

## 9 Justice

The plagiarism case disturbed me quite a lot. Not so much the extreme difficulty of pinning down what was plagiarism and what was not, what was “new” knowledge and what was old knowledge. Rather, the setting in which it raised its ugly head. It was unknowingly provoked by the Provost in her attempt to eradicate a department. But Colmes was at the center of it. He had beaten the Provost this time, but he knew that she would return. And return she did, though under a different guise and leveling her supposed budget concerns at another small department, that actually was not a department but a school unto its self. The School of Criminal Justice, established no less by an act of the New York State Assembly. The canny understanding of academia of the then Governor of New York State Nelson Rockefeller had anticipated that the university may one day try to abolish this ground-breaking school. He fully recognized, informed by his several shrewd assistants, that the only way to protect it was to have it established by an act of the New York State Assembly. That way, the University could not touch it, should it want to.

The School of Criminal Justice was thus established, first with a Dean of its own, then stoked with five of the most famous professors whose work had shown direct relevance to that general topic of criminal justice. The idea of such a school was, to say the least, revolutionary at the time. Until then, Universities were expected to be composed of roughly three schools: Arts, Sciences and one of Law or Medicine. These were the basic backbone of the university. The School of Criminal Justice was, right from the start, defined as interdisciplinary, that is, it was not a discipline at all and so, from a conservative point of view, had no reason to exist, since its knowledge base could be covered by the already established main line disciplines.

However, it was a perfect time to establish such a school. It was when New York State’s governor Rockefeller was expanding rapidly the New York State university system, which would become and continues to be the largest university system

in the USA. It was therefore relatively easy to establish the School of Criminal Justice as a bold venture into the academic unknown. The name “criminal justice” was purely an invention to get the law passed to establish it. It had to be called something, and the founders did not want it to be characterized as a law school, which would without doubt swallow it up if the school appeared to be anything like a law school. Today, of course, the term “criminal justice” is a household term. Everybody thinks they know what it is.

And one final, but important point concerned the founders. They were very specific that the new school would be an *academic* school, by which they meant that it was not to be confused with a police training school or the like. It was to conduct its research and teaching according to the canons of the traditional arts and sciences. It would be assessed according to those academic canons, scientific research, and publication of findings in respected academic journals.

I apologize for this necessarily discursive review of the School’s foundation. But it is very important if one is to understand what Colmes did when the school was attacked by the Provost and her hench-people, Tochiarty and the ever eager John Porridge. It also, I think shows why, in the long run, this turned out to be a case that was not settled to Colmes’s satisfaction. In fact it was a rare case that he would one day eventually lose.

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Having been neutralized by Colmes in her effort to close down the department of classics, Dr. Dolittle, at the instigation, I personally think, of the evil Tochiarty, turned her attention to what was always the most vulnerable school in the university, the School of Criminal Justice. She knew, from its legislative history that there was no way that she could abolish the school itself. It would take an act of the New York State Assembly to do that, and that was a non-starter. It was John Porridge, the former classics professor, now administrator, VP of Community Outreach who gave her the most cunning solution. It was so simple. Just remove the word Criminal from its title. The school would immediately become “The School of Justice” and to any liberal arts academic that would immediately conjure up many classic texts, Plato’s Republic, Socrates and so on. Over time, surely would it not become apparent that a School of Justice was

an unnecessary school since the idea of Justice was perhaps the most worshipped and studied topic in all of the departments in any Arts curriculum: literature, history, philosophy, social sciences and the rest. By changing the name, it would put into motion the gradual blurring and blending of the current School of Criminal Justice curriculum into the traditional arts and sciences.

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The Provost was enamored when the College of Arts and Sciences reported to her that by far the most popular undergraduate courses in the college were those of criminal justice. If the School of Justice were moved inside the college of arts and sciences, its large number of students would boost the student numbers for the School of Liberal Arts. It could remain a department, if they insisted, but would be administratively attached to the department of sociology, or whatever department they wished. The best way to look at it, Dr. Dolittle observed in our first meeting with her, was to think of this administrative change as a sincere effort to ensure the long term survival of the School. She would save it as she did (of course with Colmes's help) the classics department.

