

Morse

INDEPENDENT

Spring 2004

Who's Who in 2004-5



Margaret Hallock will be back as the Morse Center director.

Hilary Charlesworth, an international law-human rights scholar

from Australia, is serving as Morse Chair Professor. She will visit January-February 2005.

International law expert **David Caron** and political economist **James Galbraith** will visit Oregon as Morse Distinguished Speakers in fall and spring, respectively.

Lynn Fujiwara (women's and gender studies) and **Ibrahim Gassama** (law) are next year's resident scholars at the Morse Center, and another group of nine capable law students will serve as **Morse fellows**.

The 2005-6 Morse Chair Professor has already been selected: **Chief Oren Lyons**, traditional faithkeeper of the Iroquois Turtle Clan and professor of American studies at the State University of New York, Buffalo. Professor Lyons' visit will kick off the 2005-7 Morse Center theme focusing on indigenous communities.



UNIVERSITY OF OREGON

Charlesworth to Serve as 2004-5 Morse Chair

The 2004-5 Morse Chair Professor, Hilary Charlesworth, will visit Oregon in winter 2005 and coteach a course at the law school on sex, gender, and human rights. Charlesworth is a law professor at Australian National University and director of the university's Centre for International and Public Law. Her scholarly interests include international law, human rights law, and feminist legal theory.

Charlesworth was educated at the University of Melbourne and Harvard Law School. She has taught at the Universities of Melbourne and Adelaide, Washington and Lee University School of Law, Harvard Law

School, and New York University. She is the author of *Writing in Rights: Australia and the Protection of Human Rights* (2002) and, with coauthor Christine Chinkin, *The Boundaries of International Law: A Feminist Analysis* (2000).

Among many other publications, she coauthored a course book on international law with Richard Falk, who visited Oregon in 2003 as a Morse Center Distinguished Speaker.

Charlesworth's public lecture in January, along with her other activities in Oregon, will continue the Morse Center's two-year exploration of the theme, "The Changing Geopolitical Order: Implications for Peace and Stability."



Hilary Charlesworth, 2004-5 Wayne Morse Chair Professor.

Upcoming: Borders of Human Security Conference

On May 20-21, the UO Center for the Study of Women in Society is hosting a conference at the UO School of Law—The Borders of Human Security: Geopolitics Comes Home. Made possible by a Morse Center Vision Grant, this conference will explore how economic security, human and civil rights, and national security are related in our lives. Featured speakers include Dr. Noeleen Heyzer, executive director of the United Nations Development Fund for Women, and Cindi Katz, a professor at the City University of New York, whose research focuses on what she calls the "global retreat from social reproduction." For more information and a schedule of events, visit the website link, www.morsechair.uoregon.edu, or call the Center for the Study of Women in Society, (541) 346-5015.

Director's Column: A Year of Firsts

By Caroline Forell

We've had a terrific year of firsts at the Morse Center. It was the first year of the "changing geopolitical order" theme, the first year of the Morse Resident Scholar program, the first year in which we had nine law student fellows, the first year we partnered for a major event (Mary Robinson's visit), and the first (and only) full year I will serve as



Morse Center director. One thought-provoking event after another has filled rooms and minds to overflowing.

As a departing gesture, I am announcing the following awards:

Most Multifaceted Event: The UO Latin America Studies Program conference commemorating "the other September 11," the Chilean coup of 1973. The collage of art, music, food, poetry, films, lectures, and panels came together beautifully. This early November conference set the standard for the entire slate of Morse Center-sponsored events.

Highest Exposure: Neil Smith. Morse Chair Professor Neil Smith's public lecture drew 800-plus, with 200-plus attending his talk in Monmouth, and more at the Eugene City Club lecture and community roundtable. In addition, the American Empire course had sixty students, and forty guests heard Neil sing Scottish folk songs a cappella at my home. Not to mention all the press he got, including radio, TV, and print media. Neil was everywhere! Soon after his arrival, folks were greeting him on the street like an old friend. In addition, Neil wins

the Most Easygoing Morse Chair Ever Award. Neil, please come back and visit us soon.

Best Bang for Our Buck: The UO Law School's Public Interest-Public Service (PIPS) Vision Grant. Thanks to PIPS, it was possible to bring Michael Posner, executive director of the Lawyers Committee on Human Rights, and Ken Roth, executive director of Human Rights Watch, to give public lectures for under \$2500 (total). Posner and Roth head two of America's leading human rights organizations, both based on the East Coast. We want to know how PIPS did it!

Most Inspiring Twenty-four Hours: The inimitable former president of Ireland and former UN high commissioner for human rights, Mary Robinson. Her moving words on "the republic of conscience" touched everyone who heard her. Robinson reminded us that the most serious human rights violation on earth is abject poverty; for the millions of desperately poor, no rights are respected. This world leader was incredibly gracious and touched our minds and our hearts.

