

THE “SPECIAL COUNSEL REPORT” ON THE MATTER OF PRESIDENT FARAHİ’S CLAIMED ACADEMIC CREDENTIALS

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It is necessary to draw a clear line of demarcation between the “Special Counsel Report” (hereafter, “Report,” currently posted on the main Kean website) prepared by the McElroy, Deutsch et al. law firm hired by the Board of Trustees, on the one hand, and the conclusions drawn from that “Report” by the Board, on the other hand. The “Conclusions” drawn by the authors of the “Report” themselves, set forth on page 19 of the “Report,” were entirely redacted, i.e., the entire page was blacked out. Those “Conclusions” were presumably drawn by the attorneys, John J. Peirano and Paula M. Castaldo, whose signatures alone are on the final page of the “Report.” Presumably, it was the Board, not the attorneys who actually prepared the “Report,” who decided to redact those “Conclusions” in their entirety, thereby depriving the University community of that essential information.

The conclusions drawn from the “Report” by the Board of Trustees are contained, thus far, exclusively in the “Statement” the Board issued on February 15, 2012. In that “Statement,” the Board—or a bare majority of seven Board members—drew two conclusions. First, the Board concluded that “The Board notes that the investigation identified instances, most decades old, where Dr. Farahi exhibited carelessness that is not consistent with today’s rigorous academic environment at Kean.” The Board then immediately went on to say that “The Board does not condone these mistakes made by Dr. Farahi, in fact, we deplore them. But the Board recognizes that none of the investigator’s findings is material to Dr. Farahi’s successful employment as President of Kean.”

On its face, the Board’s reasoning is a *non sequitur*, as further indicated by the fact that in its next sentence the Board stated that “Indeed, under Dr. Farahi’s tenure, the university has made significant and measurable progress, and our students now reap the benefits of an educational system focused primarily upon their success.” There is no evidence whatsoever that, under President Farahi’s leadership since mid-2003, education at Kean has “now” been “focused primarily upon [student] success”—or that “students now reap the benefits” of any such alleged “focus”—to any extent greater than in the pre-Farahi era. Those claims are unadulterated puffery by, and on behalf of, Farahi’s supporters on the Board.

That leaves the Board’s claim that Farahi’s misrepresentations of his record of post-doctoral scholarship during the years from 1983, when he was hired at Kean, through the present were merely “mistakes” due to “carelessness” that are “not consistent with today’s rigorous academic environment at Kean.” Those descriptions are internally contradictory. Mistakes due to carelessness are unintentional errors to which humans always have been, and always will be, prone, and for which no blame is assigned. It is self-evidently false to say that mistakes in that sense are “not consistent with today’s rigorous academic environment at Kean.” However, in addition to mistakes, there are “mistakes” (in “shudder quotes,” as they’re called). Such “mistakes” are not mistakes at all, but rather deliberate misstatements (i.e., lies) that someone (the author himself or someone else) chooses to excuse by calling them “mistakes.” Actual mistakes are always excusable. “Mistakes” never are—unless some authority, such as the Board, decides to excuse them. To suggest that the 1980s were a period in which lies were acceptable in the “academic environment at Kean” in matters concerning the credentials of faculty members is deeply offensive to everyone who worked and studied at Kean during that period of time.

The evidence recited in the “Report” completely discredits any claim that Farahi’s misstatements of fact in various documents, beginning with his initial employment applications in 1982-1983 and continuing for years thereafter, were genuine mistakes due to carelessness or excusable error on his part, as distinct from lies, i.e., “mistakes,” attributable to an intent to deceive faculty and administration who reviewed those applications.

I will not summarize here all the information in the “Report,” but will concentrate on the first two sections of the “Fact-Findings,” i.e., pp. 5-11, which are subtitled “**Four Academic Articles**” and “**Text Book.**” Those pages discuss the claims of scholarly submissions/acceptances for publication that Farahi made, beginning with his first inquiry about being hired at Kean in February 1982, followed by his formal applications for appointment, reappointment, tenure, and promotion during the following years.

(1). I shall start with the second of those sections, subtitled “**Text Book.**” Publishing a book is a big deal. Few Kean faculty have done so. Yet Farahi claimed, in the Kean College “APPLICATION AND QUALIFICATION FORM” he filled out and signed on March 15, 1983 (as part of the process of actually being hired at Kean at that time), that a book entitled “*Strategic Management: A Decision-Making Approach*,” had been “accepted” for publication in 1982 by Franklin Watts, a British publisher. (Page references below are to the “Report.”)

