Provost letter

Provost James T. Burchaell in a letter dated Dec. 15, 1972, stated that many of the alleged violations of due process in the Lewis Hall parietal case are in error, either totally or in part.

The letter was addressed to the rector of the hall in response to an eight-point statement listing reasons for grave concern held by hall residents. More than 50 percent of all residents signed the statement.

Other than to say the first six points regarded questions of fact and were in some degree erroneous, Fr. Burchaell did not discuss the other points and added: "Because these not facts the administration is free to discuss."

He asked the resident to "be aware that distortions and misstatements are inevitable when members of a community presume on the basis of partisan presentation of an incident that they are indeed acquainted with an objective account of the facts."

The Provost also declined an invitation by hall residents to discuss the points any further than to say the first six points regarded complaints of unorthodox behavior should be reported to the rector before an outside authority is contacted.

The security report was inaccurate, biased, and presumed guilt before giving the woman a chance to speak.

The decision to expel was made solely on the report, without informing the woman of her rights, without consulting the woman or the rector, and without any defensive presentation.

The supposed violations was given en passant fact that the woman entered the dormitory than the University and should have remained such an issue. Therefore the outcome was unjust and arbitrary, and should have been appealed probably through the Advanced Students Committee.

The residents' notion of due process is taken from the AAUP Student Disciplinary Guidelines and the current student manual which specify minimal rights to which they are entitled. Those rights were violated in this case.

The still unspecified violation was given en passant fact that the woman entered the dormitory than the University and should have remained such an issue. Therefore the outcome was unjust and arbitrary, and should have been appealed probably through the Advanced Students Committee.

The last two points claim the punishment "unduly disproportionate to the situation," and that the University has "fractured its own ideals of humanness and charity" as described in the provost's statement (U. Study, Mar. 15, p. 25).

Fr. Burchaell, author of the preamble, said he was "indeed persuaded" that they were preserved in the preamble to the disciplinary committee, but with which none are adequately familiar.

The Provost also declined an invitation by hall residents made Dec. 15, to visit the hall sometime before Dec. 15 to discuss the case. Vice President for Advanced Studies Dr. Robert Gordon, who made the original decision to expel, was included in the invitation.

The Provost declined noting University policy requiring confidentiality in all disciplinary cases.

Although the resident had difficulty delivering the incriminating to Fr. Burchaell, they spoke with Gordon before Dec. 15. Gordon agreed to relay the invitation, and the response. According to Rector Sr. Theresa Sandok, the appeal to Gordon could not meet with them until after the holidays. No mention of the post-holiday meeting was made in the letter.

Residents of Lewis Hall met several times to get information on the case. The first meeting drew 125 residents, but attendance at subsequent meeting declined.
The cooperative Notre Dame Saint Mary’s College Speech and Drama Department will sponsor two high school girls for a two week campus residency program, from Saturday, January 20 through Saturday, February 3, 1973.

This program, “Project Real”, is in association with the Beaumont School for Girls, Cleveland Heights, Ohio. The two visiting students, Ann Carcioppolo and Ann Fissinger, will work essentially on the production of After the Rain, opens February 16, 1973 in Washington Hall, University of Notre Dame. Project Real” is designed to help bridge the gap between theories of the classroom and practical application. The program helps to clarify the student’s personal interests and vocational objectives.

It is the belief of this project that through direct experience students can most effectively learn about the various professions and the responsibilities of the people involved in them.

Under the supervision of Mr. Fred Syberg, instructor in the Cooperative Speech and Drama Department, the aid of the entire department, each girl will work on creating and attending theatre classes and generally involve herself in the program, applying the skills and knowledge she has learned in school.

In addition, each student is required to keep a journal of her daily activities. The experience is expected to broaden her perspective as well as heighten her awareness of the relationship between the individual and the community.

