

PROLOGUE

DEPOSITIONS AND BERETTAS

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Washington State University
Pullman, Washington

“If an annual review accuses a professor of repeatedly canceling classes despite warnings that the level of cancellations was unacceptable, do you think that the faculty member is entitled to find out specifically what classes were canceled?”¹

“Surely the faculty member knows that,” responded the deposed witness, unaware she had misunderstood the intent of the attorney.

“Well, how does the faculty know what particular classes are the subject of the criticism?”

“I would think they should ask,” said the vice provost and professor of psychology.

“And if they ask, do you think they should be told by administration?”

“I don’t know. I mean, in this particular case, Dr. Demers is doing the canceling of the classes. I believe he would know. By the way, let’s rephrase that and not say ‘canceling.’ Let’s say ‘not holding the classes.’ He knows that information.”

“How do you know he knows that?”

The witness stiffened in her chair. Her face turned red.

“He would certainly know whether he went to a class at a particular time,” she shouted, shaking her finger at me. “If he doesn’t, he needs the help of somebody in my profession.”

“Well, doctor, what would happen if no one told him that the conduct of online quizzes was unacceptable?”

“He was told repeatedly,” she said, shouting even louder now. “His violation of the rule in the academic regulations was considered to be out of line with the acceptable faculty standards, and he was told that repeatedly by many people.”

The witness stared at me — the kind of stare that Johnny Miller gave me in third grade right after I beat him in a game of tetherball and just before he slugged me.

The attorney changed topics.

“You’ve testified here that you feel that Dr. Demers should not be here attending depositions in his litigation and that you view that to be a violation, I guess, of his teaching duties? Is that your —”

“Object to the form of the question,” interjected the witness’s counsel, an assistant attorney general for the state of Washington. “Misstates her testimony.”

“No,” the witness said. “Whether he’s here or not is up to him. But if he is here, he should be taking leave without pay.”

“Okay,” the attorney said. “So you do understand that Dr. Demers has alleged constitutional violations in his lawsuit?”

“Yes, I do.”

“And you certainly wouldn’t want to infringe upon his right to protect or vindicate those constitutional rights, would you?”

“I did not say he shouldn’t be here. I’m just saying that we shouldn’t be paying him to be here. We don’t have to pay him to do this.”

“Well, and if per chance Dr. Demers prevails, should the University be paying you for being here?”

“Absolutely, because it’s part of my job. You’re asking me questions about my knowledge about this — ”

“To violate constitutional rights? Is that part of —”

“Object to the form of the question,” the AAG interceded once again. The deposition ended a few minutes later.

“McSweeney hates you,” one person familiar with the events that took place at the deposition said later. “She really hates you. This is personal for her. What did you do to her?”

“Nothing,” I replied. “I don’t even know her. We’ve never even socialized together.” After all, I was just a faculty member, and she was one of the most powerful administrators on campus.

But clearly something was responsible for the strong emotions she showed at the deposition. Did someone tell her something to make her hate me? Did she really believe that I had canceled or “failed to hold” classes? Was it because I had been criticizing the university administration for many years for neglecting the quality of the Edward R. Murrow undergraduate program? Was it because I had been writing a book about how university administrations often fail to respect the free speech and due process rights of faculty? Or was it because I filed a federal First Amendment lawsuit against her and three other administrators, allegedly they falsely accused me of canceling classes?

I didn’t know. But hours earlier the vice provost admitted under oath that she helped fire at least five tenured faculty at WSU in recent years. Each of the faculty had met with her and their supervisors and were given two choices: resign or be fired. There was a third choice: fight it out. Firing a tenured faculty member isn’t easy. But all of them resigned, undoubtedly because they wanted to avoid the embarrassment of an administrative hearing process.

After word of the firings got out, the vice provost became known on campus as “the terminator.” Indeed, there was no more feared administrator on campus, even though she carried only about 110 pounds on a 5-foot frame.

“I would rather tangle with an alligator in open water,” one faculty member told me later.

“Make that two, for me,” said another.

I wasn’t a great swimmer, so I respectfully disagreed with my colleagues. But that didn’t mean I was ready to tangle with the terminator. I needed more protection. So I did what any anti-Vietnam War protestor and liberal professor would do when faced with a threat from Arnold Schwarzenegger’s stand-in: I purchased a 17-round 9-millimeter semi-automatic Beretta handgun and one thousand rounds of hollow-jacketed ammo.