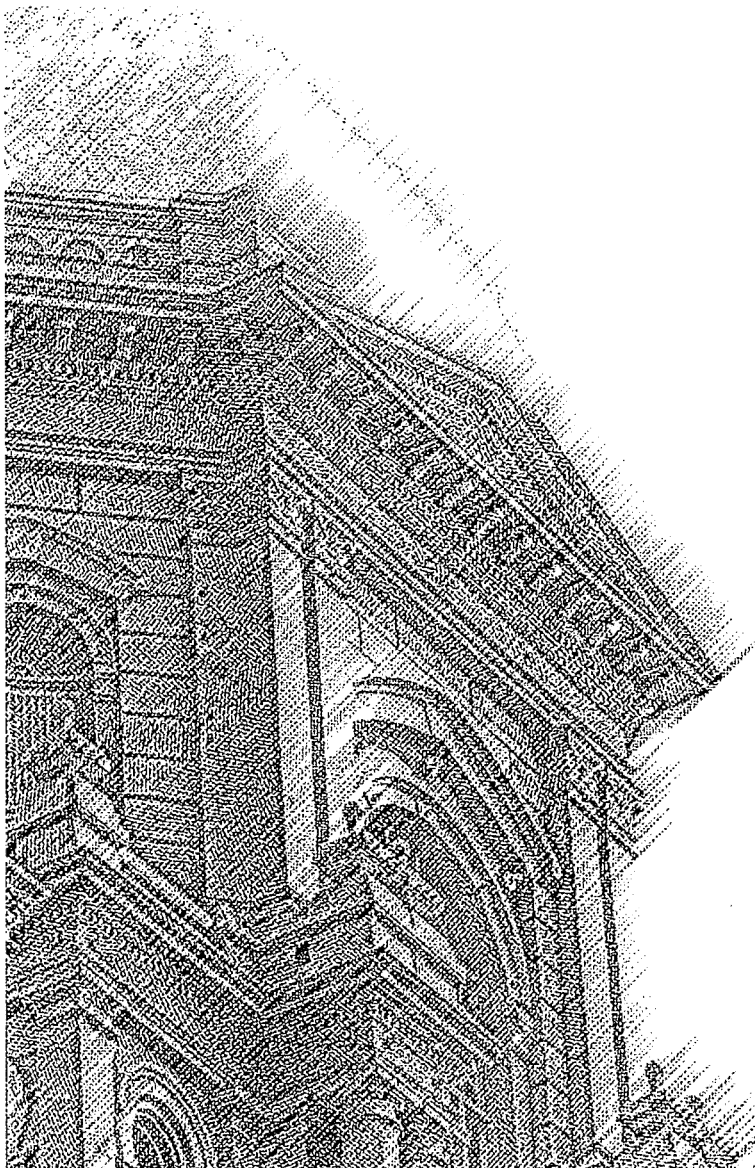


Notre Dame Report



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N U M B E R 8

The University

Task Force on Anti-Sweatshop Initiatives Gives Recommendations

Notre Dame's president, Rev. Edward A. Malloy, C.S.C., has accepted recommendations by his Task Force on Anti-sweatshop Initiatives that, consistent with Catholic social teaching, the University prohibit the manufacture of licensed products in all countries, without exception, which do not recognize the legal rights of workers to organize, and that the University create a model factory monitoring program to provide for joint monitoring by professional auditors and members of Church, labor and human rights organizations.

A third recommendation, that the University request full public disclosure of manufacturing sites by all its licensees, already is being implemented.

Father Malloy appointed the task force in March 1999. The 13-member group is made up of University faculty, students and administrators and three non-voting advisory members representing adidas America, Sara Lee Corp., and Follett Higher Education group, which operates the University's bookstore.

The task force is continuing to study sweatshop matters and intends later this year to make a further recommendation to Father Malloy concerning the issue of a living wage for workers manufacturing licensed products.

Notre Dame in 1997 became the first university to establish a code of conduct for its licensees and in 1999 it became the first to begin monitoring overseas factories that manufacture its licensed products.

The requirement of the right to organize, which will be added to the University's code of conduct and become part of its contractual agreement with licensees, will require that all countries where Notre Dame licensed products are made be signatories to the relevant International Labor Organization treaties and/or have national laws guaranteeing the legal rights of free association and union organizing.

The provision specifies that "Employer created, mandated or sponsored organizations, such as company unions, do not satisfy this requirement."

The provision effectively will prohibit the manufacture of Notre Dame licensed products in China. The task force notes that some institutions have made China an exception to such requirements in the belief that they may be able to influence Chinese policy, but the task force "believes such special country exceptions tend to swallow the rule, and that lobbying by licensees is unlikely to have much of an impact upon the policies of . . . the Chinese government."

While the provision of necessity relies on international and national labor laws, the task force emphasizes its grounding in Catholic social teaching, which "has long recognized the rights of workers throughout the world to form labor unions and engage in collective bargaining."

Because of the need for licensees to shift production from noncompliant countries such as China, the requirement will be phased in, with full implementation no later than June 30, 2001.

The recommendation on monitoring calls for the creation of a pilot program in Mexico and Central America, where Notre Dame has extensive contacts with Church, labor and human rights organizations. Drawing on these contacts, a monitoring committee will be established with one or more representatives from each country where Notre Dame products are made, as well as faculty and administrators with relevant expertise or contacts and a representative of PriceWaterhouseCoopers, which the University retained last year to audit factories.

The monitoring committee will work closely with University officials in identifying factories to be monitored. Monitoring teams will be made up of both PriceWaterhouseCoopers auditors and the appropriate committee members or their designees from the Church, labor and human rights organizations most familiar with the local

situation. The full committee will review all monitoring reports and complaints involving factories in the region and will advise the University on appropriate follow-up measures when problems are identified.

The recommendation of public disclosure of all manufacturing sites where Notre Dame licensed products are made formalizes action initiated in November 1999, when the University sent a request for public disclosure to all its licensees.

Fellowship to Honor Charles Rice

With an anonymous gift from a 1972 graduate, the Notre Dame Law School has established a fellowship in honor of law professor Charles Rice.

The anonymous benefactor hopes the fund will attract additional contributions from classmates and other Notre Dame law graduates.

A member of the Notre Dame faculty since 1969, Rice specializes in constitutional law, jurisprudence and torts. He is the author of eight books, including *50 Questions on the Natural Law* (Ignatius Press, 2nd ed., 1999) and *The Winning Side: Questions on Living the Culture of Life*, published last year by St. Brendan's Institute.

Rice was co-editor of the *American Journal of Jurisprudence* from 1970-97, served as a member of the Educational Appeal Board in the U.S. Department of Education from 1981-93, and has been a consultant to the U.S. Commission on Civil Rights.

A 1953 graduate of the College of the Holy Cross, Rice earned his juris doctor degree from Boston College in 1956 and his master of laws and doctor of juridical science degrees from New York University in 1959 and 1962, respectively. After private practice in New York City, he taught at C.W. Post College, New York University and Fordham University before joining the Notre Dame law faculty.

Rice is a retired lieutenant colonel in the U.S. Marine Corps Reserve, and he serves on the board of trustees of Franciscan University in Steubenville, Ohio, and the board of governors of Ave Maria School of Law.

A staunch pro-life advocate, Rice has co-authored numerous briefs, involving right-to-life and right-to-die issues and has served as co-chair of Free Speech Advocates of Catholics United for Life.

Law School Fellowship Established

A gift from Notre Dame graduate Jerry H. Mowbray of Reno, Nev., has established a new fellowship at the Notre Dame Law School in the name of his parents, the late Justice John C. Mowbray and Kathlyn Hammes Mowbray of Las Vegas.

The John and Kathlyn Mowbray Law Dean's Scholars Fellowship is the first of 10 new full-tuition fellowships planned to assist law school students at Notre Dame.

Justice Mowbray was a 1949 graduate of the Notre Dame Law School who served for 25 years on the Nevada Supreme Court and eight years as a Clark County (Nev.) District Court Judge. Kathlyn Hammes Mowbray is the daughter of the late Mr. and Mrs. Romy Hammes, whose 1955 gift underwrote the University's bookstore.