An evaluation and summary, as well as the journal, are submitted by the student at the project’s conclusion. The evaluation and summary report states specifically what she has learned about the profession or the research in which she was involved. It describes the extent to which she has been increased in her knowledge and what effect it could have on her future directions.

ND gets AEC grants

The Radiation Laboratory on the University of Notre Dame campus has received two grants totaling $1,222,000 from the U.S. Atomic Energy Commission as its annual support to continue research on the effects of radiation on matter.

Directed by Dr. John L. Magee, the laboratory is part of a system of AEC research centers seeking to support development of a civilian-controlled atomic energy capability. The modern research facility involves over 30 faculty from several university departments, 20 post-doctoral, 12 graduate students and a non-academic staff of about 45 people. Scientists in the laboratory are primarily interested in learning more about the electron—the fundamental particle of electricity—which is put to work in electric lights and television. Knowledge of the nature and behavior of the electron is also important to an understanding of how radiation affects both living and non-living materials.

on campus today

2 the observer

Friday, January 19, 1973

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SKILLS AND PLAIN CHAPS

The Observer is published daily during the college semester except Saturdays by the students of the University of Notre Dame and its College. Subscriptions may be purchased for $3 per year.

The Observer is published by the student body of the University of Notre Dame, South Bend, Ind. It is an expression of the student viewpoint. The Observer is published daily Monday through Saturday at 12:15 P.M. and Monday through Friday at 4:00 A.M.

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Stars and Stripes

One Day in the Life of a Siberian labor camp prisoner during the Stalin Regime.

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Eight killed in Jabbar-owned house

WASHINGTON, Jan 18—Three adults and five children were reported killed late today in a shooting and drowning at a home Washington police said was owned by Kareem Abdul Jabbar, the professional basketball star. Jabbar, who was in Milwaukee with his team the Milwaukee Bucks at the time of the shooting, told a Washington Radio station that he was not the use of the community and said that it was a Muslim community.

The police said the three adults were shot to death and three children were found drowned in a bathtub. Two women were reported to be hospitalized.

There was no immediate explanation of the circumstances of the deaths and identities of the victims were not immediately known. A neighbor at the scene said that immediately after the shooting occurred at 5:30 P.M., a young woman came out on the front steps and said: "I know who they are and they are going for it." According to sketchy accounts from the police a 38-caliber pistol was found at the scene. Neighbors reported seeing four men running from the house after the shooting.

The house, a three story brick mansion, was on a tranquil corner of upper 23rd Street at Jonquil Street in the district of Columbus not far from the Maryland border. The neighborhood is referred to as the "Gold Coast." It is racially mixed and consists of large homes, and a few embassies.

Neighbors said the house had been used as a headquarters for a sect of the Muslims. In his telephone interview with the radio station Jabbar, formerly Lew Alcindor, confirmed that the house was his home.

Asked if he knew why the shooting had occurred Jabbar replied, " Lunatics, that's the only explanation." He added, " It's my community and the house is for the use of the community.

Asked if he thought the shooting might be the result of a feud involving the Muslims he said, "No, I can only suspect lunatics."

Wayne Embry the General Manager of the Bucks said Jabbar told him he no longer owned the house. Embry added that he discussed the matter with his attorney who said Jabbar had donated the house to the black Muslims. Jabbar said his wife, Iliabah and Daughter (also named Jabbar) were with him in Milwaukee.

Jabbar's father, Ferdinand Lew Alcindor said from his home in Queens that the basketball star had donated the Washington house to the Muslims at the time he became a member.

Urban Studies initiated at SMC

An urban studies program co-sponsored by the history, economics-business, sociology, and political science departments of Saint Mary's joins the list of interdisciplinary programs being offered at the college next semester.

According to co-directors Louis H. Tondreau (chairman, Political Science department) and Charles Piounaille (chairman, History department), the program was established out of the "overriding domestic concern of Americans in the 1970's whether or not our nation can arrive at a truly human environment for urban living."