Late one evening, a terrible winter's evening snowing outside most likely, dreadful winds blowing wildly between the tall towers of the dormitories, I grew very frustrated trying to write a one page draft of my dissertation proposal that my dissertation chair (Colmes in fact) had demanded. You would think that writing a one-page summary is easy. Well, I can assure you it is not, at least it was not for me. The winter winds howled outside above me, creating a whining sound the likes of which I had never heard before from my office in the tunnels beneath the university. Usually, we were oblivious to the world above us. And in winter, I welcomed the gentle hum of machinery that heated the university and filtered the air. Annoyed with myself that I could not finish my one-page draft, I decided to subject myself to the freezing temperatures above, and would walk across the campus to my apartment in the East dormitory. It was possible to do this by taking a rather complicated route within the tunnel system, but I needed a sudden awakening that I hoped the ice-cold sub-zero winds would bring me.

I had donned my winter jacket, folded up the one-page non-draft, and just pulled my office door shut, when I heard the bang

on the wall of my office and the unwelcome call of my mentor, “Hobson!”

I removed my coat, but as my office door was now shut, I decided to bring my coat with me into Colmes’s office. Colmes was sitting back in his chair, his hands clasped behind his head.

“You’re going out?” he asked, “in this blizzard?”

“Well, I need a little fresh air,” I answered.

“Ah!” sighed Colmes, “trouble with your dissertation?”

“The usual,” I said.

“I can put this off for another time if you wish,” offered Colmes.

“No. It’s fine. I’d rather have something else to think about,” I sighed and removed my heavy coat and threw it down on the overstuffed chair, then took my usual place on the wicker chair.

“Dr. Dolittle is up to her tricks again,” said Colmes with his usual twitch at the corner of his mouth. “This time a cunning move to virtually abolish the School of Criminal Justice.”

“Again? Virtually? What does that mean?”

“She has changed the name of the school. It seems that she can do that by fiat and has apparently already cleared it with the president and plans to move the school into the College of Arts and Sciences.”

I was once again aghast. “But can she just do that, by fiat?” I asked, already thinking of what this would mean for my Ph.D. in criminal justice. For reasons that I have explained elsewhere, I had purposely delayed officially taking out my Ph.D. in criminal justice even though I had successfully defended my dissertation back in 2000. I was now hard at work trying to write my second dissertation, this time in philosophy and Colmes was my chair.

“I have researched the University Bylaws and found nothing there to stop her. These administrators. They have a lot of power, you know,” observed Colmes.

Having recovered a little from my aberrant dissertation woes, I asked, “and what is the new name?”

“Justice. The School of Justice.” Colmes leaned forward. “This is only the beginning,” he said. “Once the name is changed she will move the school inside the College of Arts and Sciences, and there it will be gradually swallowed up by one or another school or department. I am totally against the name change.”

“Can’t you stop it?” I almost pleaded.

“If you want. I can give it a try, but to be honest my heart isn’t quite in it. I can see the organizational logic and frankly, I think it’s not a bad idea, except, that is, for the name change.”

My heart sank. “But what about my criminal justice Ph.D.? You know that I completed everything, but have not officially filed it with the administration. My U.S. Visa, you know that, don’t you?” I cried. “And besides it is the number one rated criminal justice program in the USA according to *U.S. News and World Report*.”

“My boy. You know as well as I do that it has nothing to do with your dissertation. I have no doubt that you will be able to claim your doctorate. The only difference will be that the Ph.D. will be in one of the major disciplines, such as sociology, rather than the non-existent discipline criminal justice. And quite frankly, I think that would be preferable.”

“But it would not be from a number one rated school,” I complained.

“Not if we insist that the name not be changed. Anyway, who believes the ratings of the *U.S. News and World Report*?”

Colmes’s cold rationality hit me like the winds that were whirling around above us.

“I’d say a lot of the school’s competitors,” I swiftly responded.

“You have a point there,” said Colmes pensively.

“So you will not stop the Provost from moving forward?” I pleaded.

“I will strongly object to the name change. You are right about that. But organizationally, would you not prefer a Ph.D. in, say, sociology, rather than criminal justice, a non-existent academic discipline?”

“You will not object to the move into the College of Arts and Sciences?” I persisted.

“Let’s wait and see how she reacts when we meet with her. She is coming to my office tomorrow to discuss it.”

“You invited her, or she invited herself?” I asked, a little belligerently. I was upset that Colmes was not showing his assertive, independent and tough self.

“As a matter of fact, she informed me that she would drop by tomorrow morning and talk about the change of name. She called me today, as she does from time to time, just to ‘catch up’

as she terms it. She has been doing that ever since the snake episode. So you see that our success with the snake episode has had quite a far reaching effect.”