Jerry Mowbray was graduated from Notre Dame with a bachelor's degree in government in 1975 and earned a law degree three years later. He is an attorney in Reno.

After serving in the U.S. Army Air Corps during World War II, Justice Mowbray attended the Notre Dame Law School from 1946-49, during which time he met and married Kathlyn. Upon his graduation, the couple moved to Las Vegas, where he served for four years in the Clark County district attorney's office. He was a private practitioner from 1953-55, then served

as a bankruptcy referee for the next four years.

Justice Mowbray was appointed in 1959 by then-Gov. Grant Sawyer to the Clark County District Court, where he is credited with founding the public defender system in Nevada. He also played a prominent role early in his career in pushing for the state's first child abuse laws.

Then-Gov. Paul Laxalt, a Republican, surprised his party in 1967 by appointing Justice Mowbray, a Democrat, to the state's Supreme Court. The justice won four elections during the next 25 years and served as chief justice during three of his terms on the bench. Suffering from glaucoma, Justice Mowbray retired in 1992.

Mowbray served on the board of Catholic Community Services of Las Vegas for more than 20 years and also was actively involved with the Knights of Columbus, City of Hope, the National Conference of Christians and Jews, the YMCA, Sons of the American Revolution, the Freedom Foundation, and the Boy Scouts of America.

John and Kathlyn Mowbray played a principal role in the development of Bishop Gorman High School and St. Anne's Elementary School in Las Vegas. Kathlyn Mowbray also was instrumental in the creation of the city's Home of the Good Shepherd, a halfway house for young women, as well as the development of St. Rose Dominican Hospital, southern Nevada's only Catholic hospital. Nadira K. Kirkland, a first-year Notre Dame Law School student from Englewood, N.J., is the initial recipient of scholarship support from the Mowbray fellowship.

Name Change for College of Business

The University of Notre Dame's College of Business Administration will become the College of Business, effective immediately.

The name change has been implemented to expand the college's identity beyond administrative manage-

ment to include the diverse range of its academic offerings. The change was approved in December by the University's Academic Council.

"Business administration is a narrow and inaccurate description of our educational focus and our students' career development," said Carolyn Woo, Martin J. Gillen Dean of the college. The college is divided into four departments — accountancy, finance and business economics, management, and marketing — and also includes courses and concentrations in field such as marketing and information systems, e-commerce, human resources, international business, and management consulting.

In addition, the college has developed six centers for scholarly research and teaching: The Center for Research in Banking, the Center for Research in Business, the Center for Ethics and Religious Values in Business, the Center for U.S.-Japanese Business Studies, the Eugene D. Fanning Center for Business Communications, and the Gigot Center for Entrepreneurial Studies.

Created in 1921, the College of Business is Notre Dame's second largest college with some 1,800 undergraduates, 780 advanced degree students, and 130 faculty.

1988 Alumnus Receives Dooley Award

John Adams, coordinator of the Youth Action Project (YAP) in the Ballymun neighborhood of Dublin, Ireland, has received the Notre Dame Alumni Association's Dr. Thomas A. Dooley Award.

A 1988 Notre Dame graduate, Adams was honored for having helped design several drug and community development courses for YAP. As social concerns coordinator and secretary of the Notre Dame Club of Ireland, Adams also has attracted student volunteers from the Saint Mary's College Ireland program at Maynooth and the Notre Dame's Keough Study Centre in Dublin to a variety of community service positions in Ballymun.

An impoverished neighborhood between the Dublin airport and the city center, Ballymun is the largest public housing project in Ireland. More than 70 percent of its 20,000 residents receive their entire incomes from government welfare programs. YAP was established in 1981 following the drug-related deaths of three young people from Ballymun, where heroin use is now epidemic.

A native of Kennebunk, Maine, Adams taught high school in rural Maine for two years before entering the graduate school of education at Harvard University, from which he received a master's degree in 1993. Last November he received a master's degree from the National University of Ireland. He is married to Anna Marie O'Shea of Killarney.

The Dooley Award was established in 1983 in memory of the 1948 Notre Dame alumnus who became internationally famous for his devotion to the poor of Southeast Asia, his fondness for prayer at Notre Dame Grotto of Our Lady of Lourdes, and his cheerfully accepted death at 34 years of age. The award is annually conferred on a Notre Dame graduate who has performed an outstanding humanitarian service.

Hahn to Receive Sandeen Prize for Poetry

The poet Robert Hahn will receive the 2001 Ernest Sandeen Prize for Poetry for a collection of poems entitled *No Messages*, which will be published by the University of Notre Dame Press next year.

Hahn, who lives in Johnson, Vt., is president of Johnson State College. He also is the author of four previous collections of poetry, including *All Clear*. Hahn's work frequently appears in such journals as *Paris Review*, *New Republic*, *Harper's*, *TriQuarterly*, *Chicago Review*, *Iowa Review* and *Notre Dame Review*.

The Sandeen Prize for Poetry is awarded in alternate years with the Ri-

chard Sullivan Prize for Fiction. Both awards are given by Notre Dame's Creative Writing Program in cooperation with *Notre Dame Review* and the Notre Dame Press.

The Sandeen Prize was established in 1996 in honor of Ernest Sandeen, professor emeritus of English at the University, who served on the Notre Dame faculty from 1946 until his death in 1997. One of the most respected and affectionately regarded teachers of poetry in the University's history, he inspired many generations of Notre Dame poets.

New Summer Program for High School Students Announced

The University is launching a new summer study program for academically gifted high school seniors-to-be from across the country.

Called "Summer Experience," the three-week program, July 9-30, will provide participants with an opportunity to explore one of four fields of study in residence on the Notre Dame campus. "All of us who have been involved in the development of this program are excited to offer an opportunity for talented high school students to challenge themselves academically and personally here at Notre Dame," said Nathan O. Hatch, the University's provost.

Summer Experience students will take part in academic courses and fieldwork under the direction of Notre Dame faculty and participants who complete the program will earn one college credit.

The academic tracks and directors for this summer are:

Literature — Thomas A. Werge, professor of English;
Mathematics — A. Alexandrou Himonas, associate professor of mathematics, and Liviu Nicolaescu, assistant professor of mathematics;
Life Sciences — Kristen M. Lewis, T. Mark Olsen and Michelle Whaley, all professional specialists in biological sciences;

Investments/finance — Scott C. Malpass, vice president for finance, chief investment officer, and concurrent assistant professor of finance and business economics.

Each track also will include a theology component.

In addition to the weekday programming, Summer Experience will include evening and weekend workshops, recreational activities, field trips, and social and community service opportunities.

MBA Program Ranked in Top 20 "Best Bang for Your Buck"

The MBA program at Notre Dame ranks among the top 20 in the nation in providing "the best bang for your buck," according to a new survey in the Feb. 7 issue of *Forbes* magazine.

Titled "The Bottom Line on B-Schools," the rankings list the MBA programs that produce the biggest gains in earning power relative to the cost of the degree. Notre Dame's College of Business is rated 18th.

To calculate the worth of a master's of business administration degree, *Forbes* measured the salary gains graduates experienced against the cost of the degree, including not just tuition but also lost earnings while attending school. Based on surveys of the class of 1994, the analysis includes factors such as compensation immediately before enrolling in business school, just after graduating, and five years later.

The five-year MBA gain, as *Forbes* describes it, for the typical Notre Dame student is \$22,000. In terms of salary alone, Notre Dame MBAs earn on average some \$48,000 more five years after graduation than they did before enrolling.

Harvard University ranks first in the *Forbes* survey, followed by Dartmouth College, Stanford University, the University of California at Berkeley, and UCLA.

Faculty Notes

Appointments

Charles K. Wilber, professor emeritus of economics, has been appointed acting director of the Joan B. Kroc Institute of International Peace Studies. He has been a fellow of the institute and member of the Notre Dame faculty since 1975. He was also the chairperson of the economics department from 1975-84.

Honors

Joseph P. Bauer, professor of law, has been appointed a member of the advisory board of the American Antitrust Institute.

Roberto DaMatta, Joyce professor of anthropology, has been elected a full member of the Brazilian Academy of Sciences.

Keith J. Egan, adjunct professor of theology and chairperson of religious studies at Saint Mary's College, has been appointed to the integrative Medicine Advisory Council of Memorial Hospital of South Bend.

