

Chair's Report – April 5, 2011
Professor John Robinson, Law

Colleagues:

Tonight's session will be unusual in three respects.

First, a few minutes from now, we will be visited by Ron Kraemer, the University's chief information officer. My hope is that our exchange with him is not merely a gripe session, though gripes we have, but a mutually productive search for workable responses to the phenomena that have given rise to those gripes.

Second, as soon as Mr. Kraemer has left our midst, Denise Murphy, from Human Resources, will outline for us a transition-to-retirement program that the University is thinking of implementing rather soon. Tonight, I suspect, we will be able to do little more than ask Denise for clarification regarding just what this proposed program entails. For us to produce an assessment of the proposed program – an assessment that speaks for the Senate and not just for individual members of it – would certainly require more time than we will have at our disposal tonight, and that would be true even if we had all night tonight at our disposal. I'll return to that "more time" issue in a few minutes.

Third, at 8:30 tonight, our women's basketball team will begin the final stage of their quest for a national championship. I am committed to bringing tonight's session to a close in time for those of us who want to watch that game to get to their preferred viewing venue.

Because our session tonight will be so unusual, I will make these remarks significantly briefer than they would ordinarily be.

My first item is retrospective in nature. In the interest of brevity, I will say just this for now: in a representative body such as the Senate, the ordinary rule is that our meetings are public, that our minutes reflect who said what about the matter under debate, and that each of us is willing to have his or her vote on each question known. Occasionally, however, some exceptions have to be made to the ordinary rules. We confronted one such situation last month in our debate over and vote on the Bess resolution. Some, at least, of our untenured senate colleagues feared for their jobs if their words or their votes were understood to deviate from an orthodox line on the abortion question. I am in no position to warrant the basis in reality for that fear, but neither am I in any position to say that it is groundless. For that reason, in the minutes of the March meeting, the identity of none of the participants in the debate over the Bess Resolution, other than Phil himself, is identified, and I had hoped that no discussion of how particular individuals voted – especially individuals who are untenured – would take place outside of this chamber. I now have some reason to suspect that that hope of mine was not fully realized in the days that followed last month's meeting. I have, of course, no way to legislate that hope of mine into law, but I continue to hope that all of us will be sensitive to the employment-related concerns that some of us bring to some votes.

Second, in an email message that I sent to all of you last week, I alerted you to the fact that several changes in the Academic Articles are making their way from the Faculty Affairs Committee of the Academic Council to the full council, where they will be voted on sooner or later. Of those proposed changes, two merit our close attention. Both involve term limits – one for elected members of the Faculty Board on Athletics, the other for elected members of the Provost's Advisory Committee. I will not try your patience with still another complaint about the process that invites our participation in April on measures that have been in the works since last fall, but I will warn you that we may need to hold an emergency session sometime soon if we are to address those proposed changes in a manner that is both timely and thorough. Right now, it seems to me that the best time for us to meet for that purpose and for the purpose of responding to the proposed transition-to-retirement policy about which we will be hearing tonight will be on Tuesday, April 19th, just before we join Father Jenkins over on the fourteenth floor of the Hesburgh Library for a reception and a question and answer session on topics of mutual interest to him and to us. Like you, I am keenly aware of how scarce our free time becomes as the semester winds down, but I hold out the hope that we will be able to generate a quorum for our emergency session whenever it is that we finally decide to hold it.

Finally, this is the final regularly schedule senate session for several of our colleagues. One, in particular will be sorely missed. He has been indefatigable in his efforts for the senate, fearless in his willingness to take on positions that the powers that be have imprudently proposed, and unequalled in his mastery of the esoteric texts by which the University is more or less governed. Despite these superlatives, he is humble and unassuming in ways that the more self-important among us can only dream of achieving. Please join me in thanking him for his tireless efforts on our behalf and in wishing him great happiness in the leisure that he will begin to enjoy once he surrenders his senate seat to his successor. Seth, please acknowledge the plaudits of your peers.