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Section VI: System "Breakdowns"; Actions of Various Players and Entities

Part 1: System "Breakdowns"

This section focuses on the players and academic entities that were active in this Eight-Year Review process, the role they played, and on the effect that their actions had in how the process eventually played itself out. The first part concentrates on the individual faculty, reviewers, administrators, investigating bodies, etc. involved in the process and to an extent on the process itself. The second part looks to evaluate the process as an organic whole to see just how it broke down and why it failed to bring about substantive change and substantive remedy, and what the consequences of that failure are.

1. The Previous Eight-Year Review

The Eight-Year Review prior to the 1999-2000 Eight-Year Review, as was described above, was a farce. The entire review seemed controlled from the beginning. Students were made to understand the importance of the Department doing well in this review and some were actually coached by faculty members as to what they should say in response to questions. These extra measures did indeed pay off, since during the 1992 review, the outside review team did ask probing questions. The fact that the previous Eight-Year Review was so ineffective did not bode well for the 1999-2000 review.

2. The Initial Questionnaire Sent to Slavic Department Graduate Students

Students were already suspicious when the time came for the 1999-2000 review. The review began with a questionnaire sent out to all graduate students in the UCLA Slavic Department. This questionnaire consisted of two parts, the first being a series of questions that could be answered by choosing from one of a number of possible answers, the second being a space for students to add additional comments. It did not help the situation when those who were administering this section of the review gave the graduate students in the Slavic Department different answers as to who exactly would see their written comments. Given the absolute need for anonymity, this was a not unimportant question. Unfortunately, one official said that

nothing that was actually written would be seen by the Slavic Department faculty, while another official said that it might be the case that Slavic Department faculty would read the comments. This marked an inauspicious beginning for the entire process, as paranoia among graduate students was already quite high.

3. Attempt by the Department to Put Off the Review

Again, given that paranoia among Slavic Department graduate students was already so high, it was not particularly comforting to know that the faculty of the UCLA Slavic Department was trying to put off the review. This just made it that much harder for graduate students in the Slavic Department to take the stand that they eventually did by agreeing to the request by the UCLA Administration that they fully cooperate with the investigating committees.

4. Not Enough Administrative and Investigative Support Staff for the Review Committees

This was a problem that continually came up throughout the review. No doubt the internal review committee had no idea what it was getting into when it started this process. While there were strong indications that something was very, very wrong, it became immediately clear that the internal review committee was not prepared to handle the amount of data and documentation that had been supplied to it. Because of these manpower restrictions, there were areas of abuse that were not covered. It was because of this lack of manpower that the internal review committee originally had no plans to interview former graduate students of the UCLA Slavic Department, i.e. graduate students who had been driven out or crushed out prior to the attainment of their degrees. It was only at the insistence of current graduate students that the internal committee agreed to talk to former graduate students, and even then, only a small number were interviewed. The importance of interviewing former graduate students was immediately evident, as this is where some of the most damning information in the internal review committee's report comes from, but it was only the tip of the iceberg in terms of the sort of information and insight that could have been made available by former graduate students.

The lack of administrative and investigative support meant that the picture that arose from the internal report, as bad as it was, was not complete and perhaps not even representative of the worst abuses that went on in the UCLA Slavic Department.

5. Alan Timberlake's Presence on the External Committee

For anyone interested in comprising an investigating committee free of conflict or interest or (to give Timberlake the benefit of the doubt) potential conflict of interest, the placing of Alan Timberlake on the External Committee was a colossal blunder. Timberlake is a former tenured

member of the UCLA Slavic Department, and even worse, he is a former linguist in the UCLA Slavic Department, with close ties to linguistic component of that department's faculty. Even if he had turned out to be evenhanded and trustworthy (which, in retrospect, quite clearly was not the case), he would have been the wrong person for that position, simply because of his past history with the UCLA Slavic Department.

6. Michael Heim's Pattern of Deception: Denying What was Painfully Obvious until the Evidence Became Overwhelming

To the extent that the faculty of the department being examined cooperates and is truthful with the investigating committee, it is to that extent that much easier for the investigation to proceed. Obviously, that did not happen here. Denial and deception started at the top, with the Chair of the UCLA Slavic Department, and spread outward from there. Had Michael Heim not lied to the reviewers, had he not lied to the Graduate Council of the Academic Senate in his Errors of Fact statement, had he not tried during the Eight-Year Review to cover up the systematic abuse of graduate students by faculty of the UCLA Slavic Department, then this would have saved the reviewers much time and effort, time and effort that could have been devoted to other areas of abuse not even touched upon by the Eight-Year Review report. In addition, Michael Heim's willingness to dissemble and prevaricate, even in matters when the truth was obvious, sent yet another chill down the spine of graduate students in the Department, many of whom had hoped that Heim would be more sympathetic to the cause of letting the truth come to light, especially given his history of being a fairly sympathetic shoulder on which graduate students could cry whenever they were battered about by the more abusive faculty in the Department. By his actions, Michael Heim was making very clear that whatever the role it was that he had played in the past with regard to the Department's graduate students, when it came to defending the party line, he was a democratic centralist of the first order.

7. Bethea/Timberlake: The Failure of the External Committee to Challenge the Information Being Provided to Them by the UCLA Slavic Department, and the Consequences of that Failure for the External Review Report

As was shown in detail in the annotated version of the External Review Report, the external reviewers main flaw was that they appeared to accept at face value the information provided to them by the department which they were supposedly investigating, e.g. the preposterous claim that seven out of the last seven UCLA Ph.D.s received tenure track positions. This failure to delve into the facts may have blinded them to some of the realities of the Department. And yet, there are instances in which the external reviewers do get it right, and those instances are noted time and again in the annotated version of their report. This then begs the question, if they were right on that, why couldn't they have done the necessary work to verify the statements being fed to them by the Chair of the UCLA Slavic Department and by the rest of

that department's faculty?

One is tempted to surmise that this failure to investigate to the level necessary in a department such as the UCLA Slavic Department might be the cause for their subsequent failure to comprehend the role being played by Michael Heim, and hence also the reason behind their statement "it seemed obvious to us that the current chair, Michael Heim, with his patience, good will, sensitivity, and the respect he universally enjoys, has done an admirable job of bringing the department out of a situation of potential crisis; he is the right chair for the department at this time." Indeed, they even went so far as to characterize Michael Heim's leadership as "enlightened". What argues against the fact that this drastically flawed view of Michael Heim's leadership came about as a result of insufficient information is the fact that both of these two reviewers, Alan Timberlake and David Bethea, continued to heap praise upon Michael Heim, even after they had seen the full report in which Michael Heim's systematic pattern of deceptions, including point-by-point rebuttals of his claims, were made clear for all to see. This strongly suggests that they had, from the very beginning, abandoned any pretense of being objective reviewers and were instead quite willing to do whatever was necessary in order to mitigate the findings of the internal review. Their willingness to turn a blind eye to the facts in an attempt to sanitize Michael Heim's actions and the reputation of the Department mark one of the major breakdowns in the overall review process.

8. Refusal Of Michael Heim To Honor Repeated Requests By Student Representatives Not To Talk To Graduate Students About The Eight-Year Review

This point has been addressed numerous times, so it will not be repeated here other than to say that this stand by Michael Heim was the beginning of the end in terms the University being able to have confidence in its ability to solicit candid and frank commentary from its graduate students regarding the state of this department or any department. While some students might nonetheless agree to cooperate, others would not, and even the commentary of those who would agree would be tainted, since they would be agreeing to provide this commentary with the full knowledge that they might be latter quizzed or interrogated over the results of their comments, thereby leaving open the real possibility that they would tone down what they had to say, or even pass over some items all together.