David L. Hay, assistant professional specialist in the Center for Social Concerns and concurrent assistant professor of American studies, has been elected president of the Michigan City redevelopment commission. He will lead efforts to revitalize the urban center of Michigan City, Indiana, where he has lived most of his life.

Yih-Fang Huang, professor and chairperson of electrical engineering, has been elected distinguished lecturer on adaptive signal processing for communications by the Circuits and Systems Society.

Billie F. Spencer, Jr., Linbeck professor of civil engineering, has been appointed by the White House Office of Science and Technology Policy to serve on a committee conducting an advisory study of US-Japan Science and Technology Relations. He also has been appointed an associate editor of the *Shock and Vibration* journal.

Jay Tidmarsh, professor of law, has been elected chair-elect of the section on civil procedure of the Association of the American Law Schools.

Raimo Väyrynen, professor of government and international studies, fellow in the Joan B. Kroc Institute for International Peace Studies, has been invited to be a member of Brown University's external committee for the Social Sciences and Regional Studies Cluster Review with a special focus on the Watson Institute for International Studies. He has been commissioned to evaluate the faculty of social sciences at the University of Tampere, Finland, and to develop strategies and priorities for the academic program and administrative reform.

Michael Wiescher, Freimann professor of physics, has been appointed to the international advisory committee of the nuclear physics conference of the European Nuclear Physics Society in Eilat, Israel.

Activities

Joseph P. Amar, associate professor of classics, presented "Diffusion of Aramaic in Late Antique Syria" for the Society of Biblical Literature meeting held in Boston, Mass., Nov. 20-23.

Roger K. Bretthauer, professor of chemistry and biochemistry, and **Francis J. Castellino**, dean of science and Kleiderer-Pezold professor of biochemistry, organized and convened a symposium on "Production of recombinant proteins with the *Pichia* expression system" at the 50th anniversary annual meeting of the Society for Industrial Microbiology held in Arlington, Va., Aug. 1-5. He gave a talk "Glycosylation of recombinant proteins in *Pichia pastoris*" at the meeting.

Jacqueline Vaught Brogan, professor of English, delivered "Light into Dark: A New Look at Hemingway and Race" at the 9th International Hemingway Conference held in Bimini, Jan. 7.

Jianguo Cao, associate professor of mathematics, delivered five lectures

titled "Topics in geometric analysis via Gromov's methods" at the Federal University of Ceara, Fortaleza, Brazil, July 17-25.

Francis J. Castellino, dean of science and Kleiderer-Pezold professor of biochemistry, gave a talk "Expression of kringle domains in *Pichia pastoris* cells" at the 50th anniversary annual meeting of the Society for Industrial Microbiology held in Arlington, Va., Aug. 1-5.

Daniel J. Costello, Jr., professor of electrical engineering, presented an invited lecture titled "Some Reflections on the Mythology of Turbo Codes" at the 3rd ITG Conference held in Munich, Germany, Jan. 17-19.

Fred R. Dallmayr, Dee professor of government and international studies, fellow in the Kroc Institute for International Studies and fellow in the Kellogg Institute for International Peace Studies, presented a paper "Rethinking Secularism" at the annual meeting of the American Political Science Association held in Atlanta, Ga., Sept. 2-5. He presented a paper "Asian Values and Universality" at a UNESCO conference held in Seoul, Korea, Oct. 4-6. He chaired a session at the annual meeting of the Society for Phenomenology and Existential Philosophy in Eugene, Ore., Oct. 7-9. He presented a paper "Homelessness/Homecoming: Heidegger and Pilgrimage" at the 8th East-West Philosophers' conference held at the East-West Center of the University of Hawaii, Jan. 11-19.

Rev. Michael S. Driscoll, assistant professor of theology, delivered the paper "Death, Dying and Burial: The Ordo in Agenda Mortuorum in the Ivrea Sacramentary" at the North American Academy of Liturgy, Tampa, Fla., Jan. 2-5. He delivered the talk "Devotions and Liturgy: Are They Compatible?" to the archdiocese of New Orleans, La., Feb. 3. He gave the talk "The Theologies of Confirmation" at Culver Military Academy, Culver, Ind., Feb. 13.

Keith J. Egan, adjunct professor of theology and chairperson of religious studies at Saint Mary's College, pre-

sented lectures on "The Landscape of the Soul" at the Retreat International Program at Notre Dame, June 28-July 2. He presented lectures at the Oratory, on "John of the Cross" at Rock Hill, South Carolina, July 5-9. He delivered the homily at the reconciliation service at Little Flower parish, South Bend, Ind., Dec. 9.

Dirk M. Guldi, associate professional specialist in the radiation laboratory, presented "From Photosynthesis to Solar Cells: Fullerenes at Three-Dimensional Electron-Acceptors" at the University of Trieste, Italy, Jan. 10.

Gordon Hug, associate professional specialist in the radiation laboratory, presented "Photooxidation of methionine-containing peptides by the 4-carboxybenzophenone triplet state in aqueous solution" at the Inter-American Photochemical Society 11th winter conference held in Clearwater Beach, Fla., Jan. 2-6.

Maxwell E. Johnson, associate professor of theology, presented "Liturgical Norms in the Light of Contemporary Liturgical Scholarship?" as part of the Problems in the Early History of the Liturgy seminar held at the North American Academy of Liturgy, Tampa, Fla., Jan. 3.

Prashant V. Kamat, professional specialist in the radiation laboratory, presented "Light Energy Conversion Using Semiconductor Nanoparticles" for the department of chemistry at Arizona State University, Tempe, Ariz., Oct. 7.

Yahya C. Kurama, assistant professor of civil engineering and geological sciences, visited Turkey between Dec. 16-23 to investigate the recent earthquakes of August and November, 1999. He was part of an earthquake reconnaissance team comprised of researchers from other universities and two corporations.

Roderick M. Macrae, research assistant in the radiation laboratory, presented "A theoretical investigation of the effect of a sodium cation on the proton-electron hyperfine coupling constants of the cyclohexadienyl radical and some consequences for the

muonium-substituted cyclohexadienyl radical, C₆H₆Mu, formed in zeolites" at the 8th International Conference on Muon Spin Rotation/Relaxation/Resonance held at Les Diablerets, Switzerland, Aug. 30-Sept. 3. He presented two posters, "Order-disorder transition in anthracene/tetracyanobenzene probed by muonium-substituted radicals" and "Anomalous photoexcitation effect in bulk GaAs probed by MuSR underlaser irradiation."

Grant Matthews, professor of physics, gave an invited talk "Revised Relativistic Hydrodynamic Model for Neutron-Star Binaries" at the 9th Midwest Relativity Meeting held at the University of Illinois at Urbana-Champaign, Nov. 12. He gave the invited talk "Neutron Star Mysteries" at the OMEG 2000 Conference on the Origin of Matter and the Evolution of Galaxies, held at the Center for Nuclear Physics, Tokyo University, Tokyo, Japan, Jan. 21.

Dan Meisel, director of the radiation laboratory and professor of chemistry and biochemistry, presented a plenary lecture "Radiation Induced Charge Carriers in Aqueous Suspensions of Nanoparticles" at the Trombay symposium on radiation and photochemistry held at the Bahaba Nuclear Research Centre, Bombay, India, Jan. 12-17. He delivered the following seminars at the Indian Institute of Science at Bangalore on Jan. 7, at the Regional Research Laboratory, Trivandrum on Jan. 10 and the Bhabha Atomic Research Center, Jan. 18. The seminars were: "Nanoballs and Nanobubbles under Light and Radiation," "Radiation and Photochemistry in Silica Nanoparticles and Nanobubbles" and "Encapsulation in Nanobubbles."