By jointing the collective efforts of the humanities and the social sciences, in studying the urban problem at both the local and national level, the program will aim toward an increased understanding of the student's part in the diverse factors which have shaped the urban environment.

Urban life will be viewed from the vantage point of a variety of academic disciplines, particularly political science, history, economics, and sociology.

Students who wish to complete the program must meet the following requirements:

- the satisfactory completion of a major course of study in one of the academic disciplines at Saint Mary's
- the satisfactory completion of four courses (12 credit hours) in at least two of the four participating departments.
- courses in urban economics, urban sociology, and urban history will be among the eight offered in the program, as well as two research and internship programs in government.
- Students who fulfill the requirements will receive a certificate in urban studies which will be recorded on the college transcript.
- Interested students may contact Tondreau or Piounaille for additional information.

SLC plans discussion on black students' problems

by Janet Longfellow

The Student Life Council plans committee meetings for January 21 and 29 to prepare for the next hearing sessions on February 5 and 6.

The discussion topic, "Black students at Notre Dame," resulted from a racial disturbance in January of this year. Through talks with Notre Dame black students, members of the SLC have acknowledged a need for an opportunity for them to voice their feelings about being black on a predominantly white campus.

Dr. Robert Ackerman, chairman of the Steering Committee, is setting up the hearing sessions to provide a forum for sharing experiences on what it is like to be black.

When asked his opinion on this as a topic for discussion, he said, "I have no reason not to be optimistic."

Out of a meeting with black students before the hearing, the SLC hopes to find what they wish to discuss, what kind of problems they have, and what they feel is necessary to change.

This will be this year's second SLC hearing. The first occurred after Thanksgiving vacation to discuss Race Pucks. SLC members expressed hope yesterday that the attendance and enthusiastic rapport of the last hearing will indicate success for the coming session.

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REGAL NOTES

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REGAL NOTES

TO HAVE AND HAVE NOT

Cinema '73 presents

'Sat. & Sun. Jan. 20th & 21st 8 & 10pm Engineering Auditorium Admission 1 Patron Free!'
Daze of Our Lives

The recent incident at Lewis Hall reads like a script for Days of Our Lives or As the World Turns—a vicious scandal that others will hear about and wonder, yet won’t relate to themselves. It’s like a work of bad fiction that no one will really take seriously.

One person has to take it seriously, for it will be a mark on her record for the rest of her life.

An event that won’t show on her record is the mockery of justice that led to her withdrawal from the University. To many, this mockery includes questionable actions of a security chief who has always prided himself on his efficiency and blind groping of administration officials for a decision in an unprecedented case, will instead remain on the record of the University itself, a University whose officials hide behind “policy” to avoid publicity.

The Peter Principle

One of the two most blaring issues in the case is the direction the Security Department handled its end of the case. From the very start, its actions, which were personally handled by Director Pears, were not only highly questionable, but almost embarrassing for a university of such stature.

Acting rashly on an anonymous phone call (one wonders what Security would do in a flood of such calls) Pears failed to recognize any of the woman’s rights through his failure to identify himself, state her rights, tell her if she was actually under arrest, notify her rector, or show her his report. He then heaped a partial attempt of apology by his sym pathy and letter of recommendation.

Why We're Here

Both issues raise the ultimate question of the amount of control the University should have over its students. Some control is necessary, of course, for the University is responsible for the total student, for the most students. But one wonders, Students are paying for education, not morals. The argument that the University is responsible for the total student therefore cannot reach into this area, especially in the case of students who are legally adults, such as the woman involved here.

In this type of case, where does in loco parentis end?

The University cannot condone these incidents. Modern society has yet to reach that level. But so to totally condemn such actions is, on the other hand, a regression. The University cannot allow itself to go backwards; that’s the best way to trip over its own feet.

