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# The Jo Phoenix case shows the perils of academic mobbing

It is not easy for university management to push back against large numbers of people, but resisting harassment should be paramount, says Ian Pace

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Last week's judgement from the employment tribunal between Jo Phoenix and the Open University makes for sobering but essential reading. It presents damning verdicts on the conduct of an institution, questions the commitment of some academics to scholarly rigour, and establishes conclusively that accusations of "transphobia" or being a "terf" constitute harassment.

Over and above this and other bullying behaviour, the most disturbing aspect is the ease with which the OU gave in to a mobbing campaign, in a manner which has become depressingly familiar in higher education.

After Phoenix launched the Gender Critical Research Network at the OU in 2021, 368 staff members and postgraduates signed an open letter calling for it to be disbanded on the grounds that it was transphobic. The tribunal concluded that this was harassment and had "a chilling effect" on Phoenix's ability to express her beliefs and conduct her research. Yet the OU did nothing.

It would be a huge amount of disruptive work for an institution to pursue 368 harassment claims, compared to blaming the target(s). But this is what makes mobbing possible.

The concept of workplace mobbing originates with the Swedish psychologist Heinz Leymann, who, in 1990, defined it as "systematic stigmatising through, inter alia, injustices (encroachment of a person's rights)" at the hands of either workmates or managementIt takes the form

of, among other things, manipulation of the victim's reputation through rumours, slanders ridicule and ostracisation, as in Phoenix's case.

When the mobbing originates with workmates, Leymann found that management tends to adopt the bullies' views, thus "marking" the victim as deviant and/or exhibiting a personality problem, the latter often deduced from their defensive behaviour. Eventually, the victim is either dismissed or resigns and often has difficulty finding further work.

Sociologist Kenneth Westhues, who has explored mobbing in academia in multiple publications, identifies a range of conditions that increase vulnerability to mobbing. These include evident difference from other colleagues, through foreign birth, accent, sexuality, skin colour, class or background. They also include employment in fields where standards and objectives are ambiguous, especially those informed by postmodern thought. Individuals at particular threat, meanwhile, include those who have marked success in teaching and research, act as whistleblowers or dissent publicly from politically correct ideas.

Denunciations of academics – including some using the confidential "Report + Support" mechanisms implemented at many UK institutions – are alarmingly reminiscent of processes whereby citizens came to regularly denounce others in totalitarian regimes, as researched by historians Sheila Fitzpatrick and Robert Gellately, and others.

Most sinister are the many accounts of pupils and students mobilised against their teachers in the early stages of Mao's Cultural Revolution. And while violent attacks or imprisonment are unlikely in the West, a comparable climate of fear and intimidation is bred by both encouraging students (as "consumers") to complain about lecturers and the highly public shaming of academics through abusive campaigns on social media – sometimes orchestrated by other academics.

Intellectual conformism was notoriously analysed by Vaclav Havel through the example of the greengrocer in communist Czechoslovakia who placed a sign in his window saying "Workers of the world, unite!" simply because it "was delivered…from the enterprise headquarters along with the onions and carrots" and if he were to refuse to display it, "there could be trouble". Havel made a passionate case that the Czech regime encouraged automatism, laziness, selfishness and careerism. And there are clear incentives to act similarly in universities – at cross-purposes with their mission to nurture challenging and heterodox inquiry.

There is evidence that academia is subject to widespread groupthink, defined by Irving L. Janis in 1972 as a wish for unanimity, overriding consideration of alternatives, especially with respect to political ideology. In a recent debate, another mobbed gender-critical feminist, Kathleen Stock, noted that many academics rarely encounter political perspectives different to their own, declining even to attend seminars by those towards whom they are unsympathetic.

In a 2009 paper, Daniel B. Klein and Charlotta Stern identify some features of academia that overlap with those more conventionally assumed to encourage groupthink: pyramidal structures, concurrence-seeking, self-validation and exclusion of views contrary to core ideologies. Decisions on hiring, firing, promotion, peer review or allocation of research funding are usually made by committees, frequently disadvantaging those who dissent from dominant ideologies, including gender identification theory and other highly contested but often institutionalised ideologies, such as critical race theory, standpoint epistemology, or other EDI policies sometimes policed by non-academics. It is then easy to stigmatise such colleagues as transphobic, racist, privileged or simply "uncollegiate", as strategies to push them out.

In an interview with the BBC's *Woman's Hour*, Phoenix shockingly compared her experiences and the subsequent trauma to being raped as a teenager. This is the psychological reality of mobbing. It should not be dignified by the term "cancel culture" (which in the US has led to more dismissals than during the McCarthy era).

Gossip, envy and some factionalising are likely inevitable in an academic environment, but it is a different matter when these become part of concerted campaigns. As the OU now acknowledges, such campaigns need to be addressed with the utmost seriousness.

Institutions claiming to support minority rights need to consider the possibility that 368 people can all be in the wrong – and that joining in the pile-on only makes things worse.

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