Most Ambitious Amalgam of Suits and Boots: Resident scholar Keith Aoki's ground-breaking symposium, Malthus, Mendel, and Monsanto: Intellectual Property and the Law and Politics of Global Food Supply (also winner of the Best Name for an Event Award). This symposium brought together patent law experts, farmers, and scientists. It was chock-full of stellar interdisciplinary panels and provided critical discussion of the genetically engineered crop industry. Canadian canola farmer and folk hero Percy Schmeiser's evening address about his David-and-Goliath battle against Monsanto was the grand finale. Credit also goes to law students J. J. Haapala, James McCurdy, and Jona Maukonen who were central to organizing the symposium. After

attending panels all day, Keith Aoki swung the house as bassist in the new law student-faculty jazz band, the Sophisticatos.

Some additional awards:

▪ **Most Overtly Political:** U.S. House Representative Peter DeFazio's October talk, entitled "Unilateralism, Preemption, and the War Powers Act" (available online at <http://www.house.gov/defazio/MorseCenter102703.shtml>).

▪ **Most Theatrical:** *American Gadfly: The Story of Wayne Morse*, a one-man, one-act play presented by local radio personality Claude Offenbacher. Stay tuned for more performances next year.

▪ **Most International:** The E-LAW Vision Grant talks by environmental activists Wiwiek Awiati of Indonesia and Raquel Gutierrez of Mexico.

▪ **Most Thought-Provoking:** Distinguished Speaker Richard Falk's talk, "Revisiting the Great Terror War," was profound and well-attended.

And there's still more to come! On May 20-21, the Center for the Study of Women in Society and Morse resident scholar Lise Nelson conclude this year's program with their vision grant-funded conference, "The Borders of Human Security: Geopolitics Comes Home." Shortly thereafter, Margaret Hallock returns home to the center to begin preparations for the 2004-5 academic year.

Three exciting visits are already lined up for the second year of exploring the "changing geopolitical order" theme. International law and feminist scholar Hilary Charlesworth of Australian National University will serve as Morse Chair Professor. Two distinguished speakers will also visit the center—in the fall, international law expert David Caron of the University of California, Berkeley, and in the spring, political economist James Galbraith of the University of Texas. In addition, the 2004-5 resident scholars Ibrahim Gassama (law) and Lynn Fujiwara (women's and gender studies) will each be hosting events related to their

scholarly work. Stay tuned for notices of additional events next year.

Thanks to Kim O'Brien, Cheri Brooks, the nine Morse fellows, and the Morse Advisory Board for making my time at the center so enjoyable. My parting words are these: The Morse Center rocks!

Conference on Borders of Human Security Brings Geopolitics Home

By Jan Emerson, Center for the Study of Women in Society

How are economic security, human and civil rights, and national security related in our lives? In what ways are globalization and militarization racialized and gendered processes, producing security for some and vulnerability for others? How might international, national, and local security policies be different if their core goals included reducing poverty, violence, and racial, ethnic, and gender inequalities? These are some of the questions to be addressed by an eminent group of social scientists, lawyers, labor leaders, and community advocates at a conference sponsored by the UO Center for the Study of Women in Society on May 20–21.

The “borders” the conference will examine are both material and metaphorical. They are policed national and community borders. They represent limits and restrictions whose effects among citizens, noncitizens, and people from different racial, ethnic, and class communities are measurably unequal. They are boundaries often invisible to those with economic and social privilege, but palpable to those who experience racism, gender subordination, or class inequality.

Noeleen Heyzer, executive director of the United Nations Development Fund for Women (UNIFEM), will open the conference by exploring

the concept of human security—an alternative security paradigm that has captured the attention of many in the international policy community. Heyzer has been at the helm of UNIFEM since 1994, advocating models of development that promote economic security and the empowerment of women and their families.

A series of panels the next day features distinguished scholars and advocates who will discuss the effects of violence that result from war, terrorism, and the war on terrorism; human rights, immigration, and work; the production of economic insecurities in the context of globalization; and the efforts of local, national, and international groups to promote human security. Among the panelists are Dorothy Roberts, author of *Killing the Black Body: Race Reproduction and the Meaning of Liberty*; Cynthia Cockburn, author of *The Space Between Us: Negotiating Gender and National Identities in Conflict*; and Cindi Katz, whose research focuses on what she calls the “global retreat from social reproduction.”

Dalia Hashad, who has a law degree from NYU, will be talking about the ACLU Campaign against Racial Profiling, specifically her work on issues confronting Arab, Muslim, and South Asian Americans following September 11.

The final panel brings together five local community advocates whose work spans issues ranging from peace, civil liberties, and immigrant rights to the effects of economic restructuring on working people, as well as issues affecting indigenous communities in Oregon.