9. Michael Heim's Email to Graduate Students

This point has also been covered in detail in the annotated copy of the Eight-Year Review report. Heim's determination to continue to the smear campaign against XX, his assertion that he already knows who the offended students are, his assertion that retaliation has never occurred against students in the UCLA Slavic Department, and his assertion that the abuse of graduate students had somehow been blown out of proportion—these points, along with others in this

email, combined to act as a further impediment to investigating the abuse of graduate students in that department.

10. Refusal Of The Graduate Council To Send Copies Of The Review By Email To Students Who Had Received Michael Heim's Email But Who Were Not In Residence At That Time

A review process of this type should, ideally, be conducted by neutral investigators dedicated to the principles of equity and determined not to show favoritism toward either faculty or students. At this point in the investigation, when so much of what had been alleged with regard to abuse of graduate students had been shown to be true, the Graduate Council of the Academic Senate should have been bending over backwards to show fairness and even-handedness. Instead, knowing that Michael Heim was sending out propaganda concerning the Eight-Year Review report via email, the Graduate Council refused to send the Eight-Year Review report itself out via email, no doubt fearful of the consequences of a digitized version of such devastating review floating about cyberspace. Still, these fears notwithstanding, the obligation that rested upon the shoulders of the Graduate Council was to be fair and evenhanded. The Graduate Council's failure to meet that obligation in this regard led to a further lack of confidence among graduate students in the system that they had been encouraged to trust and cooperate with.

11. Bethea/Timberlake's Post-Review Revisionist Letter in Which They Attempt to Soften the Impact of Their Report and Show Support for Michael Heim, This Despite the Fact that Michael Heim Had Been Shown to Have Been Consistently Untruthful

Just as Michael Heim's email to students was threatening and ominous because of his insinuations of insider knowledge as to which students had complaints and which students did not, so too was the revisionist letter from Bethea/Timberlake ominous. That they were so willing to completely ignore what they themselves had written in their original External Review report, and that they were so willing to join in this smear campaign against XX, the one student who courageously allowed her story to be told, did not inspire confidence in graduate students as to the effectiveness of the entire review process. In-depth commentary on their revisionist letter is included in the annotated copy of the Eight-Year Review report. ([Section IV-B](#))

12. The UCLA Administration Backing Down on It's Directive Instructing the Faculty Not to Talk to Students about the Eight-Year Review in the Face of Threatened Legal Action by the Slavic Department Faculty

Obviously, this was a devastating blow to the entire process. If the UCLA Administration, which had promised Slavic Department graduate students protection against retaliation and interrogation, cannot back up its own promises, then the legitimacy of the entire

process is completely undermined.

13. The Internal Committee's Failure to Insist that the UCLA Administration Not Back Down with Regard to its Directive to Michael Heim and the Rest of the Slavic Department Faculty

Whenever offering up criticism of the Internal Review Committee, it can not be emphasized enough that this was the one part of the review process apparatus that seemed to be genuinely concerned about graduate student welfare and about bringing the truth to light. Still, this was a major mistake on the part of the Internal Review Committee and cannot be characterized as anything but a mistake, regardless of the intent behind this decision not to insist that the UCLA Administration stand by its word regarding protection of graduate students.

14. The Graduate Council's Lifting of the Ban on Graduate Student Admissions in the Fall of 2000 Against the Recommendation of the Head of the Internal Committee

This was an equally devastating blow, perhaps even more so given that the Graduate Council knew of Michael Heim's continuing pattern of denial and falsehoods, and had been informed of the fact that Michael Heim had committed illegal acts in his attempts to cover-up and deny the abuses that occurred within the UCLA Slavic Department. It shocks the conscience that, knowing what they knew, the members of the Graduate Council would allow a department such as this to continue to admit and enroll students.

15. The Failure Of The Dean Of The Humanities To Remove Michael Heim As The Chair Of The Slavic Department Once It Had Been Established That He Had Continually Lied

At this point, it had become abundantly clear that the Chair of the UCLA Slavic Department, Michael Heim, had lied time and time again when confronted with investigators delving into the issue of abuse of that department's graduate students. It should have been equally clear that Michael Heim was an impediment to the investigative process, not an asset. He should have been removed immediately from his position as Chair pending investigation into his activities and to the charges that he had violated state and federal law. He was not removed, thereby weakening the investigative process that much further.

16. The Failure Of The UCLA Administration To Contact Law Enforcement Once They Had Been Informed That Michael Heim Had Broken State And Federal Law By Illegally Releasing Grades From The Undergraduate Transcript Of XX Without XX's Permission

Once it had become absolutely clear that Michael Heim had broken state and federal law by illegally releasing grades from an undergraduate transcript without the consent of the student

(in this case, XX, the student who had allowed her story to be told), officials in the UCLA Administration had the moral obligation to inform law enforcement that laws had been broken. They failed to do so, which cemented further in the minds of graduate students the idea that the entire process was nothing more than a farce and that no matter what the faculty did, be it moral, be it immoral, be it legal, be it illegal, there was no way that the UCLA Administration was going to confront or do anything to endanger tenured faculty at UCLA.

17. The Failure of the Dean of the Humanities to Implement the Recommendation of the Internal Review Committee that the UCLA Department of Slavic Languages and Literatures Be Put into Receivership.

The same reasoning applies here: the true nature of the UCLA Slavic Department was abundantly clear to anyone who wanted to see it. The failure of the Dean of the Humanities to immediately place this department into receivership dealt yet another blow to the process itself, although it must be said that by the time it became clear that this entire "Co-Chair" ruse was exactly that, a ruse, the whole process had been so discredited in the eyes of graduate students that this came as no great surprise. It was seen as just one more example of a system put in place by the tenured professoriate bending over backwards to protect tenured colleagues.

18. The Failure Of The UCLA Administration To Have In Place Any Sort Of System For Disciplining Faculty Wherein It Is Publicly Acknowledged That The Faculty Member Has Been Disciplined

The system in place for disciplining faculty, and the weaknesses therein, have been discussed in detail in the annotated version of the Eight-Year Review report. Since this system is so weak and so opaque (even if a faculty member has abused a student, and even if there is some sort of punishment involved, neither the abused student nor anyone else will know the disposition of the case because it is all done in secret), it really has very little effect in terms of sending a message to other faculty that abuse will not be tolerated. Moreover, as has been touched upon above, rarely is the punishment ever so great as to extend to dismissal, at least not for tenured faculty. This weak-to-non-existent system of faculty discipline no doubt emboldened the faculty of the UCLA Slavic Department to take the stands that they did, even in the face of overwhelming evidence of wrong doing and abuse of graduate students.

19. The Failure Of The Internal Review Committee, Which Conducted The Follow Up Review, To Insist That Its Original Recommendations, i.e. Suspension Of Graduate Student Admissions And Receivership, Be Implemented.

No doubt the Internal Review Committee, which had seen its main recommendations (1. Suspension of Graduate Student Admissions; 2. Placement of the UCLA Slavic Department into

receivership) rejected by the Graduate Council of Academic Senate and by the Dean of the Humanities, respectively, entered into the follow-up review of the Slavic Department with a high degree of frustration. They had provided what was perhaps one of the most damning reports in the history of UCLA only to see their recommendations minimized or rejected outright. Perhaps this is why they did not recommend that these same sanctions be imposed after the follow-up review. But regardless of what their thinking was in this regard, they should not have backed down in the follow-up review from their original suggestions, as this leaves the impression that the conditions that brought about the situation in the UCLA Slavic Department in the first place no longer existed, when in fact, an official investigation of the UCLA Slavic Department was never instigated and none of the abusive members of that department had been disciplined or even charged with abusing graduate students.

