

63 A Rape Advantage

Obviously, the heart of any university is its faculty. That is, the professors, and of course their underlings, the teaching assistants without whom all universities would collapse. The T.A's who are paid well below any estimate of a minimum wage, do most of the grudge work of teaching. That is, assisting in lectures to the undergraduates, often in classes of a couple of hundred, dealing with the complaints and nuisance questions, and acting as the professors' secretary and gatekeeper, protecting them from the hordes of student that they so much deplore, yet cannot survive without them. This unfortunate circumstance is especially the case in what are classified as "research universities" where the supposed overriding mission of the university is to publish research, become the recognized authority on particular subjects. Translated into common language that everyone can understand, what this comes down to is money.

The most successful professors write research proposals and submit them to the many grant giving organizations, whether it be private (e.g. the Ford Foundation, Rockefeller Foundation etc. etc.) or the most likely source, the Federal and state governments. Massive amounts of money are funneled into universities, and this money goes in large part to research assistants (who may also teach because they must have some teaching experience in their resume if they want to go on to a successful career in academia).

Finally, there is also a very well established practice in Research Universities, for professors who get large research grants, to "buy out" their teaching time. The rules about how many courses one may buy out vary according to universities and even departments. So you can see the very strange situations into which students innocently step, especially ambitious graduate students. The university is there to educate students, without whom there would be no point in having a university. Yet, its faculty in general (there are many exceptions, and there are private "teaching colleges" that do not do research and are proud of their teaching) are mostly annoyed by the presence of students, especially undergraduates whom they consider it beneath them to

teach. Again, this is why graduate students “Teaching Assistants” bear much of the teaching load of a university.

I begin this case with this very short outline of who “the faculty” are, because one can see that the entire setting is a very competitive environment in which professors compete for (a) money and (b) recognition. It is no wonder that, during the student protests in the late 1960s and early 1970s, students demanded a voice on faculty meetings and committees. Little did they know what they were asking for.

This is also another case for which I do not have first-hand information. It occurred at a time before I came under Colmes’s tutelage, so I have had to rely on his recollections. It occurred when Finneas O’Brien was not yet President, but was the Dean of the School of Criminal Justice. It is also one of the strangest cases because it revolved around a most unusual issue concerning the Dean’s appointment.

At the end of the school year, it was the custom for the faculty of the school to meet and discuss the Dean’s performance and decide whether or not they should be allowed to continue on in their position for the following year. When I have mentioned this to others in academia they have responded in disbelief. Yet all the senior faculty (of course they were the only ones whose votes really counted, though this case suggests otherwise) were adamant that this annual assessment of the Dean’s performance was clearly stated in the school’s bylaws. Though, as Colmes informed me, he was never able to locate a copy of the school’s bylaws and came to the conclusion that there were none, at least none written down.

In fact, this was a strange faculty. Colmes told me that the senior faculty also asserted quite some weight and that they had every year refused to allow the Dean to teach, on the grounds that he was not up to standard either in terms of teaching or in his academic prowess (no publications in top journals). Even Colmes expressed his astonishment at this apparently routine practice of the senior faculty who every year in the annual assessment of the Dean issued this mandate.

This case occurred in the first year of Finneas O’Brien’s Deanship having moved into the position after serving on the teaching faculty. It also came in the year after that difficult case

of *The Slap* that I described previously. And so in the final faculty meeting of the year, after having dealt with the various topics and issues concerning students, and reports from the several committees—the student performance committee, the undergraduate curriculum committee, the graduate curriculum committee, the promotion and tenure committee, the library committee, the planning committee, the computing center committee—the question of the Dean’s performance was placed on the table by the chair of the faculty, Morris Fartsworth, a rotund, jolly fellow, according to Colmes, who had trouble taking anything seriously. And perhaps he was just the right person to chair a faculty that was about to make an assessment of the Dean’s performance, on the basis it seems, totally unrealistic and surely against all administrative rules and regulations, that they, the faculty, had the power to dismiss the Dean should they decide that his performance was not up to scratch. And it seemed, according to Colmes, that it was on the verge of sacking Finneas, for vague reasons, supposedly about his former teaching (remember the case of *The Slap*) but truly was more about the refusal of the Dean to submit to the Provost various professors’ requests for increases in their already bloated salaries.

Of course, this Dean assessment was totally irregular and ran against the entire establishment of the university system. The only person who had the power to sack, or for that matter to hire, a Dean was the President of the university. But, reported Colmes, these faculty were very proud of the fact that they carried out this annual assessment of the Dean’s performance for it demonstrated their complete devotion to democratic ideals, that it was the faculty who must take charge of the education of their students, not a single authority, a dictator if you like, such as a Dean who was routinely appointed by the administration. It was the faculty’s right, they asserted, because they understood much better the needs of the students, and they conducted the research that provided the financial needs of the university. Of course, the hypocrisy of this most moral assertion was that the majority of these professors brought in as much research money as they could to buy out their courses and thus avoid teaching the students that they morally claimed was their first priority.

So said Colmes, with that superior smirk of his own. And as a long time student, I have to agree with him, though I can also

see the other side of it, that universities would collapse if it were not for the use of slave-like graduate students to teach a good portion of the classes. But that is another issue for another day.

