

Bill Dempsey

Sycamore Trust Annual Breakfast, June 3, 2017

I'm Bill Dempsey, the president of the Sycamore Trust, and I'm awfully pleased to see all of you here and to welcome you to this annual meeting of our organization.

We have always had Father Bill Miscamble with us to give us an overview of what's been going on at the University in terms of its Catholic identity and to give us an invocation, but he's not able to be with us this year. He's at Yale finishing up his work on his sabbatical. He sends you his greetings and is with us and the university, as he always is, in prayer and inspiration. In his stead Sophie Buono will deliver his invocation for him. You'll hear from Sophie later on in the program. Sophie is a senior this coming year at the University.

[SOPHIA BUONO]

Now just a couple of housekeeping items. You have in front of you a program that is just filled with wonderful information. It has the history of our organization -- what we think we've done and what we think we can do. I'm going to assume your promise to read it and in accordance with that I will not read it to you this morning.

I did have a prepared speech. I read it over. It's not very good. Pentecost is coming, and I'm just going to rely on the Holy Spirit and rattle on.

We have upstairs on the way out a table with books on it tended by Bruce Fingerhut, the president of St. Augustine's press. I urge you to stop by. He's got a wonderful collection of books there. He does a great service for all of us, and for the University of Notre Dame, in the work that he does with his press.

I want particularly to recommend to you, if you don't have it, Father Miscamble's book "For Notre Dame," in which he traces, among many things, the struggle that went on in the university about how the university can preserve its Catholic identity. It's a gripping story and one that everyone really ought to know.

And then there's the late and great Charlie Rice's book "What Happened to Notre Dame," that I commend to you. In particular what I have in mind there is the introduction. It's about 23 or 24 pages. It's the best relatively short summary of the change that happened in respect of the Catholic identity of the university over the last several decades. It's by Professor Fred Freddoso. What's become a famous aphorism of his is that Notre Dame is "something like a public school in a Catholic neighborhood." That really rings true, and if you read what he means by it you'll get the full substance of it.

These are two of the books that are there that I urge upon you. There are many others.

Then I should say something to you about Sycamore Trust. And maybe I will later on. Right now let me just say that we've been in existence for about ten year now and that the trigger point was the approval by Father Jenkins of the student production of "The Vagina Monologues" and the "Queer Film Festival." But it didn't take long before we saw that the root problem is the deterioration of the Catholic presence on the faculty. And that's true not just of Notre Dame, it's true of all originally religious schools that have lost, to a greater or lesser degree, their religious identity. It always begins with the gradual loss by the faculty in its roots in the founding religion.

That isn't by any means a completed process at the University of Notre Dame. But it's substantially along its way, and it has its symptoms in things like the Vagina Monologues and the honoring of president Obama and all of the other things that we record regularly in our in our bulletins.

I'm going to leave at that. But I do want to give you some opinions of outsiders about Sycamore Trust. We get them regularly.

This person said, for example, "Every time I get an email from you, the Taliban of Notre dame, I'll try to make a donation to the gay and lesbian Alumni Association of the University."

Now I'm trying to work out a commission deal with the gay and lesbian group, but they are tough bargainers.

I particularly like this one, which I've read before. I share it with you again. "They are a reactionary, ultra conservative, anti-intellectual, band of older misfits. Imagine a bunch of old white guys with bushy eyebrows, furrowed at modern society. That's them."

Now I want to tell you that I am tired of being ashamed of my bushy eyebrows. I used to get a trim every year about this time. So I have researched this issue, and I discovered that this is nothing to be ashamed of. You look under "bushy eyebrows" in Google and you will find these titles, for example, with lots of entries:

- 19 eyebrows as famous as the men who own them
- The 25 best thick eyebrows in Hollywood and how to get them
- The ladies who make us proud to have bushy eyebrows
- Hot guys with bushy eyebrows
- 12 gross features women actually find attractive with men with bushy eyebrows

And then think of the famous people with bushy eyebrows. Who do you think of? You think of Golda Meir, for example. John L. Lewis. Groucho Marx.