Summation

This series of "breakdowns", assuming that is what they actually were, are appended below in tabular form. These breakdowns, as they were manifested in the review of the UCLA Slavic Department, will be addressed again from a new perspective later on in this exposé. For now, they exemplify well the problems inherent in the system that serve to hinder any true investigation of faculty misconduct and which serve to deflect any real punishment from being imposed.

System "Breakdown" By Steps

1. The previous eight-year review
2. The initial questionnaire sent to Slavic department graduate students
3. Attempt by the Department to put off the review
4. Not enough administrative and investigative support staff for the review committees
5. Alan Timberlake's presence on the external committee
6. Michael Heim's pattern of deception: denying what was painfully obvious until the evidence became overwhelming
7. Bethea/Timberlake: The failure of the External Committee to challenge the information being provided to them by the UCLA Slavic Department, and the consequences of that failure for the External Review report

8. Refusal of Michael Heim to honor repeated requests by student representatives not to talk to graduate students about the Eight-Year Review
9. Michael Heim's email to graduate students
10. Refusal of the Graduate Council of the Academic Senate to send copies of the review by email to students who had received Michael Heim's email but who were not in residence at that time
11. Bethea/Timberlake's post-review revisionist letter in which they attempt to soften the impact of their own report and show support for Michael Heim, this despite the fact that Michael Heim had been shown to have been consistently untruthful
12. The UCLA Administration backing down on its directive instructing the faculty not to talk to students about the Eight-Year Review in the face of threatened legal action by the Slavic Department faculty
13. The Internal Committee's failure to insist that the UCLA Administration not back down with regard to its directive to Michael Heim and the rest of the Slavic Department faculty
14. The Graduate Council's lifting of the ban on graduate student admissions in the Fall of 2000 against the recommendation of the head of the Internal Committee
15. The failure of the Dean of the Humanities to remove Michael Heim as the chair of the Slavic department once it had been established that he had continually lied
16. The failure of the UCLA Administration to contact law enforcement once they had been informed that Michael Heim had broken state and federal law by illegally releasing grades from the undergraduate transcript of XX without XX's permission
17. The failure of the Dean of the Humanities to implement the recommendation of the Internal Review committee that the UCLA Department of Slavic Languages and Literatures be put into receivership.
18. The failure of the UCLA administration to have in place any sort of system for disciplining faculty wherein it is publicly acknowledged that the faculty member has been disciplined
19. The failure of the internal review committee, which conducted the follow up review, to insist that its original recommendations, i.e. suspension of graduate student admissions and receivership, be implemented.

Part 2: Individual Actions of Various Players and Entities in This Review Process

This section focuses on the individual actions of those who played important roles in this investigation, both single individuals and groups as entities or as a whole.

1. Slavic Department Faculty

As has been described above, at least some of the faculty of the UCLA Slavic Department did not even want the review to take place. This did not mean, however, that all faculty were opposed to it. Some of the non-tenure track faculty welcomed it because it was one of the few means available of possibly putting some sort of a check on the faculty. Even some of the tenured faculty welcomed it for the same reason. But as a whole, the faculty was not at all favorably disposed towards the review.

The actions of some of the faculty in response to the review itself can only be termed shameful. From storming in and actually shouting at students to threatening to bring suit against the University itself when told that they should not ask graduate students questions about the Eight-Year Review report, the behavior of some of these faculty shocks the conscience. The Eight-Year Review Report ([Section IV-A](#)) and the annotated Eight-Year Review ([Section IV-B](#)) report go into detail with regard to faculty prevarication and failure to interact in an open and honest fashion with the reviewers, so that point will not be belabored here.

This was a faculty that could not believe that it was being challenged. Even more astounding was the fact that so much of the ammunition that was being used against it was provided by its own graduate students, a group which, as a body, had been cowed and fearful for years and years. The anger that welled up in some of these faculty was barely containable, and in at least one instance, wasn't contained at all. It is all too easy a simile to liken people and institutions to wounded animals, but in this case, it fits. The fury among the faculty that someone, anyone, would challenge them was not universal, but it was widespread, especially among the linguists, with two exceptions. Those graduate students that had to teach that summer had no choice but to be present in the actual Slavic Department office at that time, but many others laid low, waiting for cooler heads to prevail.

The performance of the faculty was as one might have expected. Obviously, the non-tenured faculty and the tenure-track faculty that had yet to receive tenure were limited to what they could say or do. Some of the tenured faculty recognized that abuse was going on, including the above-mentioned two exceptions among the linguists. The abusive faculty themselves, however, and those other tenured members of the faculty who had tried to cover up for them,

reacted in various ways, from outright denial, to passive resistance, to out-and-out denial of the truth, misrepresentation of facts, smearing of former graduate students and outright illegal activity.

2. Administrators of the Eight-Year Review

By "administrators", what is meant here is those who were responsible for setting up the logistics of the review process, e.g. passing out of pre-review student surveys, setting up of the process, etc. Given the level of abuse and fear within the UCLA Slavic Department, this was no easy task, and the administrators, by and large, did an admirable job. The only slip up was that which was mentioned above, the providing of contradictory statements as to who would and would not be able to see the students' written responses to the survey questions.

3. The Internal Review Team

Of all the investigative bodies involved in the Eight-Year Review process, none performed more admirably or with greater concern for students' welfare than the internal review team. Early on it had become clear to the UCLA Administration that there were problems of a magnitude rarely seen even at a high-powered research institution such as UCLA. The word among graduate students was that when the UCLA Administration finally came to understand how serious the problems were, they actually rearranged the composition of the internal review committee, placing at its head a professor who had been in similar positions in the past. The head of the internal committee, when asked about this by graduate students in the Slavic Department, refused to either confirm or deny it. If true, however, it was in fact a good choice, at least from the point of view of the Slavic Department graduate students, as he set the tone for the way in which the internal review team would interact with these graduate students.

As was pointed out above, there were some problems with the approach taken by the internal review team. At the outset, the internal review team knew that there were major problems, but it is doubtful that they knew the extent or severity of those problems. Some of the graduate students who had been around for a while had heard from others about the last Eight-Year Review, and were aware of the shortcomings in the process, even for a regular department, much less a department like the UCLA Slavic Department. It was clear from the outset that, in order to get a comprehensive picture of what had been going on in the UCLA Slavic Department for all these years, not only present graduate students but also former graduate students needed to be interviewed. This was something that the internal review team hesitated in doing. Nonetheless, graduate students pointed out that a failure to do so would result in an incomplete picture of the abuses that had occurred within the Department, since some of the most glaring examples of abuse would come from students who had, in one way or the other, been driven from the Department. To the credit of the internal review team, they showed the ability to receive

input from graduate students and adjust their strategies accordingly, finally agreeing to contact former graduate students (although it must be said, not that many, certainly not nearly enough to paint a completely accurate picture of all the abuse that had taken place within the UCLA Slavic Department).

In a similar vein, the position that the head of the internal review committee took towards the UCLA Administration when it came to the question of protecting Slavic Department graduate students from retaliation and interrogation from the Slavic Department faculty, while no doubt well intentioned, turned out to be, in the end, incorrect. Still, this was, at least so far as graduate students could tell, an error in tactics and not in intent. These errors notwithstanding, the internal review team was the one faculty-associated body in the review process that consistently did its job and which made the protection of graduate students and their welfare its prime concern. Had it not been for the efforts of the internal review committee, the path to resolution of problems dealing with the abuse of graduate students by faculty might have by-passed the UCLA Administration entirely and gone directly to fora designed to redress these issues judicially.