Colmes sat back in his chair and gave me one of his piercing looks. I looked down, somewhat dejected. I realized that my assessment of Colmes had to be revised. His outlook on his mission was not doggedly “one against all, solidarity no matter what,” as I had so foolishly assumed. His approach was always driven by his number one talent for rationality. It was not a matter of choosing sides. There was, I now realized, no such thing with Colmes. He was moved only by a rational assessment of situations and circumstances. This rarely involved any human characteristic that might not suggest rationality: feelings, empathy, duty, solidarity, friendship, kindness, and the rest. I shuddered a little as these thoughts descended upon me, feeling the chill of the winds above. The fact is, I was in shock and I did my best not to show it.

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I spent the night in my office, unable to brave the cold winds and snow above to make my way back to my dorm apartment. I may have overslept, not having an alarm clock to wake me. Of course, there was no bathroom in my office, not like Colmes’s office- apartment, so I sneaked out of my office and saw that the door to his office was open. This surprised me, but I went in and called for Colmes. On this occasion, Colmes left the door to his office wide open, an effort, I guessed, by Colmes to convey the message that the Provost was welcome. I heard the clanking of dishes, then Rose the Elder appeared from door number three. She was dressed in a dark yellow robe, knitted with thick wool that reached to the floor.

“There’s tea in the kitchen,” she said without any expression at all, though for once she was not knitting. “And he said for you to use his bathroom if you wanted.” She turned and went back to what I supposed was her bedroom.

I passed through the kitchen, nodding good morning to Colmes who sat sipping his tea and munching on a bagel. I did my best to wash up and comb my hair, noting unfortunately a few gray streaks, and by that time Colmes had moved himself to his office. Unable to face anything to eat so early and only just awakened, I poured myself a strong cup of tea and brought it with

me to the office where Colmes sat with the *Times* doing his crossword puzzle.

“What time is she coming?” I asked.

“She is on her way,” said Colmes without looking up. And sure enough in a minute came a slight knock on the door and there she was, standing, all smiles, her piggy nostrils most pronounced this morning, her head nestled into her shoulders, and her ever present women’s dark gray suit.

“Good morning Colmes,” she said. He nodded but did not look up from his crossword. I vacated my wicker chair and took to the overstuffed chair in the corner.

“Good morning Dr. Doolittle,” I said, and she nodded back.

“Colmes, I am not going to shift on this one. You are surely aware that the President is adamant about changing the name, and definitely moving the school into the College of Arts and Sciences.”

“He agrees with the name change?” asked Colmes looking up from his crossword.

“Immovable,” said the Provost, “and even I am surprised at that, given that he is one of the founding faculty of the School of Criminal Justice.”

“Indeed. Indeed. I think it tells us a lot about our President and former prison warden,” observed Colmes with what was almost a smile.

“Then why am I here?” asked the Provost, looking comfortable and even confident as she addressed, possibly, her worst enemy on campus, and she had a lot of them.

“I wanted to assure you that you have my partial support on this matter. The organizational move is logical. But the change of name is not. I am totally against the name change. The school will lose its unique identity of being the first school of its kind in the world.”

The Provost looked him in the eye. “That is not possible. The move into the College of Arts and Sciences will come probably next year. The President wants the name change immediately. You know what he is like. As soon as he has made a decision, he wants it implemented yesterday.”

“Yes. Indeed. Indeed,” mused Colmes. “However I spoke with him last night and he has agreed to hold off on the name change. I warned him that there would be a revolt of the faculty

in the School of Criminal Justice if the name were changed. I would make sure of it. They view themselves as pioneers in the new field., and I agree with them.”

The Provost was clearly annoyed. “Must you do this?” she asked.

“Do what?” retorted Colmes with a grin.

“Go over my head? You are such an asshole!”

At this point I could not hold my tongue, and besides Colmes had looked at me as if expecting me to say something. “Don’t the criminal justice faculty bring in a lot of research money? And they do teach one undergraduate course, if I am not mistaken,” I said from my low position in the corner. The Provost answered me, or more accurately ignored me, and directed her answer to Colmes.

“The decision has been made. There is no going back. Trouble is that the School of Criminal Justice has too high opinion of itself. Many resent its special treatment, and all suspect that the President favors them because he was a founder of the school.”

“And you agree with that?” asked Colmes.

“With what? The resentment or its special treatment?” retorted the Provost.

“Both,” said Colmes, now impatient.

The Provost continued. “I do think it has received special treatment over the years., though possibly deserved. However I think that we have a case here of the President, as a former member of that school, wanting to show that there is no favoritism, that he is treating all schools and departments equally.”

I saw that twinkle in Colmes’s eye. Dr. Dolittle had just said something that he wanted to hear. “Interesting, most interesting,” observed Colmes.