Now, we get other things that are said that are more complimentary. We had a really able fellow, in an article, recently refer to us as "dynamic." I like that one. "Dynamic eyebrows, I have in mind, for example.

And then in an appeal in the Seventh Circuit Court of Appeals, lawyers representing intervening students who were opposing the university's position on the contraceptive mandates – well, to give you a little background:

The mandate was to go into effect on January 1st. In October the university announced that it was going to comply with the mandate and that all employees would be getting free contraceptives and abortifacients as of January 1st. Then in December, just before the deadline, Notre Dame decided to change its position entirely and it filed a lawsuit.

In the brief of the group of intervenors, their lawyers said they wondered how this change in position occurred. And they said they suspected it had to do with “a group of powerful alumni.”

That would be us, right?

Okay, now let me tell you the facts and you can draw your own inferences. Remember. in October the University said they were going to comply. In December, just before January 1st, they sued and said they were not going to comply. In November, intervening, there was a “group of powerful people” who met, but that was not our board. It was a meeting of the bishops of the United States in Baltimore that Father Jenkins attended.

Now you can, as I say, draw your inferences as to which “powerful group” had an influence on the University on that on that particular decision.

But I do like the reference, "a powerful group of alumni" -- with bushy eyebrows.

Now I do want to introduce the board members that we have here:

George Heidkamp is our treasurer and he's also our class of '52 class president. Now, a lot of people say you fellows are too old for this sort of thing. But tradition is a big thing at Notre Dame. And we're a link to the Fr. Soren era at the University. You don't want to lose that.

And then then we have Tim Dempsey, our son who is our executive director and who really is the heart of the machinery of this organization. You might, as I've said before, think you catch a whiff of nepotism here; but I think I've earned every bit of my position.

The board really thought they needed somebody to keep a careful eye on me and so that's another function that we have assigned to Tim.

We also have Mike Bradley, who is class of 2014. He's completed his Master's work in theology. And Katherine Kersten, who is from the Twin Cities, class of 1973. One of the first women in the University of Notre Dame. She's a noted columnist, author and commentator in the Twin Cities. We're awfully proud to have her on our board. And Dr. Susan Shearer, a political science scholar and teacher from South Bend.

I should tell you this. We've added, just now, two new members to our board: John Hannon, the class of 1978 and a top person in the development office here at Notre Dame for a number of years. He went off to become head of development at Catholic University and then down to Georgia Tech. And now he's joined us and we're immensely pleased with that.

Also Bill Kirk, who was at Notre Dame for some 22 years. He ended his career here as associate vice president of student affairs. Then he went to Ave Maria to be vice president and general counsel. And now he's head of an educational Catholic nonprofit in Kansas City. You'll be hearing more about them as time goes on.

I think we have members of the Notre Dame 88 here. Most of you know who they are. And as long as they come to our annual meetings, I want to recognize them and for what they've done and what they stand for.

The Notre Dame 88 were 88 people who were arrested for trespass when they demonstrated on the outskirts of the University on the occasion of the honoring of President Obama. The university had them prosecuted. It dragged on for two years, much to the discredit, in my judgment, of the university. The images stick of an elderly priest being carted off by the police with a rosary in his hand. They stood up for the cause of life in a brave and courageous way, and they have earned our everlasting thanks as members of the Notre Dame community. I want to welcome them here.

Now we come to our main speaker, Professor Gerry Bradley of the Law School.

You have his biographical material in the pamphlet that you have in front of you. It's only a partial list of what he's done. He is one of the most popular teachers in the law school.

Lest I forget it, I should say this: The university is not a uniform place in terms of its Catholic identity. It largely depends on the composition of the faculty. The law school is a notable exception to what I've said about the attenuation of the Catholic identity of the university. It is robustly Catholic and a top-grade school. It is in my judgment the best of Catholic law schools in the country -- better than Georgetown in my view and certainly a lot more Catholic. We are very pleased to be able to say that.

And Gerry is one of the very best members of that faculty, one of the most popular teachers, a leading expert in the country on the intersection of law and public policy and religion.