4. The External Review Team

The report of the external review team, in combination with their after-the-fact revisionist letter trying to save the UCLA Slavic Department, is one of the low points in this entire process, as it exemplified well the "you-wash-my-back-and-I'll-wash-yours" attitude that exists among tenured colleagues, even extending to tenured colleagues at other universities. Why they thought they would be able to simply turn on a dime and take a situation that they had previously described negatively and then sing its praises, no one but they can know for sure.

To be clear, not everything that the external review team suggested was wrong. As can be seen from the annotated version of the Eight-Year Review report above, some graduate students agreed with quite a number of the points that they made. When the external review committee got things wrong, it was usually for one of two reasons:

1. The external review team did not have access to all the graduate students that the internal review team had due to the presence of Alan Timberlake on the external review team and students' fears (since confirmed) that he could not be trusted to be an objective reviewer of the Department. Mistakes made by the external reviewers because of a lack of candid input from graduate students cannot be laid at the doorstep of the external reviewers.
2. There were times when the external reviewers simply made statements without having done the work to back up these statements (e.g. when they said that the training in the UCLA Slavic Department is "excellent") and there were times when they drew false conclusions based on incorrect data fed to them by the UCLA Slavic Department itself (e.g. the ridiculous claims made

regarding the number of UCLA grads who received tenure track positions), data that they failed to investigate and corroborate on their own.

The great failure, of course, had nothing to do with any lack of or misinterpretation of data. By the time the two external reviewers had sat down to write their external report, they undoubtedly knew that there were major problems in the UCLA Slavic Department, and they come out and openly acknowledge much of this, noting especially the climate of fear and paranoia among the graduate students. By the time Bethea/Timberlake got around to writing their revisionist letter, they had of course seen the devastating internal report issued by the internal review team. Even if they somehow managed to convince themselves that they had received essentially the same input from graduate students as the internal review team (they hadn't) and even if they had somehow managed to convince themselves that the internal review team had simply put an overly negative spin on the picture that emerged (it hadn't), this still does not change the fact that it was crystal clear that the Chair of the Slavic Department, Michael Heim, had lied again and again throughout the review.

And yet, how do Bethea/Timberlake react to that reality? They ignore it. Even worse, not only do they ignore it, but also they argue fiercely that Michael Heim is somehow, for some reason, the only person who can save the Department! They praise his leadership and his sensibilities, even after having read of how he tried, time and time again, to deceive the investigating committees. Without question the most shocking and most abhorrent act on their part was when they tried to characterize the UCLA Slavic Department faculty as somehow a victim of some sort of Stalinist oppression that emanated from either the UCLA Administration or the internal review team. This was a faculty that for years had operated with undertones of fear and intimidation, never missing an opportunity to make clear to graduate students the nature of the power relationship that existed in the Department between faculty and students, and the consequences that would ensue to anyone so unwise as to challenge that relationship.

To understand fully how loathsome this comparison was, one must keep in mind that the department in question is a Slavic department. Few issues are more deeply felt in such a department than the issue of Soviet-era repression and the vice-grip that such repression had on both the Russian and other Slavic peoples as well as on their literatures. The irony here, of course, is that no one had perfected the Stalinist art of intimidation more than the faculty of the UCLA Slavic Department, and no one was more willing to use institutionalized power to their advantage than this faculty, be it against students, administrators, or other faculty. The abuses of power within the Soviet system depended upon the willingness of the bureaucracy to cooperate, the willingness of those in positions of privilege to go along, the willingness of those in charge to make whatever claim was needed, in whatever form was needed, in order to keep the existing system in place, regardless of how close those claims were to reality. By the time they had

written their revisionist letter to the Academic Senate, Bethea/Timberlake had seen exactly this system in place at UCLA, and indeed, it was the same system that was in place during Timberlake's tenure here as a professor. And yet, instead of exposing this system, they proved that they were a part of it, as they were more than willing to do whatever it took to help their tenured brethren in the UCLA Slavic Department, including overlooking evidence, including failure to check on information being fed to them, including showing a willingness to join in Michael Heim's campaign to smear the one student who was willing to stand up and let her story be told, the student with a 3.9 GPA out of UC Riverside who, according to Michael Heim, received her high grades in Russian only because of "grade inflation" at UC Riverside.

The performance of Bethea/Timberlake was, in short, disgraceful. When confronted with the choice of fulfilling their responsibilities as objective outside reviewers or protecting their tenured colleagues, they chose the latter.

5. The Slavic Department Chair, Michael Heim

In order to understand Michael Heim's performance in this Eight-Year Review, it is necessary to know his history in the UCLA Slavic Department. Although he came very much from the Harvard tradition of many of his colleagues, he seemed to arrive at UCLA without the ego that characterized so many of his colleagues in the Slavic Department. In this sense, he was not all that different from many of the literary scholars who were in the UCLA Slavic Department at that time, few of whom had the same tortured sense of injured pride that seemed to define so many of their colleagues on the linguistic side of the house. Michael Heim, perhaps more so than any of his colleagues, seemed to aspire to the ideal—at least in theory. He became known for his translations of major Central European authors, and to the surprise of many, announced at some point after he had received tenure that he wasn't going to publish any more, since there were others who were better at this than he, and that to pretend otherwise would be dishonest.

This might not be seen as all that earthshaking a declaration, but in the environment that existed in the UCLA Slavic Department, an environment which was very much that associated with a high-powered research-oriented department, this was practically a counterculture-like manifesto of defiance. And yet, as much as it vexed senior faculty that Heim would take this position, it was to that same extent that it was appreciated by many of the graduate students, most of whom had had their fill of the "high powered, research-oriented" attitudes of the senior faculty. When combined with the fact that Heim did not appear to be ego-driven, and that one could talk to Heim without worrying about him exploding into anger, and without worrying about him plotting to take some sort of vengeance against a student who would question his positions, he quickly became the sort of faculty member to whom students could go when things got rough, if for no other reason than to have a sympathetic audience. Many were the UCLA Slavic students who used Michael Heim's shoulder to cry on when the going *did* get rough, which was not an

uncommon state for students in that department.

For Michael Heim, there was never a problem that couldn't somehow be solved. Of course, this optimism was rarely born out, as can be seen in the painfully low rate of graduation among UCLA graduate students over the years. Still, to find an optimist anywhere, much less in the UCLA Slavic Department, was generally seen as a good thing, and if this was the worst thing one could say about Michael Heim, then that was certainly something that graduate students could live with.

The other piece of background information essential to understanding (or trying to understand) Michael Heim's performance in this most recent Eight-Year Review is the situation that he stepped into prior to the commencement of the review itself. As was alluded to in the Response to the Eight-Year Review above, Michael Heim was a sort of "emergency chairperson". His predecessor, a relatively new addition to the Slavic Department at UCLA, had just stepped into the job, and had served less than a year when she tendered her resignation as the chair. This is itself a long story, but briefly what had happened was that this professor, in her short tenure here, had quickly come to realize how deep the problems were in the UCLA Slavic Department and, upon taking the helm of the Department, had set out to bring about much needed changes. The response to this from most of the faculty, including even a good number of literature faculty, was decidedly lukewarm, and in many cases, outright hostile. After less than a year of trying to bring about some change in the Department and being met at almost every turn by the Department's inertia, this chairperson came to the conclusion that she was fighting a battle of diminishing returns and as a consequence resigned as chair.