“We now move on to our final topic, the annual Dean’s assessment,” announced Fartsworth with vigor and a big smile.

“Point of order,” requested a junior professor who sat away from the big table and in a corner of the room. She knew her place.

Fartsworth leaned to the side so that he could see who it was. “Yes, and what point is that?” he asked again with a grin.

“My point is that this Dean is a known rapist and should be drummed out of the university immediately,” she answered.

There was much scraping of shoes on the wooden floor, as all those sitting around the large conference table squirmed and tried to think of why they were not asking to be heard. In fact, no one responded to the young professor’s demand.

The chair responded, as was his duty. “I do not believe that you have actually raised a point of order, because we have not begun discussion so that there is no point to request an order for,” garbled Fartsworth. This answer generally received a positive response in the form of mumbles of ‘here here’ and so on.

“I second that motion,” called out a student representative.

“There is no motion for you to second,” retorted Fartsworth, his big brown eyes and jolly round face enjoying this silliness.

“OK,” said the assistant professor from her seat in the corner. “I move that the Dean be sacked immediately, because he is a rapist.”

“I second the motion,” called the student.

“Discussion?” asked Fartsworth, still jolly, regardless of the circumstances.

Ted the Red a very full professor (you remember him, a mate of Finneas) stirred his long lanky body and in his deep gravelly voice said, “I move that the two student representatives at this meeting be requested to leave as the bylaws do not allow students to vote on the hiring or firing of professors. They are not qualified to make such a judgment upon our professorial peers.”

“Is there a second to that motion?” asked Fartsworth.

“Point of order,” called the young professor in the corner, “we have not finished out discussion of the previous motion.”

The jolly chairman now became a little less jolly. In fact,

according to Colmes (by the way, how did he know about this since he was not in that faculty meeting at the time?), his face went red, not from jolliness, but from frustration. "I ask again," he said, ignoring the young professor, "is there a second to that motion to remove the students from this meeting?"

"Second," called another young professor who sat at the table right next to Ted the Red. It was clear that he had decided to hitch his sails to that renowned professor.

"All those in favor?" called the chair, with quite some relish. The students stayed in their places at the table, showing no signs of leaving.

All faculty except the young professor in the corner called "aye"

"Wait a minute!" she called. You can't do that! What about discussion?"

"Not needed," answered Fartsworth with a very big grin. "As chair, I respectfully request the students to leave this meeting."

All eyes were on the students. They did not budge.

"This is disgusting!" cried the young professor in the corner. "You'll never hear the end of this!" she yelled and got up to leave.

The meeting was suddenly at the point of pandemonium. "You better leave or I'll throw you out," threatened professor Garcia (you remember, Ted the Red) moving out of his chair and leaning towards the students. The chairman Fartsworth leaned over and grabbed his arm. "That would not be wise," he said, but still quite jolly. "I order this meeting to come to order!" he cried, now grinning at himself really, when he looked around the room and saw that no one was listening to anyone, and everyone was calling out and some even swearing. Some jumped up to leave and their chairs noisily flew backwards. Now there was pandemonium.

The young professor hesitated at the door, in a way rather pleased that she had caused this, then opened the door to leave, whereupon she almost ran into Colmes who stood at the doorway and, so he says, immediately everything stopped and all stood or sat where they were, gaping at him as he eased his way past the young professor. According to Colmes (doubtful) some of the meeting participants seemed a little embarrassed for allowing the pandemonium to develop, but others took his presence as an

intrusion, though how Colmes divined that, I do not know.

In any case, Colmes muttered with that slight condescending smile of his, “I hope I am not interrupting something?”

“I jolly well hope so!” exclaimed the relieved and jolly again chair, “do come and join us, and let us all be seated.”

The meeting participants were so flustered by these events, the presence of Colmes, his tall Victorian demeanor in his tightly buttoned double breasted suit, overwhelming all with a sense of decorum, that they obediently and quietly took their seats again. Colmes chose to sit with the young professor in her corner away from the table. He raised a finger to get the Chair’s attention and politely said, in his fake English accent, “May I address the meeting briefly? I know that my presence here is a surprise to you all as you were not forewarned...”

“It is a little unusual. But I do not think there is anything in the bylaws that forbids our listening to a visitor if the issue is of some importance and relevance to our deliberations,” answered Fartsworth in his best chairmanship manner. Of course, Colmes would say that no doubt Fartsworth was inspired by his Victorian presence (as I would characterize it).

Now what Colmes said next, I insist is exactly what he told me. This I was careful to write down verbatim as he talked, puffing one of his favorite cigarillos and sipping an Old English Sherry.

“I was seduced by the charge of rape,” announced Colmes.

The room fell silent. The young professor shifted away from him as though this information had made him unclean. All sat still, seemingly mesmerized by this outrageous announcement. He waited for what seemed like many minutes, but was really only a few seconds. Though it was enough to have all in the room sitting on the edge of their seats, hoping for him to say something even more terrible.

“The young professor here,” said Colmes turning to her, who now sat leaning away from him her arms folded tightly across her chest, “what is your name my dear?”