Joseph Abell

Second Semester at the Movies

Remember the famous “wretched connections” of last semester? Well, Saint Mary’s has just directed and produced another big one: Shaft. In 370 confusion of SMC freshmen were not permitted to register for classes across the road unless they agreed to pay the exorbitant fees. Which is fine—providing you’ve just won the Jersey State Lottery. (Who was it the other day who tried to pay for education, not morals. The argument that the University is responsible for the total student therefore cannot reach into this area, especially in the case of students who are legally adults, such as the woman involved here.

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any female wishing to move in now and try Farley on for size... please apply within for co-occupancy information

LOST

one good dorm— if found, please call anyone in Breen-Philips

Announcement of next year's dormitory selections for co-education brought forth many different reactions from the residents of Breen-Philips and Farley. Some were verbal—and highly expressive—others took the form of posted notices, as you can see.

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Professor: Dr. Theodore X. Hesburgh, C.S.C.

this check was returned unendorsed... we have exhausted our last recourse

LOST

one dorm—answers to Pop Farley's

if found, please return to the North Quad (along with our pride)
Tenure controversy draws AAUP

by Mary Jane
Staff Reporter

Dr. Paul Messbarger, Saint Mary's professor of English, whose appeal for tenure was refused earlier this school year, is now seeking the intervention of the American Association of University Professors (AAUP). Both the faculty and students were all along reluctant to involve any parties outside the college, and when the local chapter could not secure a review and a reversal, Messbarger was contacted before Christmas by AAUP official Dr. Jordan Kurland, who said that he had been through all the materials, offered his assistance, and thought that there were sufficient grounds to involve the national office.

"By the time he called," said Messbarger, "I had given up hope of any kind of internal review." Kurland has since sent a letter to Dr. Edward Henry, President, stating that he will "inform us of his findings," added Messbarger. Messbarger said that he could find no reason why he was not granted tenure.

"The criteria for tenure is that publication and teaching accomplish lists such things as teaching competency, scholarship, and service to the community. And on all three scores, I was clean."

My department gave me the highest recommendation. I had just published a book, and I had been nominated by the college last spring to receive an award from the National Endowment for the Humanities, which I subsequently was promoted last spring and I did fairly decent job in the classroom, plus I cleared the English Department for three years.

He contends that the tenure procedure needs reform, and feels that "There will be some changes, purely because of this experience."

Currently, the Rank and Tenure Committee, composed of three faculty and two administration members, reviews each candidate eligible for tenure and forwards their recommendation to the President. He in turn can either accept or reject those recommendations. However, the candidate has "no way of knowing who decided, and it's a terribly closed circuit.

There's no way to penetrate it to find out reasons, to get at the evidence, or even know who made the main decision," he stated.

The AAUP is on record for calling for major reform of that system. Messbarger continued, "I raised questions about the tenure decision and asked for a review, not because I'd been turned down and not because the procedures themselves had been bad, but because they were not followed," he explained.

Following the break-up of the merger, the Rank and Tenure Committee immediately began setting up their appointments with every department and holding hearings, began Messbarger. "At the time, the Saint Mary's Board met and said, 'we are not going to issue any promotions or tenure for a year, and those people who were to be considered for tenure will have to be let go,' " he said.

Despite this decision, the committee continued its hearings and reviews. Consequently Messbarger, in a letter to the president, requested that those faculty members who were reviewed and were to be let go be sent out with a letter of recommendation stating that "they have stood the review favorably." This, Messbarger said, "would assure them of a new employer." Messbarger continued, "The issue was renewed before the Board by college president Sr. Alma Petter when they met again. She wrote back and said, 'I am sorry to tell you that the moratorium has been sustained... until we are able to meet your other recommendations. Those people who were favorably reviewed by the Rank and Tenure Committee should not be let go.' 

"Enjoy them..."

by Dean Mayers
Staff Reporter

The University of Notre Dame has joined the Association of College Unions - International, according to Dr. Robert Ackerman, Director of the Office of Student Activity.