This proved to be a Pyrrhic victory of sorts for the faculty of the UCLA Slavic Department. On the one hand, the immediate problem of having their infrastructure challenged had been solved for the time being. The linguistic faculty, with two exceptions, were for obvious reasons not in the least bit receptive to changing a system that had been shaped over decades to ensure their place in the Department's hierarchy. And the literature faculty (again, with a few exceptions) were also not all that saddened by the departure of the chairperson and her innovative ideas. As bad as it was for the literature faculty being under the harsh thumb of the senior linguists, the one thing that can be said is that, because there was such a high drop-out rate among graduate students in linguistics, that much more funding was left over for graduate students in literature. This was not always the case in every year, but in general this held to be true, and it seemed, at least from the point of view of graduate students outside looking in, that this was the compromise that had been effected between linguistic and literary faculty: linguists rule the roost in whatever way they see fit, and the literature faculty, in return for their cooperation, get to have a larger percentage of support go to their graduate students. This worked for a number of reasons: the linguistic faculty could always explain away the high washout rate among linguistic students as something not surprising when one is dealing with the best department for Slavic

linguistics in the country (indeed, in perverse sort of way, this high washout rate was used to backup their claim as to the quality of the linguistics program.) In addition, the fate of Slavic linguistics as a discipline inadvertently fit into this system. Although an appalling small number of students who set out to get a Ph.D. in Slavic linguistics from UCLA ever actually wound up with such a degree, this small number served the Department well when it came to placing students, since those who did manage to survive could be held up as the cream of the crop. It is much easier to place a small number of students in tenure track jobs than it is to place a large number, so if UCLA was only graduating one PhD in Slavic linguistics every year and a half to two years or so, this small number was offset by the fact those who did graduate could sometimes be placed in tenure track positions, which seemed to satisfy the UCLA Administration that the Slavic Department was indeed doing a good job, since the Department could point to their graduates in Slavic linguistics and truthfully say that they had placed a large percentage of them (i.e. of those who had *graduated*, not of those who had started out in the Department) in tenure track jobs. That this large percentage was generated from a very small number of graduate students who had managed to survive the UCLA Slavic Department was then conveniently overlooked.

Thus, the system in place, while probably not deemed optimal by the literature faculty, nonetheless seemed acceptable, and the attitude taken toward this new chairperson seemed more or less to be, "better the devil you know than the devil you don't know." Her departure then required that the Department find a new chairperson, and it is here where Michael Heim's optimism and generally pleasant demeanor seemed to fit the bill as to what was needed. Linguistic faculty felt that he was compliant, literature faculty felt that he was definitely sensitive to their needs, and graduate students, for the reasons discussed above, at least did not feel especially threatened by Michael Heim. This is not to say, however, that this change of chairs went down well with all graduate students. Many of the graduate students in the UCLA Slavic Department had for years seen the sort of abuse that had gone on there, and were thrilled when Michael Heim's predecessor took over as chair, thinking that this might indeed be the dawn of a new day, and that substantive change really might be possible within the academic system itself. While few graduate students had specific bones to pick with Michael Heim, a great many felt that this coup d'état was the last straw, and began to explore other options to redress their grievances, explorations which eventually led to the results of the most recent Eight-Year Review.

Still, even though no one had any faith that Michael Heim would bring about change in the Slavic Department—after all, he was one of the faculty who continually tried to explain away or outright ignore the abuses visited upon graduate students by the Slavic Department linguistics faculty—some still held out hope that, once these abuses had been highlighted by students willing to push the Eight-Year Review to do what it claimed it was going to do, at that point Michael Heim would see the writing on the wall and would feel relieved of the need to defend the

Department against charges that were so widespread and so outrageous and thus would perhaps—perhaps—become part of an eventual solution to the problem. Sadly, this was not the case. As can be seen from everything that has come before in this exposé, not only did Michael Heim do nothing to further the process, he in fact did everything he could to hinder it, up to and including lying to the Internal Committee, lying to the Academic Senate, and going so far as to break the law in his attempt to smear the one student who dared to speak out on record as to her treatment at the hands of the UCLA Slavic Department.

There is no question that Michael Heim did these things. The internal committee made clear that he would opt for the "lie and deny" strategy when confronted with the realities of the UCLA Slavic Department and would abandon it only when confronted with overwhelming evidence to the contrary. His lies to the Academic Senate as to the placement record of the Department are easily documented. And his illegal release of grades from the undergraduate transcripts of the student he was attempting to smear is as clear as the email in which he released those grades. There is no question about any of these things. The question is, why would Michael Heim do this? This leads to the realm of speculation, but the answer that makes the most sense would be that Michael Heim had a misguided sense of duty to the UCLA Slavic Department, a sense of loyalty so warped that he must have felt that protecting the UCLA Slavic Department, no matter how well documented the charge against it, was somehow the lesser evil than allowing the Department to be closed. If that meant lying time and again, and if that meant releasing grades illegally from students' transcripts in order to smear them, and if that meant ignoring the law, then somehow, in his mind, that must have been seen as being justified when juxtaposed against the possibility of closing the Department.

And yet, even with all the unshakeable documentation of his lies and his behavior, it is still difficult to believe that Michael Heim would go to this extent and would do such heinous things. In many ways, his actions stand in stark juxtaposition to the principles he espoused in his classes. To be in a class on Central European literature taught by Michael Heim was to see a professor who fiercely defended the rights of the individual. To hear Michael Heim discuss Havel or Milosz or Kundera or any other dissident writer was to hear an impassioned defense of the right to dissent. Heim's knowledge of dissident writing and the conditions under which Eastern Bloc writers would labor is deep and sophisticated. He understood that, while expulsions and jailings and beatings were the actions by totalitarian authorities that made the news, the greater burden was often not these individual acts of thuggery, but rather the day-to-day conditions under which these writers worked. He understood that much of the battle against dissent was not comprised of swift individual acts of repression against this or that writer, but rather the maintenance of a system that would, more often than not, rely not on brute force, but on low-intensity oppression backed up with the threat of brute force to discourage dissent. This institutionalized, systemic oppression, backed up with the threat of brute force, was the greater retardant to the free expression of ideas. Michael Heim understood this very, very well.

And yet, when the time came to choose, when the time came for Michael Heim to make the choice in his own life between siding with students who were desperately trying to defend themselves, on the one hand, or with, on the other hand, the faculty which for years and years had visited abuse upon its own students, Michael Heim faltered. For whatever reason, Michael Heim threw in his lot not with the victims of institutionalized oppression, but rather with its perpetrators. Time and time and time and time again. There was no lie too outrageous to be told, no truth so clear that it couldn't be obfuscated, no deed too atrocious to be overlooked, no moral too sacred to be circumvented, no student too talented to be smeared, and no law too threatening that it could not be broken. It may well have been the case that Heim had deluded himself into thinking that by throwing in his lot with the abusive faculty, he was somehow doing the right thing; that in some way the preservation of the Slavic Department, however flawed it may be, outweighed the protection of that department's students. It may have been the case that Heim was ashamed of all the years that he and his fellow faculty members had looked the other way when graduate students were being crushed left and right by his linguistic colleagues.

One can speculate endlessly as to why Michael Heim acted in the manner in which he did. What is beyond question is that his performance in the Eight-Year Review was disgraceful and shameful. From his lies to his shading of the truth to his smearing of students to his refusal not to question students to his breaking of the law, Michael Heim fell short in every way.