Rev. John Allyn Melloh, S.M., coordinator of the John S. Marten program in homiletics and liturgics and professional specialist in theology, presented the lecture "Liturgy and Life" at the Australian Catholic University in Strathfield (Sydney), New South Wales, Australia, Jan. 10. He presented the lecture "Ritual: Sound, Music, Silence" at the same university in Australia, Jan. 11. He presented two day-long workshops for clergy, "Leading the Assembly in Prayer" on Jan. 12 and

"Method in Preaching" on Jan. 13 for the diocese of Ballarat, Ballarat, Victoria, Australia. He gave a live radio and television interview on ABC, on the Australian Academy of Liturgy conference on "Religious Ritual in Public Life" Hobart, Tasmania, Jan. 17. He led a day-long workshop for clergy on "Method in Preaching" for the archdiocese of Hobart, Hobart, Tasmania, Australia, Jan. 18. He delivered the inaugural Guilford Young lecture, "Out of the Depths and Into the Deep: Liturgy and Ritual in the Millennium" at the University of Tasmania, Hobart, Tasmania, Australia, Jan. 19. He presented "Religious Ritual for Public Life" at a seminar for the Australian Academy of Liturgy, at the University of Tasmania, Hobart, Tasmania, Australia, Jan. 20.

Christian Moevs, assistant professor of romance languages and literatures, gave the invited lecture "Paradiso 29.1-48: When and Where the World Was Made, and How" at the winter meeting of the Dante Society of America in the 1999 Modern Language Associate Convention held in Chicago, Ill., Dec. 27.

Rev. Jerome H. Neyrey, S.J., professor of theology, delivered the papers "Prayer, In Other Words: New Testament Prayers in Social Science Perspective" and "The Noble Shepherd in John 10: Cultural and Rhetorical Background" at the Society of Biblical Literature annual convention held in Boston, Mass., Nov. 20-23.

Susan Ohmer, assistant professor of American Studies, chaired a panel and presented a paper "South of the Border with Disney: Genre/Gender Bending" at the annual conference of the American Studies Association held in Montreal, Canada, Oct. 28-31.

John A. Poirier, professor of physics, gave a talk, "GRAND: An Extensive Air Shower Array of Proportional Wire Chambers" at the 26th International Cosmic Ray Conference held in Salt Lake City, Utah, Aug. 17-25.

Dean A. Porter, director emeritus and curator of American Art in the Smithsonian Museum of Art, professor of art, art history and design, juried the Cow-

boy Artists Show at the Phoenix Art Museum, Phoenix, Ariz., Oct. 22. He presented the talk "Walter Ufer and William H. Klauer: Artist/Patron" at the Dubuque Art Museum, Dubuque, Iowa, Dec. 7. He presented "The Rise and Fall of Walter Ufer and the Taos Society of Artists" at the Tucson Museum of Art, Tucson, Ariz., Dec. 15. He presented "Taos Artists and Their Patrons, 1898-1950" at the Phoenix Art Museum, Phoenix, Ariz., Dec. 16 and 17. He had a one-man show of oils and watercolors at the R. Paul Mooney Gallery, Scottsdale, Ariz., Dec. 18 until Jan. 17. He conducted a museum assessment program at the Fine Arts Center Galleries at Bowling Green State University, Bowling Green, Ohio, Jan. 18 and 19.

Joachim Rosenthal, professor of mathematics, gave the seminar talk "Reflections on Shannon's three Challenges" for the department of mathematics of the Swiss Federal Institute of Technology in Lausanne, Switzerland, Nov. 16. He was the colloquium speaker for the department of mathematics at the University of Oldenburg, Germany, Nov. 23. The talk was "Ein Quotienten Schema und seine Bedeutung der Systemtheorie und der Codierungstheorie." He gave a series of three lectures on the relation between systems theory and coding theory at the University of Bremen, Germany Nov. 24-27.

Mei-Chi Shaw, professor of mathematics, gave a colloquium talk " L^2 existence theorems for the tangential Cauchy-Riemann complex on Lipschitz boundaries" at the University of California, Irvine, Calif., Jan. 12.

Michael A. Signer, Abrams professor of Jewish thought and culture, department of theology, presented "Current Issues in Interreligious Dialogue" at the biennial meeting of the Union of American Hebrew Congregations held in Orlando, Fla., Dec. 17.

Billie F. Spencer, Jr., professor of civil engineering and geological sciences, served on a career panel for the Division of Civil and Mechanical Systems at the National Science Foundation, Arlington, Va., Nov. 30. He pre-

sented a seminar "Modeling and Semiactive Damping of Stay Cables" for the department of civil, structural and environmental engineering at the State University of New York at Buffalo, Dec. 9. He gave a presentation "Reduced Ramp Stress Levels using Semi-Active Damping" at the Office of Naval Research Logistics end-of-year review in Washington, D.C., Dec. 14. He presented a seminar "Computational Moment Closure Schemes for Nonlinear Stochastic Systems" for the department of civil and structural engineering at the Hong Kong University of Science and Technology, Hong Kong, China, Dec. 17. He gave a plenary presentation "Controllable Fluid Dampers" at the US-Japan workshop on smart structural systems, held in Tsukuba, Japan, Jan. 6-8. He chaired and presented the report for the working group "Effector Technology" at the same workshop in Japan. He presented a seminar "Smart Base Isolation Systems for Seismic Hazard Mitigation" for the department of civil engineering at the University of Tokyo, Tokyo, Japan, Jan. 11. He presented a seminar "Smart Damping of Stay Cables in Long-Span Bridges" at the Nanjing Second Yangtze River Bridge Construction Headquarters, Nanjing, P.R., China, Jan. 13.

Richard Taylor, assistant professor of chemistry and biochemistry, presented a seminar "Synthetic Methods for Chemical Diversity Inspired by Natural Products" at the 8th International Symposium on Natural Products Chemistry in Karachi, Pakistan, Jan. 15-24.

Rev. James F. White, professor emeritus of theology, spoke on "The Grammar of Church Architecture" at the Episcopal Cathedral, South Bend, Ind., Dec. 5.

Michael Wiescher, Freimann professor of physics, gave a series of invited lectures on "Aspects of Nuclear Astrophysics" at the Universite de Louvain la Neuve, Belgium, Nov. 8, 10, 12. He gave the seminar "The trigger of the re-process" at the department of physics, University of Surrey, Guildford, United Kingdom, Nov. 15. He gave the invited lecture "The ignition and cool-

ing of x-ray bursts" at the Nishinomiya-Yukawa symposium in honor of the 50th anniversary of the Nobel Prize for H. Yukawa, held in Nishinomiya, Japan, Nov. 18. He gave the invited talk "Aspects of Stellar He-Burning" at the symposium on Current Topics in Nuclear Physics held at Kyoto University, Kyoto, Japan, Nov. 22. He gave the invited talk "Trigger and Endpoint of the rp-Process" at the 9th Riken Workshop on Radioactive Beam Physics, RIKEN, Tokyo, Japan, Nov. 27. He gave the invited talk "Trigger and cooling of x-ray bursts" at the 23rd symposium on nuclear physics held in Oaxtepec, Mexico, Jan. 12.

Publications

Howard A. Blackstead, professor of physics, contributed the following four articles to the *International Journal of Modern Physics B*, vol. 13, no. 29, 30, 31, 1999. He co-authored "Superconductivity of $\text{PrBa}_2\text{Cu}_3\text{O}_7$ and of $\text{Pr}_{2-x}\text{Ce}_x\text{Sr}_2\text{Cu}_2\text{NbO}_{10}$ " with J.D. Dow, on pp. 3591-3596; he and J.D. Dow wrote "Occurrence of Spin-Fluctuation Pairing in High-Temperature Superconductors" on pages 3635-3641; he co-authored "Muon Spin Rotation in $\text{Sr}_2\text{YRu}_{1-x}\text{Cu}_x\text{O}_6$ " with D.R. Harshman, W.J. Kossler, A.J. Greer, C.E. Stronach, E. Koster, B. Hitti, M.K. Wu, D.Y. Chen, F.Z. Chien and J.D. Dow, on pages 3670-3677; he co-authored "Are There Any n -Type High-Temperature Cuprate Superconductors?" with J.D. Dow and M. Lehmann, on pages 3688-3692.

Paul F. Bradshaw, professor of theology, wrote "Continuity and Change in Early Eucharistic Practice: Shifting Scholarly Perspectives" published in *Continuity and Change in Christian Worship: Studies in Church History* 35, R.N. Swanson, ed., Woodbridge, Suffolk: Boydell Pres, 1999, pp. 1-17.