I want to say a word about the Bradley family too, because it's an extraordinary Notre Dame family. There are eight children. The youngest one enters Notre Dame this year. Mike is on our board. Tim is entering law school this year. Anna is a senior. There are two or three Double Domers. Mike and Tim were editors-in-chief of the Rover. And Pam, their wonderful mother, is here with us this morning. It's just a great family.

So I'm so pleased to be able to introduce to you Gerry Bradley.

[PROFESSOR BRADLEY]

Thank you so much Gerry.

Just a couple of comments that what you said bring to my mind. This question of globalization and a research university -- there's another book that I would like to call to your attention. It's by

a really prominent national scholar and sociologist at Notre Dame Dr. Christian Smith -- "Building Catholic Higher Education: Unofficial Reflections from the University of Notre Dame." He examines this question of whether Notre Dame, if it continues on its breakneck course to become a top-ranked research university, can remain or be a fine liberal arts university and a Catholic one, and his conclusion is that there is hardly any chance that that can be done.

Now, he doesn't recommend abandoning the goal of becoming a top-ranked research university. What he recommends, and says is essential, is that this process be slowed down and that much more priority be given to strengthening the Catholic identity of the university -- by which he means, as we all do who look at this situation with care, the faculty. That's the key to the whole thing.

And why do we say at Sycamore that we think that the Catholic identity has deteriorated? What do we know? Who am I to judge, just to make up a phrase. And we don't. What we do is to look at what the university itself says is a test of its Catholic identity and its mission. This is the outcome of the debate within the university that Father Miscamble traces -- the establishment of a test, in effect, for the Catholic identity of the University. And that is -- and I quote directly -- "The Catholic identity of the University of Notre Dame depends upon," -- it's not just a nice thing to have, it depends upon -- "the continuing presence of a predominant number of Catholic intellectuals on the faculty."

Everyone agrees that "predominant number" means a majority. As matter of fact, Fr. Malloy, the author, said it means more than a mere majority. But forget that. It means at least a majority.

Now, what kind of Catholics? Well they can't just be nominal Catholics, check-the-box Catholics, "I say I'm Catholic." They have to be Catholics dedicated to the Catholic Church -- to the Catholic faith. The bishops in their phrasing of this same test speak of Catholics "dedicated to the witness of the faith."

Now, the nominal percentage at the university is somewhere a little bit over 50%. It's a lot higher in the law school, as I mentioned. The law school meets that test. The university does not. There is no one in the university who would maintain that there is a majority of the faculty in the university who are dedicated Catholics. It is far short of that.

What does that mean? It means that the university fails its own test. What it doesn't mean is that there's nothing Catholic about this this place. This is a great, great University. And it's a great Catholic University in so many ways. There is a remaining core of Catholic scholars that's being replenished year by year. There are some wonderful, recent hires of Catholic scholars to this university. And it means that that a student here, if he or she wants, can get the best Catholic education that is available -- and some do.

But for the majority, and the students who don't seek that in a deliberate way, the odds are not very good. And the hazard is in the future, what lies ahead.

Now let us turn to our last speaker, Sophie Buono, one of our two student awardees this year. Nicole O'Leary is not with us because she is in Rome on an internship that's funded by the

Center for Ethics and Culture at the University. That's one of the really wonderful institutes at the university. It feeds the intellectual, cultural and Catholic life of this university, as it has ever since its institution by Dr. David Solomon, who's here.

Sophie Buono is a senior this coming year. You have her biography there in front of you. She was a wonderful editor-in-chief of the Irish Rover. If you don't subscribe to it, when you go home go to their website and do it. It's a courageous publication. It's independent, it's own 501(c)(3) organization, so you can donate to it directly. And it reports on all sorts of things about the university in depth with particular attention to what bears upon its Catholic identity. The good and the bad.

Professor Walter Nicgorski drew this to my attention: Sophie received the professor Edward J Cronin award for the finest piece of writing in the Program of Liberal Studies during the academic year 2016-17. That's a special prize. Nominations are made by the individual professors in PLS, and then a committee of outside faculty chooses the winning paper.