6. The Slavic Department Graduate Student Representative

If Michael Heim's performance can be said to be completely devoid of moral courage, then that of the Slavic Department's graduate student representative can only be said to have been the polar opposite. This student, who had agreed to take on the unenviable job of acting as the official go-between in the UCLA Slavic Department between its faculty and its students, could not have been more squarely placed in the eye of the storm. She knew very well what the reputation of the UCLA Slavic Department was, and she knew what happened to those who dared to voice even timid objections, much less stand up outright to the sort of behavior practiced by the UCLA Slavic Department faculty. Her own position was at that time extremely vulnerable as she had yet to take her PhD comprehensives, and yet time and again she challenged the chairman of the Department, the senior literary scholar Michael Heim, on issues relating to the Eight-Year Review and the protection of students who had heeded the request of the UCLA Administration to voluntarily participate. Unlike Michael Heim, she had no academic tenure to protect her, yet when faced with the question of doing the right thing versus protecting her own future in the Department (and by extension in academia) she always opted for the first choice. When it became clear that the faculty would go to any lengths to preserve their "right" to interrogate students about the details of the Eight-Year Review, she was not only unyielding in insisting that this not happen, but actually volunteered to act as an intermediary between faculty and students

so that there could be communication between the two groups that did not threaten individual students. Of course, this solution was rejected as the promises of the UCLA Administration to protect students began to crumble, but the offer was made. She worked untold hours of unpaid labor to defend the graduate students of the UCLA Slavic Department, and she never backed down in the face of threat or intimidation. Whatever eventually happens to the UCLA Department of Slavic Languages and Literatures, her role in trying to protect graduate students who had been betrayed by the UCLA Administration and who were under threat of interrogation by the faculty of the UCLA Slavic Department should not soon be forgotten.

7. The Graduate Student Representative on the Internal Committee

As has been explained above, the Internal Review Team of every Eight-Year Review is supposed to contain a graduate student from UCLA, with the thought being that students reluctant to talk to faculty members might be more comfortable and more willing to speak with one of their fellow graduate students. This allows them to speak on the record if they wish but through the graduate student representative. Off the record, of course, it does give the internal review team a view of the department that might not otherwise be available, which is why the idea of having a graduate student on the internal review team is a good one. As was the case with the graduate student representative from the Slavic Department, the graduate student representative on the Internal Committee served without compensation, unlike all the faculty members involved. While this position is often pro forma, especially in cases where the academic department being examined is relatively healthy with a faculty that fosters good relationships with its graduate students, in this case, the role played by the internal committee's grad student representative was crucial. Students who wouldn't talk to the faculty members on either the internal or the external committee were willing to speak with him, and some who were willing to speak to a limited extent with the internal and/or external committee were willing to talk in an even more open manner with a fellow graduate student. Moreover, his relationship with the head of the internal committee was a good one and he provided much information to the committee and corroborated other such reports that had been received, perhaps to a lesser degree, by the internal committee.

The graduate student representative on the internal committee took his responsibilities seriously and, in the face of a UCLA Administration reluctant to protect graduate students whom it had persuaded to participate in the review, the grad student representative was tireless and dogged in his continued insistence that the UCLA Administration live up to the promises that it made to them. When it became clear that the UCLA Administration had decided to back down in the face of legal threats from the UCLA Slavic Department faculty, he was relentless in communicating to the internal committee, to the Dean of the Humanities, and to the Graduate Council of the Academic Senate as to what needed to be done. It would have been easy to send one email and then back off. As can be seen from the emails included in [Section IV-E](#) of this

report, the graduate student representative of the internal committee instead sent at least four communications to the officials named above, each communication more insistent and more detailed than the one before it, trying to highlight the looming danger of allowing the UCLA Slavic Department faculty to interrogate its graduate students on the Eight-Year Review. The graduate student representative to the internal committee came to the position with considerable experience in graduate student government (the Graduate Students Association-GSA) at UCLA, and was an invaluable source of information to graduate students in the UCLA Slavic Department, informing them of their options and rights as students. He also made them aware of the potential for the GSA to assist and advise them as to possible courses of action in the face of the decision of the UCLA Administration not to follow through on its promise to protect the graduate students of this department. In addition, he had ties with members of the Graduate Council itself and thus was able to make appeals directly to certain individuals associated with the Graduate Council.

Had it not been for the graduate student representative on the internal committee, many of the abuses that occurred in the UCLA Slavic Department might not have been exposed. His service was selfless and extensive, and should be so recognized. What should also be recognized is that this person's status as a graduate student. Even though he was a student in a department that, by all accounts, was relatively reasonable in its treatment of its graduate students, there was still risk involved. Other than the graduate students in the UCLA Slavic Department themselves, no one had greater insight to the abuses that were going on there, and, more frighteningly, the unfolding story of the UCLA Administration's unwillingness/inability to control this department and the actions of its faculty than the graduate student representative of the internal review team. If the Eight-Year Review of the UCLA Slavic Department in 2000 has shown one thing above all things to be true, it is that tenured academics will go to very great lengths to protect one another and how little protection the system itself affords to those students who might be characterized as troublemakers. If the graduate student representative didn't know this before, he certainly knew it by the time he was deeply entwined in the Eight-Year Review process, and yet he pressed ahead, advocating forcefully and eloquently for the graduate students in the UCLA Slavic Department.

Both he and the graduate student representative in the Slavic Department have shown, at risk to themselves, the conviction and the character to stand firm in defense of their fellow graduated students regardless of this risk. The juxtaposition of their actions, taken in spite of the precarious nature of their position as graduate students, to those of Michael Heim and Bethea/Timberlake, tenured academics whose jobs were not at any risk whatsoever, reveals a contrast that could not be starker.

8. Dean of the Humanities

The Dean of the Humanities initially appeared to be sympathetic to the situation of the

Slavic Department graduate students. As was noted above in Section II of this report, the Dean of the Humanities had actively solicited responses from graduate students in the UCLA Slavic Department and indicated an awareness of the possibility of repercussions. When the Dean of the Humanities proposed, after being approached by several graduate students in the UCLA Slavic Department, that this problem would be best resolved through the process of the Eight-Year Review, graduate students were willing to give her the benefit of the doubt, this in spite of the fact that the previous Eight-Year Review in 1992 had been little more than a sham designed to conceal the real nature of what was happening in the Slavic Department at that time.

The role played by the Dean of the Humanities was covered extensively in Section II, so it won't be detailed here. Briefly stated, the Dean of the Humanities actively encouraged participation and downplayed the risk of retaliation. (See [snippet of the message sent by the Dean of the Humanities](#) to a Slavic Department graduate student in Section II.) The Dean of the Humanities had been informed in person by a number of graduate students as to what was happening in that Department. She also had access to the final report, in which the scope and extent of Michael Heim's mendacity had been made clear to all. In spite of all the evidence of wrongdoing in the UCLA Slavic Department, in spite of the fact that even *after* the review came out the UCLA Slavic Department faculty continued to deny wrongdoing, in spite of the fact that the UCLA Slavic Department faculty directly challenged her order not to talk to Slavic Department graduate students about the Eight-Year Review—in spite of all of this, the Dean of the Humanities *still* refused to put the Department into receivership as per the recommendations of the internal committee. To add insult to injury, she then asks the Slavic Department graduate students, who had been lied to about being protected from the faculty, to actively cooperate with the same chair who had not only lied repeatedly, but had actually broken the law in his attempts to smear the one graduate student who had enough courage to allow her story to be told openly.

When the Dean of the Humanities announced that she was going to become the "Co-Chair" of the Slavic Department, along with the chair who had told one falsehood after the other, it became very clear that her purpose was not to bring about positive change to the UCLA Slavic Department, but rather to do everything she could to keep this scandal contained, to keep the current power structure in place until tempers cooled and the whole "unfortunate incident" could blow over. The strategy of the Dean of the Humanities appears to have been to stay, as much as was possible, "above the fray", and only exercise real power when it appeared that the existing power structure inside the Slavic Department might be in real danger of falling. It is as good an example as could be desired for the phenomenon of the tenured elite protecting their own, this time through the formal structure of the University itself.