Roger K. Bretthauer, professor of chemistry and biochemistry, co-authored "Glycosylation of *Pichia pastoris*-derived proteins" with **Francis J. Castellino**, dean of science, Kleiderer-Pezold professor of biochem-

istry and director of the Center for Transgene Study, published in *Bioethnology Applied Biochemistry*, vol. 30, 1999, pp. 193-200.

Lawrence S. Cunningham, professor of the theology, wrote "Hospitality: A Theological Reflection" published in *Church*, vol. 15, 1999, pp. 15-19. He wrote "A Reflection with Gratitude" published in *Horizons*, vol. 26, 1999, pp. 278-282. He wrote "Religion Book Notes" published in *Commonweal*, Jan. 14, 2000, pp. 27-29. He wrote a review of *Thomas Merton: Run to the Mountain*, published in the *Journal of Religion*, vol. 80, no. 1, pp. 141-142.

James T. Cushing, professor of physics, co-authored "Bohmian Mechanics and Chaos" with G. Bowman, published in *From Physics to Philosophy*, J. Butterfield and C. Pagonis, eds., Cambridge, U.K.: Cambridge University Press, 1999, pp. 90-107.

Keith J. Egan, adjunct professor of theology and chairperson of religious studies at Saint Mary's College, wrote "Reaching Up," published in *Horizons*, vol. 26, 1999, pp. 285-289.

Thomas P. Fehlner, Grace-Rupley professor of chemistry and biochemistry, co-authored "Utilization of Transition-Metal Properties to Control Polyborane Formation. Synthesis of the arachno-Diiridahexaborane(12) 2,5-{Cp*IrH}₂B₄H₈ and its Conversion to the nido-Diiridahexaborane(10 1,2-{Cp*Ir}₂(μ-H)B₄H₇ (Cp* = η⁵-C₅ME₅) with X. Lei, **Maoyu Shang**, adjunct research professor of chemistry and biochemistry, published in *Organometallics*, vol. 19, 2000, pp. 118-120.

Josephine Massynbaerde Ford, professor of theology, wrote reviews of *Visionary Fictions: Apocalyptic Writing from Blake to the Modern Age* by E.J. Ahearn and *The Apocalypse in England. Revelation Unravelling 1700-1834* by C. Burdon published in *Religion and Literature*, vol. 31, no. 3, 1999, pp. 95-103.

Umesh Garg, professor of physics, co-authored "Level structure of 94,95,96Tc at high spins and shell-model calculations" with S.S. Ghugre, B. Kharraja, R.V.F. Janssens, M.P. Carpenter, B. Crowell, T.L. Khoo, T.

Lauritsen, D. Nisius, W. Reviol, W.F. Mueller, L.L. Riedinger and R. Kaczarowski, published in *Physical Review C*, vol. 61, 1999, pp. 024302-1 to 024302-7. He co-authored "Recoil-distance lifetime measurements in 96,97,98Ru: Search for possible onset of collectivity at N≥52" with B. Kharraja, S.S. Ghugre, H. Jin, R.V.F. Janssens, I. Ahmad, H. Amro, M.P. Carpenter, S. Fischer, T.L. Khoo, T. Lauritsen, D. Nisius, W. Reviol, W.F. Mueller, L.L. Riedinger, R. Kaczarowski, E. Ruchowska, W.C. Ma and I.M. Govil, published in *Physical Review C*, vol. 61, 1999, pp. 024301-1 to 024301-9.

James A. Glazier, associate professor of physics, co-authored "Stochastic simulation of benign avascular tumor growth using the Potts model" with E.L. Stott, N.F. Britton and M. Zajac, published in *Mathematical and Computer Modelling*, vol. 30, no. 5-6, 1999, pp. 183-198.

Robert G. Hayes, professor of chemistry and biochemistry, wrote "Hyperfine Tensors of [Bis(malenonitriledithioleato)nickel]" published in *Inorganic Chemistry*, vol. 39, 2000, pp. 156-158.

Glenn Hendler, assistant professor of English, wrote "The Structure of Sentimental Experience" published in *The Yale Journal of Criticism*, vol. 12, no. 1, 1999, pp. 146-153. He also wrote a review of *Parlor Radical: Rebecca Harding Davis and the Origins of American Social Realism* in the journal *American Studies*, vol. 40, no. 3, 1999, pp. 198-199.

Jennifer A. Herdt, assistant professor of theology, wrote "Superstition and the Timid Sex" published in *Feminist Interpretations of David Hume*, A.J. Jacobsen, ed., Penn State Press, 2000, pp. 283-307.

Yih-Fang Huang, chairperson and professor of electrical engineering, co-authored "Convergence of Optimal Sequential Outer Bounding Sets in Bounded Error Parameter Estimation" with E.W. Bai, published in *Mathematics and Computers in Simulation*, vol. 49, no. 12, 1999, pp. 307-317. He co-

authored "Adaptive Interference Suppression in Multiuser Wireless OFDM Systems Using Antenna Arrays" with S. Kapoor and D.J. Marchok, published in *IEEE Transactions on Signal Processing*, vol. 47, no. 12, 1999, pp. 3381-3391. He co-authored "Linear and Adaptive Interference Suppression in CDMA with a Worst Case Error Estimation Criterion" with S. Nagaraj, S. Gollamudi, S. Kapoor and J.R. Deller, published in *IEEE Transactions on Signal Processing*, vol. 48, no. 1, 2000, pp. 284-289.

James J. Kolata, assistant chairperson and professor of physics, co-authored "One-Neutron Knockout from Individual Single-Particle States of ^{11}Be " with T. Aumann, A. Navin, D.P. Balamuth, D. Bazin, B. Blank, B.A. Brown, J.E. Bush, J.A. Caggiano, B. Davids, T. Glasmacher, B. Guuimarães, P.G. Hansen, R.W. Ibbotson, D. Karnes, V. Maddalena, B. Pritychenko, H. Scheit, B.M. Sherrill and J.A. Tostevin, published in *Physical Review Letters*, vol. 84, no. 1, 2000, pp. 35-38.

Rev. Robert A. Krieg, C.S.C., professor of theology, wrote "Karl Adam" published in *Religion in Geschichte und Gegenwart*, 4th ed., H.D. Betz et.al., eds., Tuebingen: J.C.B. Mohr (P. Sieback), 1998, p. 107.

Rev. Richard P. McBrien, Crowley-O'Brien-Walter professor of theology, wrote "Could the Pope Resign?" published in *The Tablet* (London), vol. 254, no. 8316, Jan. 15, pp. 43-44. He wrote "John Paul II and the Throne of St. Peter: Till Death Do They Part?" published in the *Los Angeles Times*, Jan. 12, p. B7.

Ralph McInerney, professor of philosophy, wrote the entries for "Neo-Scholasticism," "philosophia perennis," "potency" and "synderesis" in the *Cambridge Dictionary of Philosophy*, 2nd ed., R. Audi, ed., Cambridge University Press, 2000. He wrote "Are There Moral Truths that Everyone Knows?" in *Common Truths: New Perspectives on Natural Law*, E.B. McLean, ed., Wilmington, Delaware: ISI Book Publisher, 2000.

Rev. John P. Meier, professor of theology, wrote "The Present State of the

'Third Quest' for the Historical Jesus: Loss and Gain" published in *Biblica*, vol. 80, 1999, pp. 459-487.

Guillermo O'Donnell, Kellogg professor of government and international studies, wrote "The Judiciary and the Rule of Law" published in *Journal of Democracy*, vol. 11, no. 1, 2000.

Susan Ohmer, assistant professor of American Studies, wrote "The Science of Pleasure: George Gallup and Audience Research in Hollywood" in *Identifying Hollywood's Audiences*, M. Stokes and R. Maltby, eds., London: British Film Institute, 1999, pp. 61-80.

William O'Rourke, professor of English, wrote "Little to inspire in candidates" in *The Chicago Sun-Times*, vol. 53, no. 266, Dec. 13, 1999, p. 37. He wrote "Bradley's confidence not enough" in *The Chicago Sun-Times*, vol. 53, no. 278, Dec. 25, 1999, p. 28. He wrote "The winds of change blow strangely" in *The Chicago Sun-Times*, vol. 53, no. 294, Jan. 13, 2000, p. 29.

Catherine Perry, assistant professor of romance languages and literatures, wrote a translation of the French poem "Si quelque chose noir" ("If Some Thing Dark") by A.C. Roubaud, with J. Matthias, published in *Another Chicago Magazine*, vol. 35, 1999, pp. 152-154.