- The “Report” states that, in interviews by the lawyers the Board hired, “Dr. Farahi acknowledged that the book never was published,” and that he “was unable to produce any documentary evidence reflecting that the book actually was accepted for publication by Franklin Watts (or reflecting any of his communications with Franklin Watts).” (p. 9)
- The “Report” also states that [name redacted], identified as an employee of “Scholastic,” which currently owns the rights to Franklin Watts in the United States, “confirmed that a search of Scholastic’s archives for records of the book and Dr. Farahi’s name yielded no results.” (p. 9)
- However, the “Report” states that Dr. Farahi “produced to us an early outline and draft chapters of the book,” but without further describing those materials. (p. 9)

(over)

- The “Report” goes on to say that Farahi, in response to a question why the book was not published, “initially advised that he ceased pursuing publication because Franklin Watts asked him (he believes in 1984) for \$2,500 to produce the first 100 copies. . . .” (page 10)
- However, “In a later interview,” according to the “Report,” “Dr. Farahi stated that he never advised Franklin Watts he was not interested in further pursuing publication of the book because of the \$2,500.” (page 10)
- Still later, in a third interview, according to the “Report,” Farahi “stated that Franklin Watts did not ask him for \$2,500; rather, he recalled that in or around 1983 Franklin Watts told him that his English and writing were ‘not good,’ and that he should hire an editor. . . .” and that an “editor whom he contacted advised that his fee would be \$2,000 to \$2,500.” (page 10)
- According to the “Report,” Franklin Watts “employed in-house editors” and would not have been likely to tell an author “to hire and pay for an outside editor.” (page 11)
- Further, the “Report” points out that whereas Farahi claimed, in a 1983 application to Kean, that “Franklin Watts, the publisher, expects that it [the book] will be ready for distribution by the Fall of 1984,” he also claimed, in a Fall 1987 promotion application, that the supposed book was “70% complete.” (page 12)

In my opinion, the above sequence of representations by Farahi was no series of mistakes, that is, unintentional errors. Rather, it is a recognizable example of what often happens when people lie, i.e., the “story” keeps changing as the liar attempts to adjust it over time to fit the circumstances. Suppose you were a juror, assigned to assess the truthfulness of this witness, on whose testimony you might need to rely in reaching conclusions affecting someone else’s legal rights. Would you trust this witness?

(2). In the first section of its “Fact-Findings,” the “Report” discusses **“Four Academic Articles”** that Dawood Farahi claimed to have published as of the 1980s, i.e., as of the time he was hired in Fall 1983 or in the following few years. The articles were allegedly entitled *“Patterns of Administrative Efficiency,” “Shadow Pricing as a Decision-Making Tool,” “Budget Control and Fiscal Policy,”* and *“Determining Your MIS Needs.”*

- According to the “Report,” President Farahi now “acknowledges that none of these articles was ever published.” (page 6)
- In addition, “He was unable to locate copies” of three of the alleged articles, but was only able to produce “a couple of versions” of one of them. (page 6, note 4)
- Further, with respect to his representations in various Kean personnel documents in the 1980s that these four articles were either “submitted to” or “accepted by” various scholarly journals, Farahi now says, according to the “Report,” either that those misrepresentations “must” have been true or else he “would not have made them,” or that they were “mistakes” made by someone else that were due to the fact that he does not type, and did not proof-read, what had been typed for him by someone else. (page 6)
- In one instance, he claimed that the “type could have skipped” [?] as an explanation for the fact that one of the above titles was listed in a bibliography as if it had already been published, rather than merely “submitted” or “accepted” for publication. (page 6)
- The authors of the “Report” further state that “As to why none of the articles that were listed as accepted for publication ultimately were published, Dr. Farahi stated that the accepting journals likely required that he make revisions to the articles that would have required a significant time investment, and that because of various events that he stated transpired in the 1980s (i.e., his move to New Jersey, his starting a new job at Kean, his becoming involved in various projects relating to the computerization of Kean, and a shift in his personal focus and the focus of his discipline from academic research to technical research [?] he let these articles ‘fall by the wayside’).” (page 7, note 7)
- Finally, the authors of the “Report” state that “Generally speaking, [Farahi’s] resumes and promotion/reappointment packets created later in time identified later dates for the alleged year of the articles’ submission to and/or acceptance by various journals,” which, they said, Farahi “attributes . . . to sloppiness on his part; he stated that he does not type, and that the mistakes . . . probably were made by the individuals who typed the documents for him.” (pages 8-9) Which he never, ever proof-read?

Interesting, isn’t it, that when President Farahi’s staff of subordinates make “mistakes” (such as “typographical errors”) regarding the facts of his career, the “mistakes” they make always, without fail, embellish his history in ways designed to falsely puff him up as an active scholar and researcher (if not some other type of superman)?

Speaks for itself, does it not, as what most people recognize as the stereotypical discourse of someone whose propensity for lying means he is incapable of keeping his stories straight?

Here, then, is the question:

Given how obvious it is that President Farahi cannot be trusted to tell the truth, how come a majority of Kean’s Board of Trustees are so wedded to him?