9. The Graduate Council of the Academic Senate

At the beginning of this report, the Academic Senate of the University was represented as a sort of [de facto union for the faculty](#). It was further pointed out that because the Academic Senate of the University in many respects runs the University, this would suggest that the idea of the Academic Senate policing the conduct of its own members (that is to say, the idea of the Academic Senate policing itself) is fraught with the potential for very real conflict of interest to arise. That this might have been the case was hinted at by the reluctance of the Graduate Council of the Academic Senate to send out digitized (emailed) copies of the Eight-Year Review report to graduate students in response to Michael Heim's emails to these same students in which he attempted to deny the substance of the report itself. What confirmed this view in the eyes of many of the graduate students was the Graduate Council's quick acceding to of Michael Heim's request in the Fall Quarter of 2000 that the Graduate Council lift the ban on the graduate student admissions after only a few months. The arguments against lifting the ban, a ban that was recommended by the internal review committee and which the internal review committee recommended stay in place, have been detailed elsewhere in this report, especially in sections [II](#) and [IV \(B\)](#), the annotated copy of the Eight-Year Review report, but they merit a quick review here.

The Academic Senate, through the Graduate Council, had been informed, in exquisite detail, of the severity and scope of the charges leveled against the UCLA Slavic Department by its own graduate students. The Graduate Council read first hand of the numerous denials and attempts to deceive on the part of the Chair of the UCLA Slavic Department, to include lies told to, and reported by, the internal review committee, and lies in the report itself, e.g. the falsely reported rate at which UCLA Slavic Department graduates received tenure track positions. It knew of the promises that had been made to graduate students in this department who had agreed to participate in the review to protect them from their own faculty, and it knew of the abrogation of that promise. The Graduate Council was informed of the attempt by the outside reviewers to soften their initial report and their attempt to back up the Chair of the Slavic Department, going so far as to joining in his smear campaign against the one student who allowed her story to be told and who had grades from her undergraduate transcripts illegally disseminated by the Slavic Department Chair as part of this smear campaign.

Finally, it is worthwhile revisiting the phrase in the internal review report that dealt with graduate students' fear of reprisal:

"It goes without saying that the willingness of numerous students to speak with the review team (but not to be quoted) was critical in arriving at the decision to take the above actions. Let it, therefore, be clearly understood that the slightest indication of retaliation by faculty against students will be aggressively investigated by the Graduate Council to determine whether charges should be filed with the appropriate Senate Committee for violations of the Faculty Code of

Conduct, not only for recent but also for any past offences."

It should be made clear that the Graduate Council of the Academic Senate endorsed these strong words, and indeed, they were very strong: at the *slightest indication* of retaliation, we are told, there will be *aggressive investigations* by the Graduate Council. And yet, when Slavic Department graduate students were begging the UCLA Administration not to allow the UCLA Slavic Department faculty to interrogate them about the Eight-Year Review, when the Slavic Department graduate student representative made multiple requests of the Chair of the Slavic Department that he not talk directly with graduate students concerning the review, when the graduate student representative on the internal committee sent message after message, each one more urgent than the one before, requesting that the faculty be prohibited from contacting graduate students about the Eight-Year Review, when the Chair of the Slavic Department Michael Heim went so far as to claim he *knew* who the offended students were, and when the Slavic Department faculty threatened legal action against the University and thus forced it to back down from its order to them that they not discuss the Eight-Year Review with graduate students—even when all this had happened and all this had been reported to the Graduate Council—what did the Graduate Council of the Academic Senate do? Did it "investigate aggressively" as it pledged to do by ratifying the report?

Or did the Graduate Council of the Academic Senate do nothing?

The performance of the Graduate Council of the Academic Senate was clearly in keeping with the description of the Academic Senate in [Section II](#), namely a representative of the tenured faculty that holds the interests of this tenured faculty at its center, first and foremost among its concerns, with the obvious conflict of interest that this implies with regard to the Academic Senate's responsibilities and duties in the area of investigating and disciplining fellow faculty members. Just as was the case with the Chair of the Slavic Department Michael Heim, and the members of the external committee Bethea/Timberlake, and the Dean of the Humanities Pauline Yu, the Graduate Council of the Academic Senate wanted nothing more than to find a way out for the Slavic Department faculty, to find some method by which the situation could be salvaged without actually officially investigating the faculty for wrongdoing or even going on record as having made an accusation of wrongdoing. The chasm between the Academic Senate's noble words concerning the protection of graduate students and its actions in allowing young students to once again enter this department's graduate program, a department with *the very same chair* who had lied and been caught lying and had actually broken the law in an attempt to smear a former student, is telling.

10. The UCLA Administration

From Day One, the UCLA Administration said all the right things and made all the right moves to leave the impression that it was truly interested in effecting change for the better in the UCLA Slavic Department. Those graduate students who had found the courage to actually go outside the traditional (and ineffectual) avenues of redress available in the Slavic Department and to go straight up the academic hierarchy (for example, those who secretly went to the Dean of the Humanities for help) were pointed to the upcoming Eight-Year Review and told that this would be the best avenue for change. And why would graduate students doubt the word of University officials? It was a relief to find out that there were officials in academia who seemed to be not only rational, but also sympathetic to the concerns of these graduate students.

What in retrospect seemed to be an attempt to draw out this process and in effect wear down graduate students at the time seemed to be simply an academic administration concerned with taking all the proper steps and proceeding cautiously but steadily forward. Bit by bit the UCLA Administration would back off its commitment to bring about real change, but never in one fell swoop, never all at once in a way that would be evident to all that this is what was being done. The internal review committee recommends a ban on graduate student admissions for the Slavic Department: the Academic Senate agrees, but only for a few months. The internal committee recommends that the Slavic Department be put into receivership: the Dean of the Humanities delays and delays implementing this suggestion, and then finally announces that she would be the "Co-Chair" of the Department, strangely allowing the Slavic Department Chair to stay on as a "Co-Chair", this in spite of overwhelming and undeniable evidence of prevarication and other wrongdoing on his part. Students frantically beg the Administration to honor its pledge to protect them from interrogation by Slavic Department faculty. In response, the UCLA Administration backs down in the face of legal threats from the Slavic Department faculty and tries to recharacterize this contact between Slavic Department faculty and Slavic Department graduate students as "participation in departmental discussions of the report" or as "solicitation of student response".

At one point in this process, when confronted with the (arguably) harsh recommendations of the internal committee as to what should be done with the UCLA Slavic Department, the Provost of the College of Letters and Sciences was said to have been taken aback and to have remarked something to the effect of (paraphrasing) "Are you sure about this? After all, the Slavic Department is a small but shining jewel in UCLA's crown and something like this will devastate the department." That this would be a concern of the Provost (assuming that this is in fact what he said) would certainly be consistent with what happened at every other level in this investigation (with the exception of the internal committee): minimize the bad and try to salvage as much as can be saved while causing as little a stir as is possible. It is noteworthy that this comment focused not on a concern for the students who had been left and hung out to dry, but rather on the reputation of the University.

The ultimate goal of the UCLA Administration was not to bring about substantive change in the UCLA Slavic Department or to protect the graduate students who had risked everything to comply with the request by the UCLA Administration that they comply fully with the Eight-Year Review teams. If change were to occur and if students did wind up coming out of the process relatively unscathed, then that was all to the good, but that was not the main concern of the UCLA Administration. The main concern was that the reputation of the University not be unduly harmed and to that end, the goal was to minimize the damage done to the Slavic Department. If graduate students had to be betrayed and crushed in order to make this happen, well, it wouldn't be the first time.