Karen E. Richman, assistant professor of anthropology, co-authored "Another Day in the Diaspora" with D. Griffith, et.al., published in *Proceedings of the Southern Anthropological Meetings*, Athens: Univ. of Georgia Press, 2000. She wrote a review of A. Stepick's *Pride Against Prejudice in International Migration Review*, vol. 34, no. 2, 2000.

Charles M. Rosenberg, professor of art, art history and design, wrote "Ferrara: Art in Ferrara" in the *Encyclopedia of the Renaissance*, P.R. Grendler, ed., New York: Charles Scribner's Sons, vol. 2, 1999, pp. 344-347.

Slavi C. Sevov, associate professor of chemistry and biochemistry, co-authored "Synthesis and Structure of the Alkali-Metal Amalgams A_3Hg_{20} ($\text{A} = \text{Rb}, \text{Cs}$), K_3Hg_{11} , $\text{Cs}_5\text{Hg}_{19}$,

and A_7Hg_{31} ($\text{A} = \text{K}, \text{Rb}$)" with E. Todorov, published in *Journal of Solid State Chemistry*, vol. 149, 2000, pp. 419-427.

Andrew J. Sommese, Duncan professor of mathematics, co-authored "On the degree and the birationality of the second adjunction mapping" with M. Beltrametti, published in *International Journal of Mathematics*, vol. 10, 1999, pp. 707-719.

Billie F. Spencer, Jr., professor of civil engineering and geological sciences, co-authored "Benchscale Experiment for Structural Control" with M. Battiani and G. Yang, published in the *Journal of Engineering Mechanics*, ASCE, vol. 126, no. 2, 2000, pp. 140-148.

John W. Stamper, associate professor of architecture, wrote "The Temple of Capitoline Jupiter: A New Reconstruction" in *Hephaistos: New Approaches in Classical Archaeology and Related Fields*, vol. 16/17, 1998-99, pp. 107-138.

Jacob Szmuszkowicz, adjunct professor of chemistry and biochemistry, co-authored "Phenanthridone Analogs of the Opiate Agonist U-47,700 in the *trans*-1,2-diaminocyclohexane Benzamide Series" with S. Zhao, M.J. Totleben, S.A. Mizsak and **Jeremiah P. Freeman**, professor emeritus of chemistry and biochemistry, published in *Heterocycles*, vol. 52, 2000, pp. 325-332.

J. Kerry Thomas, Nieuwland professor of science, co-authored "Quenching of Excited States of Pyrene by Tetranitromethane on SiO_2 Surfaces: Effect of Reaction Temperature, Silica Pore Size, and Surface Silanol Content" with S.A. Ruetten, published in *Langmuir*, vol. 16, 2000, pp. 234-240.

Eugene C. Ulrich, Rev. John A. O'Brien professor of theology, wrote "The Scrolls and the Study of the Hebrew Bible" published in *The Dead Sea Scrolls at Fifty: Proceedings of the 1997 Society of Biblical Literature Qumran Section Meetings*, vol. 15, R.A. Kugler and E.M. Schuller, eds., Atlanta: Scholars Press, 1999, pp. 31-41.

James C. VanderKam, Rev. John A. O'Brien professor of theology, edited, with M. Brady, *Qumran Cave 4 XX Poetical and Liturgical Texts*, part 2 (Discoveries in the Judean Desert XXIX), Oxford: Clarendon Press, 1999. He wrote "Calendars and Calendrical Information in the Dead Sea Scrolls" published in *Revue Xristianskij Vostok*, vol. 7, 1999, pp. 207-233. He wrote "From Revelation to Canon: Studies in the Hebrew Bible and Second Temple Literature" in *Supplements to the Journal for the Study of Judaism* 62, Leiden/Boston/Koln: Brill, 2000.

Rev. James F. White, professor of theology, wrote articles on Acclamation, Amen, published in *Religion in Geschichte und Gegenwart*, 4th ed., P. Batiffol, E. Bishop, F. Brightman, Y. Brilieth.

Michael C. Wiescher, Freimann professor of physics, co-authored "Nuclear structure near the particle drip-lines and explosive nucleosynthesis processes" with K-L. Kratz, J. Görres and B. Pfeiffer, published in the *Journal of Radioanalytical and Nuclear Chemistry*, vol. 243, no. 1, 2000, pp. 133-140. He co-authored "The rapid process ashes from stable nuclear burning on an accreting neutron star" with H. Schatz, L. Bildsten, A. Cumming, published in *The Astrophysical Journal*, vol. 524, 1999, pp. 1014-1029. He co-authored "Reaction rates for neutron capture reactions to C, N, and O isotopes to the neutron rich side of stability" with H. Herndl, R. Hofinger, J. Jank, H. Oberhummer, J. Gorres, F-K Thielemann, B.A. Brown, published in *Physical Review C*, vol. 60, 1999, pp. 064614-1 to 064614-12.

Administrators' Notes

Publications

Alan S. Bigger, director of building services, co-authored "Putting on a Floor Show" with Linda B. Bigger, published in *Maintenance Solutions*, Jan. 2000, pp. 47-50. They wrote "It is All a Matter of Time" published in *Executive Housekeeping Today*, Feb. 2000, pp. 7-9.

Documentation

Faculty Senate Journal

December 7, 1999

The chair professor Jean Porter called the meeting to order at 7:05 p.m. in room 202 of McKenna Hall, and called upon professor Theodore Cachey to offer a prayer. The co-secretary Dr. Peter Lombardo presented the November journal and asked for corrections, changes, etc. There were none. Professor Philip Quinn moved approval, Dean Ava Preacher seconded, and the Senate agreed.

In her chair's report Porter noted three items. She welcomed professor Patrick Geary to the Senate as a new member (ex-officio for the College of Arts and Letters). Then she commended the committee which had recently presented the first Senate Academic Forum of the year, on research funding. Finally she reported that the two executive committee resolutions on the agenda were the result of the initiative of faculty colleagues on and off the Senate; both resolutions were unanimously approved by the executive committee for presentation to the Senate. The first one will deal with the continuing controversy over the advising policy of *The Observer* and is a statement which the Senate is being asked to adopt in support of *The Observer's* stand against the University administration's interpretation of its role. The second one refers to the 1994 report of the North Central Accreditation review and seeks the Senate's assistance in urging the University to greater and more public goals and efforts in affirmative action hiring. Porter concluded her remarks by reflecting that these resolutions – both initiated by faculty colleagues on and off the Senate – clearly show the high standing of the Senate in our faculty colleagues' minds. Her report is printed at appendix A of this journal.

Professor Jill Godmilow asked the Senate to amend the agenda to move consideration of the two executive committee resolutions to the point immediately after the break for standing committee meetings. Professor Kenneth DeBoer seconded, there was no debate,

and the Senate by 2/3 vote agreed to the change. The Senate then recessed for committee meetings.

When the Senate reconvened, Porter asked Quinn to introduce the executive committee resolution on the affirmative action issue. He recounted some progress since the 1994 NCA report, pointing to the "targets of opportunity" hires and increasing activity on the part of the Affirmative Action Committee. But this resolution was still necessary, especially since there is no publicly stated plan to regard as a benchmark for progress in affirmative action. The next accreditation visit will be upon the University soon, within five years, and this resolution would be an appropriate vehicle to raise the discussion of the issue to see how we are performing and to see if and how we can do more. He saw no downside to the adoption of this resolution. There was no second needed for consideration of this resolution.

