



Alumni Protecting Notre Dame's Catholic Identity

To: Members of the Board of Trustees of the University of Notre Dame

From: William H. Dempsey for the Officers and Directors of Sycamore Trust

Date: October 1, 2009

Subject: The Catholic Identity of the University

I enclose a memorandum from the Officers and Board of Sycamore Trust in which we describe our organization and summarize the results of our study of the Catholic identity of Notre Dame. This document is identical to the memorandum that we sent to the Fellows in August. Here, we note some key points and comment upon several recent events. Sources for all factual statements are on our web site, <http://sycamoretrust.org>.

This is a decisive time for the Board. There is no room left for inaction or error. Dr. Jude P. Dougherty, President Emeritus of the Catholic University School of Philosophy, described your challenge this way in a message to us:

“At its highest levels, the Holy Cross Fathers and the Board, the University must decide before it is too late whether it wants to be a Catholic university or merely another secular university. There are many of the latter, but few, if any, that have the resources to be the former.”

The principal conclusions we present in the memorandum are these:

- **The University's constitutive documents require that it be Catholic.**
- **Accordingly, it is the fiduciary duty of the Fellows and the Board to insure that the University remains Catholic.**
- **Catholic representation on the faculty has fallen well below the standard prescribed by the Mission Statement as essential to the University's Catholic identity.**
- **It is, therefore, the Fellows' and the Board's fiduciary obligation to take whatever steps are necessary to restore Catholic faculty representation to the level required by the Mission Statement.**
- **Since the honoring of President Obama has called the Catholic identity of the University into question for countless alumni, family, supporters, and members of the general Catholic community, prompt and open action by the Fellows and the Board is especially urgent.**

The actions we propose in the memorandum are these:

The Fellows or Board should declare as a matter of policy that in all matters, and in particular in the hiring of faculty, the preservation and strengthening of Catholic identity is of first importance.

- **The Fellows or Board should declare as a matter of policy that the annual goal for hiring Catholics should be established on projections designed to increase Catholic representation to a level necessary to insure the predominance of committed Catholics.**

Notre Dame is Catholic in many ways, but those ways are mostly extracurricular. It is telling that a recent fund-raising brochure, in describing “the University’s Catholic character,” says not a word about the regular education program. Rather, it lists the number of daily Masses, the number of retreats, the number of Grotto candles lit, the program for volunteers in local CCD programs, and, for some reason, the Master of Non-Profit Administration program.

Worthy activities like these are natural where the student body is 85% Catholic and there remain a number of priests and committed Catholic faculty. But this does not make a university Catholic.

What makes a university Catholic, as the Mission Statement declares, is the faculty. As Law Professor Gerald V. Bradley has recently written about Notre Dame, “If the truths of the Catholic faith do not suffuse” the “teaching and learning within its classrooms . . . the university is simply not Catholic.” With committed Catholic faculty now a relatively small minority, Notre Dame has lost the Catholic identity to which it lays claim. The Mission Statement tells us so and, as we show in the enclosed memorandum, there is much confirming evidence. Professor Alfred J. Freddoso has memorably compared Notre Dame recently to “a public school in a Catholic neighborhood.”

The only way for Notre Dame to regain its Catholic identity is to hire enough committed Catholics to comply with the Mission Statement. Our projections show that, because the great majority of retirees are Catholic, Catholics must be hired at an annual rate of over 60% simply to halt the decline. But studies disclose that most of the faculty oppose taking religion into account at all. Presumably because of this, the Administration has set a hiring goal of only 50%, thereby undermining other positive steps that have been taken. Hiring at anything near this rate would reduce Catholic representation so greatly and for so long that recovery would be impossible.

We leave our more extended discussion of these issues to the enclosed memorandum and close by taking note of several very recent developments.

1) In his September 15th address to the faculty, Father Jenkins stressed his commitment to hiring more women and minorities but said not a word about hiring more Catholics

2) Dean John McGreevy has affirmed the 50% hiring goal for Catholics and the goals for women and minorities. As to Catholics, this is a sharp pullback from the goals of his predecessor, Dr. Mark Roche, which were 60% “aspirational,” 55% expected, and 50% minimum.

While diversity is a worthy goal, the palpable inadequacy of Catholic faculty representation threatens the fundamental character of the University. Unless Catholic hiring is accorded first priority by the Administration and supplemental steps are taken if necessary, a faculty that prefers hiring for academic prestige and for diversity will surely act on its preferences.

3) Finally, there is Father Jenkins's announcement of the establishment of a Task Force on life issues and of his plan to participate in the March for Life, together with his "hands off" stance respecting the trespass cases. While not of the surpassing importance of the faculty issue, these matters do bear on Catholic identity and are of widespread interest. Accordingly, we offer a few brief comments.

Since the Task Force initiative is obviously a reaction to the backlash over the according of honors to President Obama, its establishment says nothing about the Catholic identity of the University. The future of the Task Force is put in doubt by the deliberate exclusion of any faculty member from the two important campus pro-life organizations, the Center for Ethics and Culture and the ND Fund for the Protection of Human Life (neither of which receives any University financial support). Nor was the student representative chosen from the leadership, or even the membership, of the student Right to Life organization.

Nor is it reassuring that the Task Force's initial agenda is literally identical with the agenda described by President Obama.

Here is what President Obama proposed and what the Task Force is studying:

- (1) Obama: "Let's make adoption more available."
Task Force: "the best policies for facilitating adoption."
- (2) Obama: "a sensible conscience clause."
Task Force: "a reasonable conscience clause."
- (3) Obama: "care and support for women who do carry their children to term."
Task Force: "the most effective ways to support pregnant women."

This agenda could suit any secular university or a faculty indifferent, or even hostile, to the Church's position. It bears hardly at all on the reduction of abortions. It does not go to the issue as to which the Catholic Church stands against President Obama and the pro-choice and pro-abortion forces: the grave immorality of abortion.

As to the trespass prosecutions, the University has said only that it is not party to the litigation but has not explained why as an act of compassion Father Jenkins should not simply tell the prosecutor that so far as Notre Dame is concerned the prosecutions can be dismissed. We speak of the University's best interests. Because of the defendants' pro-life mission and because many of them are sympathetic figures, deterrence would be an unappealing "teach them a lesson" rationale. As matters stand, the University simply appears vindictive. Pro-life and other Catholic condemnation of Notre Dame is rising and will intensify through dozens of jury trials. The cases will almost surely be active at the time of the March. The Notre Dame student contingent may encounter a less than warm welcome.

Finally, the most serious consequence of the Obama episode, the breach with Bishop and Church, persists. The fissure is not new. After all, 50 bishops moved their conference away from Notre Dame

two years ago because of the Vagina Monologues. But the breach has been greatly widened. If not repaired, it will gravely undermine Notre Dame's claim to Catholic identity.

We wish you well in your important deliberations.

Very truly yours,

William H. Dempsey ('52)
President, Sycamore Trust

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