Thus, every action taken by the UCLA Administration seems to be, with regard to achieving these specific goals, in harmony with the actions and suggestions of the UCLA Academic Senate, the Dean of the Humanities, the Bethea/Timberlake external review team, and the Chair of the Slavic Department, Michael Heim.

Part 3: The System "Breakdown" Seen from a Different Perspective.

To the uninitiated reader, the question that inevitably comes to mind when reading the preceding two parts of Section VI, along with the relevant portions of the previous sections, is the following: how could a system designed to investigate the University's departments and to ensure both the quality of its programs and the welfare of its graduate students have broken down so completely and at so many levels, all at the same time no less? After all, the review process consisted of numerous layers of authority, any one of which could have sounded the alarm and demanded that students be protected and substantive change be effected. (Whether or not such change would have actually come about, of course, is a different matter, but what is without question was the ability of these various layers of authority to call for such change.)

And yet, nothing. All we see is breakdown after breakdown after breakdown, from the tenured faculty themselves who visited abuse upon the graduate students, to their tenured colleagues who looked the other way or actively attempted to cover up these abuses, to the Chair of the Slavic Department who consistently lied and went so far as to step outside the law in his attempt to smear a graduate student, to the Bethea/Timberlake external review team's attempts to downplay the abuses found in the Department, to the UCLA Administration's giving in to the legal threats from the Slavic Department faculty and thus reneging on the pledge to protect graduate students, to the Dean of the Humanities first failing to remove Michael Heim as the Slavic Department Chair and then failing to put the Slavic Department into receivership, to the

internal committee's atypical and ill-advised decision to capitulate on the question of allowing graduate students to be questioned, to the Graduate Council of the Academic Senate assenting to Michael Heim's request that the ban on graduate student admissions be lifted after having been in place for just a few months, etc. etc. etc. What is crystal clear is that, as a series of procedures "designed to investigate the University's departments and to ensure both the quality of its programs and the welfare of its graduate students", this system could not have been worse, could not have been less efficient, and could not have been less firm in its purpose and less coordinated in its actions.

Back, then, to the original question: how could this system fail so badly? The answer has in reality nothing to do with the actions described and everything to do with the supposition that underlies the system, namely that it in point of fact is designed to investigate university departments, ensure the quality of University programs, and ensure the welfare of graduate students. These are, no doubt, the *stated* purposes of this system. Part B of Section II of this report speaks of the abhorrence with which tenured academics look upon the task of disciplining their fellow academics, and then remarks as follows: "This abhorrence notwithstanding, UCLA, as a public institution financially supported by and nominally beholden to the public at large, is obliged to have in place some sort of system by which it evaluates the performance of its tenured faculty and through which, in theory anyway, it can bring about the dismissal of tenured professors who abuse their authority or who fail to conduct themselves in accordance with university regulations (or, in extreme cases, in accordance with state and federal law)." Thus, the Eight-Year Review and all the processes that are associated with it are, ostensibly, there for the reasons stated above, and if one takes at face value the stated purpose of the system currently in place, then one can only conclude that it failed and failed miserably.

If, however, one challenges the stated supposition that is said to underlie this system, the supposition that identifies the investigation of academic programs and ensuring their quality and the welfare of graduate students as the goal of the system, then the picture begins to change very quickly. If, instead of this, one looks at the system as one designed to be a multiply redundant fail-safe system designed to allow some small degree of dissent to air, not unlike a safety valve designed to let out steam, while stifling the larger swells of discontent and downplaying the nature and severity of any abuse or wrongdoing that might have resulted from the actions of the faculty, then the picture starts coming into clearer focus. When seen from this new perspective, what was previously characterized as a grotesque failure can now be seen as a notable success. Like every bureaucratic entity, the University very much wants to control the intensity and direction of any self-investigation, and the system in place during the investigation of the UCLA Slavic Department did just that. Thus, what at first glance seems like a series of failures in fact turns out to be a series of successful damping stages. The table in Part 1 of this section that lists 19 separate "breakdowns" was in reality 19 different examples of the University delaying and

deflecting and twisting and doing everything in its power to absorb and diffuse the devastating impact of the Eight-Year Review report.

Such an interpretation of the process would, of course, be vehemently denied by the UCLA Administration. Whether or not such a system was put in place deliberately, or whether or not it developed as a result of the material conditions that predominate in academe, is difficult to say. What is not difficult to see, however, is that regardless of intent, this is how the system works in effect. Whatever happens in the course of an investigation of an academic department at UCLA, certain core principles cannot be violated: no investigation of any department shall be allowed to reach a point where official investigations of individual faculty members are initiated. No department shall be deprived of the "right" to run itself. Investigations of abuses against students should be done with care and should always be conducted in such a manner to make clear that the purpose of the investigation is the correction of the problem, NOT a truly exhaustive exploration of the damage suffered by any individual graduate student or groups of graduate students, since such an investigation would veer dangerously close to the logical corollary of actions needed to remedy such damage and thus to all the financial and legal overtones associated with such remedy.

When seen from this radically different perspective, the "breakdowns" in the system are seen for what they are, circuit breakers that keep the currency of dissent from shorting out the entire system, a system that is heavily skewed toward the interests and power of the tenured professoriate. In this framework, the decision of the Dean of the Humanities to keep Michael Heim on as the Chair of the Slavic Department and the decision of the Graduate Council of the Academic Senate to allow this department to again admit graduate students makes perfect sense. To the uninitiated, these actions (or, in some cases, "non-actions") were at the least outrageous acts of negligence, at the worst collusion and complicity. But within this new framework, these actions make perfect sense. For those tasked with keeping the system in place, Michael Heim's acts of lying and deception and misleading and denial were not the acts of an immoral and uncaring academic. They were the acts of a "team player", of someone who was willing to "take a hit for the team", and this he did indeed do. In their eyes, his behavior was not only not disgraceful, it was gutsy, it was a selfless act, as he managed to persevere, even while taking hit after hit after hit to what remained of his credibility.

For the UCLA Administration, Michael Heim wasn't a liar and an accomplice and a justifier of thuggery and a criminal. Far from it. For them, Michael Heim was a hero, and if there is any doubt about this, one need only look at how the UCLA Administration treated Michael Heim after the Eight-Year Review. Was he chided for his deceptions and his prevarication and his failure to stand up and protect graduate students and his breaking of the law by releasing grades from the undergraduate transcript of a former graduate student he was trying to smear? Far from it. Michael Heim, after all of this, after every one of his actions had been made crystal clear to

the Graduate Council of the Academic Senate, was not terminated. He was not suspended. He was not publicly held to account for his actions. No, no. Quite to the contrary.

Quite, quite to the contrary. For Michael Heim was promoted. And not only was he promoted, but he was promoted two steps, not just one. Say what you will about the UCLA Administration, when their interests are threatened, UCLA pays cash, and that is exactly what they did in this instance, both literally and figuratively. And again, why not? From their perspective Michael Heim, the scholar and translator of Czech literature, did in fact become the Good Soldier Schweik. Michael Heim did yeoman's work and, in their eyes, deserved to be compensated accordingly. And he was. And so, not only did the system not "break down", it worked surprisingly well, even under tremendous duress, at least as far as the UCLA Administration was concerned. No faculty member was rebuked, no reports of illegal activity were made to law enforcement, no official investigation into the conduct of the UCLA Slavic Department faculty was ever launched, no graduate students were ever compensated for what they had undergone, no readily accessible paper trail had been left to embarrass the University. With time, as tempers cooled and graduate students moved away or were failed out of the program or somehow became disassociated with the program (so went the thinking) so too would the danger posed by this particular "unfortunate incident" and soon the status quo would once again reign supreme in Westwood.

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