Professor Paul Conway wondered if any one knew how many of the additional 150 Colloquy faculty slots had been filled already. Quinn suggested that the Provost's recent report contained that number but he wasn't sure what it was. It was not clear to Godmilow from that report what were Colloquy hires and what were other kinds of hires; she thought perhaps 111 was the number of which about 28% were women faculty. Professor Christina Wolbrecht agreed with Godmilow and reported that the number of hires since 1994 included 60 women, 4 Hispanics, 16 Asians, 7 black, 24 non-resident aliens, and no Native Americans. She pointed out that some of the 60 women were also counted in the other categories. Professor Joseph Powers saw evidence of a plan in the College of Engineering, whose departments tried to meet goals; he was not sure that the plan was on paper, but he knew the College was trying to make such hires. He saw no reason for this resolution. Professor Mario Borelli agreed, as did Professor Joel Urbany who knew of the plan for the business college. What does this resolution "signal" to our colleagues and the administration? Professor Laura Bayard had similar concerns: every college has af-

firmative action plans and officers. This resolution was a bit confusing to her – did it call for publication of an overall plan or did it call for an interim report on the 150 Colloquy hires, especially in light of the University's stated commitment of affirmative action? Preacher responded, saying the NCA asked for a plan to be developed; if Notre Dame did so, it has never been published. The resolution would ask for its publication and an evaluation of progress. Professor Michael Zuckert agreed; the resolution recognized that there may be a plan but it has not been published. It should be. Professor William Eagan thought the University was making progress in this area, but how many of these kinds of hires stay at Notre Dame? And how many senior people are leaving?

For professor David Kirkner, the discussion thus far indicated that Notre Dame has made some progress in this area. Realizing that, and building on Preacher's interpretation, the resolution should be modified to appear less confrontational. Preacher reminded him that the resolution simply quoted the NCA report, as did she. Professor A. Edward Manier understood that some departments would be harder pressed than others to meet affirmative actions goals that are shared across the University. But that was not an argument not to have a written statement of goals, which would be an objective way to measure progress, a benchmark. He supported the resolution because we all try and sometimes for good reasons we may fall short. But there would be value in having a goal to meet.

Professor Carolyn Nordstrom spoke about goals and what they mean. Women account for 40% of PhD's issued in the United States, and 30% of faculty. At Notre Dame women are 18% of faculty. Which goal should we match? At the level of full professor here, women number 28 and men 280; 96 men hold endowed chairs, but only 11 women last year. Equality at Notre Dame exists only at the assistant professor level. We should have specific goals in place, commonly agreed-upon, and they should be specific. According to professor Michael Detlefsen a plan

would not only satisfy the NCA, but would also give departments ideas to use for better recruitment processes. But the plan has to be in place and published

Professor Stuart Greene offered as a friendly amendment slightly more direct wording for the resolution. Porter ruled it a substantive amendment, and Manier offered to second it. Detlefsen spoke against the amendment, saying the language in the resolution came from the NCA report, and the new language was not needed. Borelli agreed with Detlefsen, saying the new language was too confrontational. Powers too spoke against the amendment; he liked the original language because it at least recognized the commitment of the University to affirmative action. Zuckert too was against the amendment. Quinn agreed and would not vote for the amendment. However, he pointed out that commitment was not enough; the University needed a plan to realize the commitment and asked if it existed. Wolbrecht wondered about commitment vs. plan and University-wide or departmental plans. If affirmative action was to work, a department had to have a plan to find and identify women candidates, for instance. Hers has a plan and does that. Others do as well, but not all. The resolution calls on all to do this, and she supported it. Finally, she asked why confrontation was so bad. Our role is to prod and seek answers, not be "mousy." Sheehan disagreed with the amendment, mainly because it seemed to eliminate the chance that the University did have a plan, albeit unpublished.

Manier called the question and Preacher seconded. The Senate voted to close the debate. On the amendment, there were 8 ayes and 23 nays. The amendment failed, and debate continued on the original resolution.

Detlefsen called the question and Quinn seconded. The Senate voted to close debate. The vote on the resolution was 29 in favor, 3 against, 1 abstention, and the resolution passed. This resolution is printed as appendix B of this journal.

Next, Porter asked Preacher to present the other resolution from the executive committee (no second needed). She explained that the Senate was being asked to endorse a statement already signed onto by numerous faculty and published in *The Observer* in support of the paper's publishing an advertisement by OUTreachND on November 19, 1999. Borelli spoke first in support of the resolution and regretted he had not responded in time to have his name included in the ad; this issue is not the same as recognition of GALA. Manier asked to clarify the negative statement in the resolution, which was agreed to. Powers indicated that he had signed a later modification but not the text as stated in the resolution before the Senate. Powers believed that editors serve under the publisher. Zuckert asked to delete "exactly" as overly strong, and this was too was done. Eagan moved to add "student body" after the word "faculty", an amendment deemed to need a second; there was none.

Professor John Robinson spoke about the relationship of a student editor with the Administration, saying this was not the same as the relationship of worker and boss. It was far more complex. Nordstrom pointed out that there remains an issue of who is the ultimate authority. The paper's editors have contested the President of the University's version of this. The paper did start as a student vehicle. Borelli said the discussion reinforced his view of the editors' proper course. He was reminded of the offensive comic strip that appeared several months ago-the administration did not censor, did not punish, said it was not responsible only sorry. Now, it claims to be the boss or publisher.

Powers did not believe the Senate should speak for staff members and moved to strike "and staff" from the resolution. Manier seconded. Detlefsen disagreed, saying that staff members had already spoken on this by signing the statement. The Senate can endorse that, as the resolution indicated. Professor JoEllen Welsh spoke against the amendment. The resolution was the Senate's not the staff's, and the Senate should not speak for the staff. Quinn

told the Senate that the original idea was that this statement would be the same as the published version. But in fact there were several versions in circulation on campus. He asked as a friendly amendment to change Powers' amendment by deleting the quotation marks as well as "and staff". Powers agreed. Sheehan said if it was truly to be the Senate's, we should not speak for Saint Mary's College, so this reference should also be deleted. Powers agreed. Manier said he was responsible for several changes, causing the numerous versions of the statement to be in circulation. He favored this amendment as the Senate's own version.

The Senate voted 30 in favor, none against to pass the Powers amendment. Debate continued on the amended resolution. Sheehan moved to strike the first whereas clause, as unnecessary since the language was confusing. Manier seconded. Manier then asked Sheehan to clarify his reason for striking the clause. He said that *The Observer* already had restrictions on ads before this controversy. Now the Senate was being asked to agree with the editor that the latest restriction was not acceptable. Why was there this difference? Zuckert answered by saying most of the other restrictions deal with alcohol, and the primary audience of the paper was underage for alcohol. Wolbrecht believed Sheehan's was a friendly one, but the chair ruled otherwise. Powers thought that the paper's own editorial policy statement was sufficient and could be substituted for the first whereas clause. Sheehan withdrew his amendment, with Manier's concurrence.

Borelli agreed with the intent of *The Observer's* own policy and sought a way to make that part of the resolution. Manier moved to strike the first whereas clause and offered substitute language which Borelli seconded. Robinson asked if the new language referred to editorial or advertising policy. Manier said *The Observer* editorial policy included both. The Senate voted on the amendment: 31 in favor, 1 against, and the amendment passed.

Detlefsen called the question on the amended resolution and Borelli sec-

onded. The Senate agreed to vote: 31 in favor, 1 against, and the motion passed. The resolution is printed as appendix C of this journal.

Committee Reports

1. Administration – Bayard reported that the committee talked about three issues: Academic Council action on the alcohol guidelines, staff drug testing and the upcoming review of the Provost.

2. Academic Affairs – Professor Thomas Cosimano said that director of libraries Jennifer Younger spoke with the committee on space configuration and electronic access issues; the libraries' website contained detailed information on both. She also said the \$10 million allocated for the renovation may not be sufficient; right now they are in the architectural design stage. The Hesburgh Library will run out of space for additional volumes around 2015; they will also have to deal with student space concerns.

3. Student Affairs – Preacher said the committee devoted most its meeting to *The Observer* issue.

4. Benefits – professor Klaus-Dieter Asmus said the committee welcomed ideas for new health options in the benefits package for next year and commended Human Resources on the recently-distributed document "Health Options at UND." On the Retiree 2000 package, meaning retirees must pay out \$2,000 of their own money before getting reimbursed, they are working with Human Resources and will have answers early in 2000.

There was no new business.

Manier, seconded by Quinn, moved adjournment and the Senate agreed at 9:05 p.m.

Present: Asmus, Bayard, Borelli, Brandt, Cachey, Canalas, Cleveland, Conway, Cosimano, Costa, DeBoer, Detlefsen, Eagan, Fein, Godmilow, Greene, Howard, Kirkner, Klein, Kurama, Lombardo, Manier, Mendenhall, Munzel, Nordstrom,

Perry, Popelka, Porter, Powers, Preacher, Quinn, Rivera, Robinson, Sheehan, Urbany, Welsh, Wolbrecht, Zuckert.