Sophie's high school was Oak Crest, outside of Washington. It's a wonderful girl's high school. A couple of years ago, our awardee was a graduate of that high school, Alexandra DeSanctis, again the Editor-In-Chief of the Rover and an absolutely brilliant writer. This is testimony to the importance of high schools like that, and it reminds us of the great work that Father Tim Scully and his people do in the ACE program at the University of Notre Dame in strengthening that really terribly important link in Catholic education.

Our prize in terms of a contribution has gone to the Irish Rover on the one hand and to the Militia for the Immaculate, of which Nicole O'Leary is president.

And I have for you Sophie this lovely vase, which has etched on it my picture.

[SOPHIA BUONO]

Thank You Sophie. And that reminds me to say something else.

It isn't just the faculty that makes the University Catholic or not Catholic. It's the students too. Students like Sophie. And there are many of them here. And that's one thing that that I should mention. The University of Notre Dame has maintained a goal of admitting 85% students who are Catholic. And they pretty much do that. And that's not easy these days. There's pressure to increase the average SAT scores because it's so important in terms of where U.S. News & World Report ranks Notre Dame. But they've resisted that.

Of course that doesn't mean that eighty-five percent are committed Catholics, but it does mean that a large number of them come from the kind of Catholic families that Sophie comes from and who do so much to strengthen the Catholic character of this university. The student organizations like the Irish Rover, the Right to Life Club, the Identity Project's Edith Stein Conference, the Militia of the Immaculate. These are wonderful organizations. Keep them in mind always as you mark and designate your contributions to the University.

Now we have a few minutes to take some questions,

**QUESTION: Is there any light at the end of the tunnel? Because who picks the faculty?**

BILL DEMPSEY: The faculty picks the faculty. They replace themselves. The selection of faculty has devolved to the faculty. That's absolutely true. And so the question is, well, what's the solution?

Now, the deterioration of the Catholic representation of the faculty has stopped. It was spiraling right down to go nominally below 50 percent. But that has stopped now. What's happened is that the university set a hiring goal at the top. Then the chairs of the departments and the heads of the colleges are appointed by the president of the university, and he should be appointing people who pay attention in guiding the faculty to the goals that are set by the administration.

Now, the goal now has been reduced in Arts and Letters from what it had been, I'm sorry to say. It's now 50%. Well what does that do? That guarantees no better than the status quo. But it probably does guarantee that.

We started publishing these figures right away, and now everybody knows whether or not the university is adhering to its goal, which at least nominally meets its test of Catholic identity. And I'm convinced myself, just based on the last 10 years, that at least that much will continue. That is to say, the percentage of Catholic can be maintained.

The question in my mind is how you improve on this. Because you have to improve to restore the university to a fully Catholic University. That's got to be done over a long period of time. And the obvious answer to that is that you get an administration and people in governance who will gradually raise that standard.

Not to ninety percent -- we're not looking for anything like that. This is a modern University. We can't be expecting, as Gerry said, a restoration of the old days. But a gradual restoration and strengthening of Catholic identity. I think that is achievable. Whether it will be done, in my mind, depends entirely on those in governance. That's, I think, where the answer is.

**QUESTION: How much of a problem does Notre Dame's accepting federal funds cause to its Catholic identity?**

PROFESSOR BRADLEY: That's not a standing temptation but a standing liability. That with federal funds come some strings. Famously there are at least two smaller liberal colleges that I can think of, Hillsdale and Monroe City, which are free of federal entanglements because they don't rely upon federal funds at all.

I'd say two things, more directly, in response to the question:

One, it's impossible to imagine a research university that isn't involved in a decisive way with federal funding. My impression is, at least in the sciences and engineering and maybe some other areas of research, you're just not in business unless you're dealing with federal contracts and

federal research grants. So I don't recommend that Notre Dame try to find a way to live without federal funds.

I believe that it's also federal funding in the relevant sense of it, if the students are taking federally guaranteed loans. That's not really in the picture.

So I think there's a premium on two things: One is doing more rather than less to make sure that whatever the federal government does by way of attaching strings be done in a sensible way and with great respect for religious liberty. And there's some play there. Electing Trump is much better than electing Hillary Clinton on that score, and by a great margin, frankly.