The ACU-I consists of approximately 200 colleges in the United States, Canada, and Australia. Its primary purpose, according to Ackerman, is to improve the services which a student union can provide to college students. He added that the organization consequently served as a clearinghouse for information on student unions.

Ackerman commented, "The ACU-I will serve as a source of ideas from other colleges. Through its committees we can find out how other colleges keep their students entertained."

The University chapter in St. Paul, Minnesota and sponsors an annual international conference, as well as several regional conferences. It specializes in seminars and training programs in college union operations and coordinates such activities as tournaments in bowling, billiards, bridge, and chess.

The charter of the ACU-I states that the student center should be the "living room" of the college, providing "services and counseling experiences that the members of the college family need in their daily life on the campus." According to Dr. Ackerman, such "services" can be implemented at Notre Dame through membership in the ACU-I because "the ACU-I can help in the designing, building, or remodeling of the student center."

Some colleges, according to Joy Kane, Assistant Director of the Department of Information Services, have student unions which contain student bars and have facilities for movies and dances. "Notre Dame can learn from these places to make such ideas a reality through our ACU-I," Kane commented.

Dr. Ackerman stressed the two-way nature of the ACU-I. While we will at first receive many ideas from other chapters, it is our responsibility to let all the ND Student Union know that where there is human need in the cities, the suburbs, in parishes, on campus the Paulist is there helping counseling, reenforcing, in the presence of the good and in designs of hope around us.

That's what the Paulists are all about.

For more information write: Father Ronald C. Campbell, Room 103.

Paulist Fathers.
415 West 59th Street
New York, N.Y. 10020

by Stan Urner

Going on the road is a hazard for every NCAA team, and the Western Michigan University Collegiate Hockey Association, coach Letty Smith's Notre Dame team will have more than that on its mind this week when the Irish face off against the perennially rugged Michigan Tech Huskies in a crucial eight-point conference series.

The Irish are working on a five-game league winning streak that dates back to that big win over Denver last December 10th at the ACC. This consistency with in the WCHA is for a good fit place showing via an 8-6 record (10-10 on the season) and 18 points. 

There are eight points at stake, one of the most important stretches of the 72-game campaign. Following the series in Houston, Notre Dame returns home for two consecutive weekend battles with league-leading Michigan State and number-two North Dakota, the latter still another eight-point affair.

"These next six games will determine whether we get to play in the playoffs and even win the conference," boasts coach Smith. "But doing well in this series at Tech is the key position," says Smith. "But doing well in this series at Tech is the key..."
The Irish are still years away from Marquette's at-home record, but Coach Dan Donoher has followed. Losing games in the past minute can create a very hot atmosphere among the team and the fans. We're wondering if we were jinxed in the close ones. This was topped off by losing to Kentucky by two points the night before we got a three day break to go home for New Year's Eve. But we came back sexless to Kansas and to put the old year behind us. It was a new year and we were going to treat the rest of our games as such. We lived in the Morris Inn during the vacation, and this brought the team together as friends, not just as basketball players. We had our minds set that we were not going to be here-vacation just to lose games.

The first seven games of the season were very frustrating and demoralizing. Our single win over Valpo didn't seem to supply the spark that we could have used. The players have been working hard and have improved in many ways.

The Irish witch have three chances this weekend to improve upon their record, all of them on the road. We are traveling today to Greenastle, Ind., for a dual meet with Universal Florida.

Injuries continued to compound Irish woes. This time the services of 6'7" Mike Flaherty were lost for the remainder of the season as a result of a knee injury—the fifth injury of the 1972-'73 campaign. Mike's maternal nature:

Notre Dame will have three chances this weekend to improve upon their record, all of them on the road. We are traveling today to Greenastle, Ind., for a dual meet with Universal Florida.

Notre Dame's willingness to attempt to adjust their winning ways this weekend, following a disappointing Florida vacation road trip last week, which dropped a pit of dual meets to Florida, North Carolina and Universal Florida.

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