“Gloria Watkins,” she answered compliantly, but with a look of terror in her blue eyes, her pale blond face reddened from a mixture of embarrassment and anger.

“Yes. How nice. Well now professor Watkins, let me assure

you that no rape was ever committed or contemplated by your Dean Finneas O'Brien."

"Goodness me!" I said to Colmes, as I wrote furiously to record everything accurately, "surely she got up and slapped you or something." But Colmes did not even bother to answer me because he knew that I knew that she was cowed sitting right next to the proud, self-assured and condescending Colmes.

"The victim, that is how you think of her I am sure, was never raped by Finneas O'Brien although they were indeed in close contact when, and I emphasize this, that she, Rose Kolzakova, slapped him hard across the face knocking off his glasses and causing him to fall from the chair as he grabbed for his walking stick to save himself..."

"Yes, Yes, we've heard all about that," interrupted one of the student representatives. "She said she was raped and that's that. We don't need any more proof."

This blatant assertion that ignored the rule of law stirred Ted the Red into action. "Need I repeat, presumption of innocence, reasonable doubt..."

"Blah, blah, blah..." broke in Professor Watkins, "you men, you use the law to hide your disgusting deeds."

"Order, order!" called chairman Fartsworth. "This is not a trial, it is a discussion. Show our guest some respect. Continue Professor Colmes."

"Bull shit!" yelled professor Watkins, "there were twelve students in the room and eight of them said O'Brien raped her. That's all the evidence we need to tell our upright Dean that we no longer require his services."

"If I may continue?" asked Colmes, now standing and, as I can imagine, he began to walk around the meeting room. "I would like to get back to my opening remark. Seduction. It is the key to this entire series of events. Perhaps none of you know that it was I who was called in to the unfortunate event, and it was I who accompanied Rose Kolzakova in the ambulance to the hospital, and it was I who stayed with her during her entire time in hospital, which was several days and nights while she had surgery to mend her very broken nose. And let me quickly add that Professor O'Brien did not break her nose, but that she hit it on the metal chair leg as she fell down..."

"She was raped," insisted Professor Watkins, "otherwise

why would she suddenly get up in front of the entire class and attack him? She must have had a reason, and what other reason can one think of than having been raped by a well-known predator.”

“But she was not raped in the class,” insisted Colmes who indicated to me that he regretted his mistake of entering into her line of argument, when it was so obviously false.

Inevitably, Watkins retorted, “so you don’t deny it? She was raped and so took it out on O’Brien in class. It was supposed to be a therapy group after all, and that was her therapy.” Professor Watkins was sounding more and more confident.

Then Fartsworth thought it was time he said something. “We are not really getting anywhere. What is it that you had to say? Why did O’Brien ask you to address us?”

Colmes walked to what was somewhere at the head of the table and stood beside Fartsworth. “The fact is that I fell in love with Rose the minute I sat beside her in the ambulance on its way to hospital. She kept crying rape! rape! And I kept comforting her. It was the way she said it, and the way she talked when she woke from a deep sleep after her first surgery. Her rough deep voice, her thick Russian accent, her no-nonsense approach to life, her obvious toughness having survived impossible living conditions in St. Petersburg her original home, and above all, her knitting. Rape! Rape! What else can one ask of a woman?”

“You said that?” I asked Colmes in disbelief. “You actually said that?”

“Hobson, Indeed. Indeed I did, or close to it. Doesn’t it make you proud to be my apprentice?”

Quite frankly, I still do not believe it. But anyway, it must have worked, because no one apparently stirred, they were spellbound by his small if slightly offbeat love story. Even Professor Watkins appeared to be moved.

Colmes continued. And here was the bombshell.

“When Rose was well enough to leave the hospital, I called for a cab and we drove to a small Russian orthodox church where I had arranged for the local Ukrainian priest to marry us. And we have lived happily together since in my apartment that happens to be on campus.”

I was stunned. But I should not have been. I had of course assumed that they were a couple for as long as I could remember.

I just never knew that they were married, and a religious ceremony to boot!

The faculty apparently were even more stunned. Technically, of course, it was a no-no for a professor to have sex with a student. But getting married seemed to be a widely accepted solution to that no-no.

“And O’Brien?” I asked. “Did they sack him as Dean?”

“Well, that’s the amusing part of the story, Hobson. O’Brien had given me the task and the letters to go with it, to inform the faculty at the meeting that he had negotiated with the Provost an ironclad commitment for the school to be allocated two new faculty lines to increase their faculty size. Admittedly I probably should have announced that at the beginning and I would have been in and out of there in a minute, but then O’Brien’s charge of rape would have been left uncleaned, if you get my point.”

Colmes left the faculty meeting immediately after he announced the new faculty lines. On his way out the door he heard Professor Watkins say, “I move the meeting be adjourned.”

And chairman Fartsworth announced, “So noted. And is there a seconder for the motion?”

“Second,” said one of the students.

Fartsworth had hardly managed to announce the meeting officially closed, when all the attendants, like horses let out of the start gate, hurried out, the professors without another word to anyone, off to hide in their offices, the two students to the cafeteria, talking excitedly as they went.