And second, I do think that it's not inevitable, in the sense that there's a necessary logical relationship between federal funds and being asked to do something that's morally impossible. But as a matter of fact, it's quite possible that some federal funding will come attached to it a string that simply has to be refused.

That is to say the string is morally impossible. And then the answer is no. The answer is simply no. I mean, no one and no institution can or should ever do something that's morally impossible. In the end the answer can be no. Come and get us. Come and padlock our doors. Come put us out of business. Because the answer is no. And if that funding is withdrawn then so be it.

**QUESTION: Is there any way for the Holy Cross order to get back control of the University?**

PROFESSOR BRADLEY: I can't see how that could happen. Nor would I recommend it. I wouldn't think that's the solution to the problem.

We were talking a bit at dinner last night about more or less Holy Cross being the way forward if you want to increase Catholic identity. And I don't mean in the slightest to be reflecting a judgment about the quality of the Holy Cross Indiana Province, but in the end, I don't think that's the way to go.

This part is simply my own opinion. My observation is that the identity and self-understanding of the institution may be centrally its aspiration to be a great world recognized research university and maybe fudging some moral questions and questions of Catholic identity as we pursue that goal.

I think that's the source of the problem. My guess would be any Holy Cross fathers who ascended in the pecking order sufficiently to be in positions of influence would probably buy into that vision for Notre Dame. The corporate identity, I think, is the problem. And you have to figure, whether in Roman collars or not, anybody who comes to run the place would probably have bought into that basic vision. And I think that's the problem, in my judgment.

BILL DEMPSEY: Let me say a word about the control of the university. People may not understand this, but effective control has been kept with the Holy Cross Order. That's the way it was set up. Ultimate control of the university is in the hands of the twelve Fellows. Six of them



are members of the Order. And so it has half of the controlling body, plus the presidency. And in any organization, that's effective control.

That's why I really agree with what Gerry has said. This trend has been one that the Order has fully shared in -- at least in the membership that has been in governance.

**QUESTION: What's the distribution of professors between say a technical college like engineering versus say the law -- because it seems to me improving it on the technical side would not be as important as improving it on the non-technical side.**

BILL DEMPSEY: You know, we could answer up until the university closed off that information. It's an interesting story about freedom of information and transparency at the University of Notre Dame. They used to publish something called a Fact Book. It was a wonderful book with all kinds of data about the university -- intensely interesting. It had been published for 25 years or so. We discovered it and then we began publishing the data, which gave us, not departments, but colleges. So we knew Science, we knew Law, we knew Arts and Letters, we knew Engineering, and Architecture.

Then they shut that off. They had enough of that after three or four years. And so now all that we can get, and we have a hard time getting that, is the overall university data.

But I can tell you this, as of four or five years ago, science was a relative wasteland. As I recall -- don't hold me to this, but it's roughly right -- about 35 percent nominally were Catholic in the Science faculty. I'm assuming that things have held about the same. But I can't be sure. I just don't know, because they won't tell us anymore. But it's an important question.

**QUESTION: How did the university arrive at giving the Laetare Award to Biden and Boehner? And was it generally accepted on campus, knowing that it would conflict with church teachings?**

PROFESSOR BRADLEY: I don't have any inside information. But I heard what seemed to be reliable rumors, which I wouldn't repeat in a room like this. But there is a smallish committee of faculty and perhaps one or two staff that is in charge of vetting recommendations and maybe making recommendations to Father John. But I'm not even sure if it's, in the end, Father John's decision alone or whether he consults with any others. I honestly couldn't say.

I think it was generally accepted on campus if for no other reason than, generally speaking, people are apathetic. They are just busy with what they're doing and not regarding what the administration does. I think it was generally accepted or at least acquiesced in.

It was a bad choice. I'll say this, speaking for myself, it seemed to me that neither was deserving of the award. Notre Dame invented this new calculus: You take zero plus zero and you get two out of that. Two undeserving politicians of different parties somehow make for one proper Latere Medal Award. And that just strikes me as not the way to go.