The Provost saw that Colmes was compliant and took the opportunity of driving a deal. “So you will not oppose the merger of the School of Criminal Justice into the College of Arts and Sciences?”

“Stated like that I most certainly disapprove. The word merger is poorly chosen, it implies that the school will disappear into a larger entity,” answered Colmes. “How about, the School will be organizationally placed within the College of Arts and

Sciences?”

I squirmed a little on the overstuffed chair, but said nothing. Colmes looked at me and I knew he wanted me to shut up. He was in fact giving her a thumbs up.

Dr. Dolittle stood smiling, clearly satisfied that she had accomplished something great. “I will use that terminology and will convey your support to the President,” she said with much satisfaction.

“Pardon, Madam Provost. But that is inaccurate. I have not said that I support it. Things are fine the way they are and should be left alone. What I have said is that I will not oppose it.”

“Of course, my apologies. But under the current circumstances, it amounts to the same thing,” answered the Provost as she made a quick exit and closed the door behind her.

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My consternation and rising anger was of course obvious to Colmes. He had just agreed to the eventual demolition of the School of Criminal Justice, the school in which I was a graduate student and in which I had completed and defended my dissertation. I could not hold back.

“You are going to let them get away with this? The demolition of a number one rated program?” I cried.

“My good fellow. Sometimes one must allow history to take its course. There are matters that go well beyond your dissertation. By the way, have you done that one page summary of your proposal yet?”

He turned back to his crossword.

I was so angry, I got up and walked out, scared I would lose my temper and yell at him or even quit. I needed to go back to my dorm apartment and have a shower.

And while under the shower, a great place to think of all good things, I wondered whether it was not time for me to look for a job back home, that is Australia. And I resolved to get my dissertation proposal done, finish the dissertation and at last get a job. It would have to be in Australia because my visa would run out here as soon as I graduated. And then I asked myself, “what greater good must Colmes be thinking of if he would sacrifice a whole number one rated school to get it?”

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The next day I found out what he had done. Or at least I

thought so. There at the bottom of the second page of the university newspaper the *Flotsam*, was a small article reporting that the School of Criminal Justice would be moved inside the College of Arts and Sciences for reasons of administrative efficiency. There was no statement on the name change, so I assumed, correctly as it turned out, that the name of the school would remain.

And then I wondered to myself, having just finished my one page draft of my dissertation proposal for my second Ph.D. in Philosophy, what would I prefer? A doctorate in criminal justice, or a doctorate in sociology or psychology, or social sciences? What's in a name? Did it matter?

Taking the *Flotsam* with me, I decided to ask Colmes. After all, he was a stickler for words, using the right ones, precision in everything. What would be his answer?

“Good morning, Hobson,” muttered Colmes as I entered. “Worried about what discipline your Ph.D. will be in?”

I tossed the *Flotsam* on his desk and said in a disrespectful tone, “well I can thank you for that.”

Colmes looked up from his crossword and brushed *Flotsam* aside.

“My good Hobson. It is all in the name, I assure you! Forget your criminal justice Ph.D. Indeed, I sometimes wonder why you speak of such a so-called discipline when by your own choice you are in a school of criminal justice.”

“Well, was, but, I suppose I still am until I take the last step of lodging my dissertation with the administration. But, they have, no you have, moved the school into the College of Arts and Sciences. It will lose its identity and my defended dissertation will be lost.”

“Stop Hobson, stop with this self-indulgent academic nonsense,” said Colmes crossly. “When you take out your Ph.D. in criminal justice I assure you that when you apply for a job somewhere, you will have far fewer applicants competing with you, than say, if you were applying for a job in a department of sociology somewhere. There you will encounter thousands of competing applicants. In criminal justice, because the field is so new, unique even, you will have far fewer competitors. That is the advantage of a criminal justice Ph.D. in comparison to, say, a sociology Ph.D.”

“Then you’re saying that the field of criminal justice is narrow?” I asked, feeling a little stupid for asking.

“My dear Hobson. You are such a worrier. Of course it is narrow, that is the point of it. It’s all in the words. And the word criminal narrows the field down considerably. One might argue far too much. But for now, it offers you considerable academic advantage. Would you prefer a Ph.D. in “Justice”?

“Well, I...”

“Indeed, in the future it may become that, especially as the field of criminal justice begins to turn in on itself and question the narrowness of the word ‘criminal’. Do not be surprised that one day academics will be asking “are we all criminals now?”

“You mean criminality is a matter of luck?” I asked

“Not luck. Word.”