Absent: Bigi, Bradley, DePaul, Dowd, Esch, Green, Hayes, Renaud, Sheridan, Thomas, Wayne, Selak.

Excused: Geary, Freeh.

Chair's Report

My chair's report this evening includes three items.

First, I would like to welcome Professor Pat Geary, who is joining the Senate as the ex officio representative from the College of Arts and Letters. I am sure that you will join me in thanking him for his willingness to serve.

Secondly, the first Faculty Senate Forum of the 1999-2000 academic year, on the topic of increasing external research funding, was held on Nov. 15th. There were about fifty people present, and a series of thoughtful panel presentations was followed by a lively and far-reaching discussion. Afterwards, a number of those present commented on the value of the conversation and expressed appreciation for the careful planning that had gone into this event. The members of the ad hoc committee in charge of planning the fora, chaired by Stuart Greene, are to be congratulated for a remarkably successful first forum, and I know you will join me in expressing our gratitude for their efforts to make this year's Senate Fora a memorable series of events.

Thirdly, I would like to say something about the two Executive Committee resolutions that will be introduced this evening. Both of these originated through the initiatives of colleagues on and off the Senate who forwarded proposals to the Executive Committee for possible Senate action. Both were adopted by the unanimous vote of the members of the Executive Committee present at last Wednesday's meeting, and they are being presented tonight for your consideration.

The events leading up to the first of these resolutions will be familiar to many of you. As you may recall, at the beginning of this semester *The Observer* announced that the Administration had instructed it to refuse advertising from the organization Gay and Lesbian Alumni of Notre Dame/St. Mary's. This policy has generated considerable discussion among both students and faculty, and on Nov. 22nd the editorial staff of *The Observer* met with representatives from the Administration to discuss this policy. (Parenthetically, on Nov. 18th I sent a letter to Father Malloy requesting that a representative from the Senate be present at that meeting, but this request was refused; I have attached the relevant correspondence to this report.) Ultimately, the editorial staff of *The Observer* decided that in accordance with principles of freedom of speech and independence of the press, and in view of its own status as an independent student publication, it should not allow the Administration to determine which advertisements it will accept. Accordingly, on Nov. 19th, it published an advertisement from OUTreach ND, which as most of you know is a group of gay and lesbian students which has been denied official University recognition.

The statement which the Senate is being asked to endorse this evening is a statement of faculty support for *The Observer's* action in this regard. It was written and circulated for faculty and staff signatures by Professor Ed Manier and Dean Ava Preacher, and appeared in *The Observer* today, December 7th, with over 130 signatures.

The second resolution was forwarded to the Senate by WATCH, a recently organized group of women faculty, predominantly but not exclusively in the College of Arts and Letters. This resolution refers to a recommendation from the 1994 accreditation report of the North Central Association of Colleges and Schools, which is dated February 21-23, 1994, and is published in the *Notre Dame Report* of November 18, 1994. The recommendation cited in the resolution refers to the 150 new faculty positions envisioned by President Malloy's *Colloquy for the Year 2000*

Report. While this recommendation is not presented as a requirement for accreditation, it reflects one of the concerns expressed by the report in its overall assessment of Notre Dame's strengths and weaknesses, namely, that "The need to address the diversity of students, faculty and staff has been articulated, but has not been systematically addressed" (237). The purpose of the resolution before you tonight is to call on the Administration to indicate publically what plans it has for addressing this concern.

I would like to add one further point. Whatever the Senate's decision on the resolutions to be presented tonight, it is a very positive development that faculty colleagues and groups from outside the Senate are forwarding proposals to us for our consideration. The Senate is elected to represent the faculty, and while it is of course up to us to decide which faculty initiatives to support, I see it as part of our role to encourage such initiatives from as many of our colleagues as possible.

Finally, I would like to point out that I have resisted the temptation to make any references to the last Notre Dame Faculty Senate meeting of the millennium. Happy Holidays to you all. That concludes my chair's report. Are there any questions?

Attachments:

- A. Letter from J. Porter to Fr. Malloy, Nov. 18, 1999
- B. Fr. Malloy's response to J. Porter, Nov. 19, 1999

November 18, 1999

Rev. Edward A. Malloy, C.S.C.
Office of the President
301 Main Building
University of Notre Dame

Dear Father Malloy:

I have just been informed that you will be meeting next week with representatives from Student Government and *The Observer*, together with Ms. Carol Kaesebier and Father Mark Poorman, to discuss University policies with regard to *The Observer*. As you know,

there has been great concern within the Faculty Senate and among the faculty at large over this issue this year. In view of this fact, I am writing to ask whether a representative from the Faculty Senate could be present at next week's meeting.

I will be leaving tomorrow for the American Academy of Religion meeting in Boston, and after that I will be going home for a few days for Thanksgiving. For this reason, I have asked Dean Ava Preacher, the Chair of the Committee on Student Affairs, to arrange for a Faculty Senate representative to attend the meeting if you agree to this request. Therefore, I am asking that you communicate your response to her directly.

I hope that you have a restful and enjoyable Thanksgiving break.

Sincerely,
Jean Porter
Professor, Theology Department
Chair, Faculty Senate

November 19, 1999

Professor Jean Porter
Theology Department
Chair, Faculty Senate
234 Decio

Dear Jean:

Thank you for your recent letter. The meeting you make reference to is intended as an opportunity for a conversation between the administration and the two main student groups who have expressed concern about policies related to *The Observer*. I think it will be a productive session.

I appreciate the concern of the Senate but the meeting will be limited to those already invited.

Cordially,
(Rev.) Edward A. Malloy, C.S.C.
President

Appendix B

Resolution on Affirmative Action

Whereas the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools evaluated the accreditation of the University of Notre Dame on February 21-23, 1994 (published in *Notre Dame Report* November 18, 1994: 220-240); and

Whereas the University of Notre Dame is scheduled for its next review in 2003-4; and

Whereas the Accreditation Report advised the following:

"The University should develop and implement a plan for filling the projected new 150 faculty positions that is sensitive and responsive to ethnicity and gender concerns. The absence of such a plan or an affirmative action office questions the seriousness of the University commitment to increasing faculty diversity. Specific plans need to be developed to attract female and minority faculty" (238);

Be it resolved that the Faculty Senate call upon the administration to develop such a plan, if one does not already exist; to publish the new or existing plan in the *Notre Dame Report*; and to report on its implementation by May 2000, so that progress may be evaluated in preparation for the accreditation visitation of 2003-04.

29 in favor
3 against
1 abstention
December 7, 1999

Appendix C

Resolution on Observer Editorial Policy

Whereas the ad placed by OUTreachND fits the published statement of *The Observer*, editorial policy,

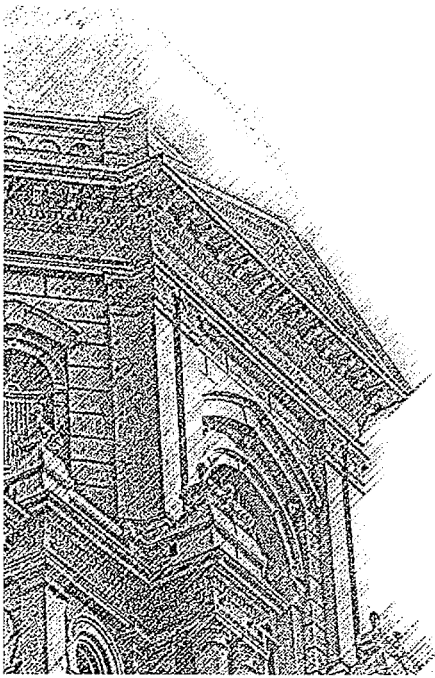
Be it resolved that the Faculty Senate endorse the following statement:

"The action of the editorial board of *The Observer*, in publishing the ad submitted by OUTreachND on Friday, November 19, ix exemplary of the habits and virtues we attempt to teach and nurture as faculty at the University of Notre Dame.

We express our complete solidarity with the relevant policy and action of the editorial board of *The Observer*."

31 in favor
1 against
December 7, 1999

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