaining attention to tasks, don't follow through on instructions, avoid or dislike tasks requiring sustained mental effort, or, as a student, leave your seat when remaining in it is expected, you've got ADHD. It's not a problem with your intellectual capability or your character; you're disabled. And if you are disabled, that shifts the burden responsibility from you having to perform up to accepted standards to others', including teachers', responsibility to accommodate your disability. And woe be to anyone who questions the validity of your disability; certainly today's universities would never do it.

4. I wish discrimination based on belief were prohibited. Knowing my reputation for being a critic of political correctness, students surreptitiously (they are afraid of retaliation) tell me they are put down, shut down, and marginalized if they dare to question the leftist ideological creed being imposed on them by their professors.


8. Critical theory has it roots in with what is called the Frankfurt School of Intellectuals. Among the prominent members of the Frankfurt School were Max Horkheimer, Theodor Adorno, and Herbert Marcuse. These men were active from the 1940s to '60s and their prose is as dry as dust, and just about nobody these days has heard of them, but their ideas have powerfully filtered through to our time. In short, they are the forefathers of political correctness. To get you started, see Stephan Eric Bronner, *Critical Theory: A Very Short Introduction* (Oxford University Press, 2011).
10. I got at this in a September, 2009 web site thought entitled “On Being a Modern-Day Spinoza.” www.robertsgriffin.com
12. "Lemmings," can be found in Richard Matheson, *Steele and Other Stories* (Tor Books, 2011).