CONFERENCE

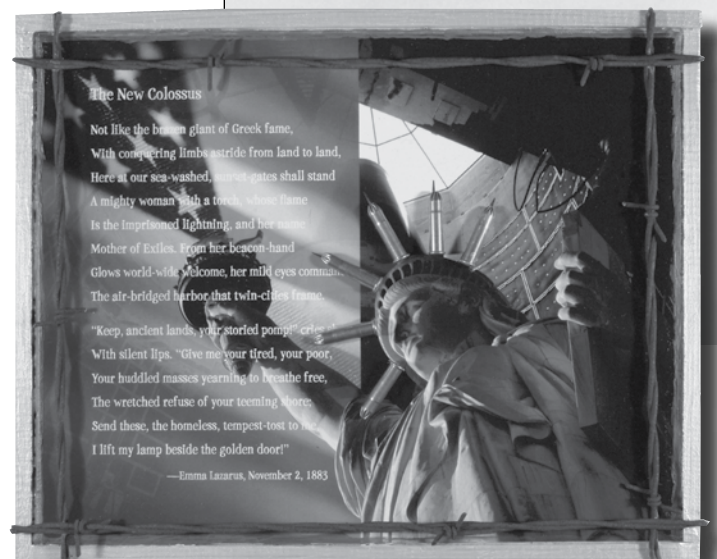
The Borders of Human Security: Geopolitics Comes Home

WHEN: May 20–21

WHERE: UO School of Law, Room 175 (1515 Agate St., Eugene)

MORE INFO: <http://csws.uoregon.edu/home/index.shtml>

(541) 346-5015



The conference is funded by a Morse Center Vision Grant and grants from the College of Arts and Sciences and nine other UO departments. This broad base of institutional support speaks both to the breadth of issues to be addressed at the conference and the theoretical and political importance of investigating issues about security.

2003–4 Morse Distinguished Speakers: A Brief Recap by Morse Fellows

Peter DeFazio

On Oct. 27, 2003, the Morse Center kicked off its 2003–5 theme, “The Changing Geopolitical Order: Implications for Peace and Stability,” with a lecture by Congressman Peter DeFazio entitled “Unilateralism, Preemption, and the War Powers Act: Implications for U.S. and World Security.” Speaking to a standing-room-only crowd, DeFazio opened his speech with a remark from then-candidate George W. Bush, advocating for humility rather than arrogance in promoting our world power. DeFazio then spent the remainder of his time uncovering the reality of the Bush Doctrine and its contrast with candidate Bush’s statement.

DeFazio focused much of his lecture on Congress’s authority under the War Powers Act and implications of the current administration’s policies for future generations. He noted, “While the intent of the War Powers Resolution was laudable, it has not had the desired impact of limiting presidential military adventures. Presidents of both parties have tried suing to force compliance, the courts have failed to rule on the merits. . . . Given the refusal of the courts to intervene, it is critical that Congress reassert its constitutional authorities via the power of the purse and refusing to authorize open-ended, vague war resolutions.”

DeFazio also outlined what he deems “the Bush Doctrine,” commenting on its roots in a 1992 document by Paul Wolfowitz (currently the deputy secretary of defense) calling for the exertion of American military power to “preempt or punish” the use of weapons of mass destruction, “even in conflicts that otherwise do not directly engage U.S. interests.”

DeFazio concluded with a critical analysis of the Bush Doctrine: “If our

government truly derives its legitimacy from the consent of the governed, then the President . . . cannot simply dictate such a fundamental shift in our relationship with the world because . . . of . . . a pet theory. . . . It is up to the political leaders of each generation to leave the world a better place in which they found it.”

—Karen Ellis

Richard Falk

In November, the Morse Center was honored to welcome prominent international law scholar and human rights activist Richard Falk as a Morse Distinguished Speaker. Falk delivered a timely and provocative lecture, addressing the United States’ response to terrorism after September 11 and the impact of the invasion and occupation of Iraq on the international community.

Falk questioned the necessity of war against Iraq, given the lack of



Richard Falk, Morse Distinguished Speaker, gave a thought-provoking public lecture.

evidence supporting Iraq as a credible threat to the United States.

“[I]t was a completely superfluous engagement in war, given the absence of any kind of capability or will for Iraq to do anything that would pose the sort of threat that could not be contained, that could not be dealt with, at the time it emerged,” he said.

Furthermore, he criticized the Bush administration’s preemptive strategy toward Iraq as an “ideological crusade that seems to be completely intolerant of diversity on any level” and

suggested there was something to be learned about occupation in light of recent history:

“[O]ne would have hoped that that was the lesson learned in Vietnam, that you can win every battle and lose the war.”

Falk concluded his address looking toward the future, suggesting, “We are approaching a new opportunity for the United States to give up this project of global domination and to try to act as a global leader.”

During his visit, Falk also engaged UO law students in Associate Professor Ibrahim Gassama’s international law class in a discussion about the war in Iraq and globalization. His keen insights into the current state of international affairs clearly embodied the intelligent and outspoken spirit of Wayne Morse.

—Martha Pellegrino

Mary Robinson

On March 3, 2004, Mary Robinson, former president of Ireland and UN high commissioner for human rights, gave a public lecture entitled “Human Rights and Ethical Globalization.” Robinson, a major figure in international human rights, currently serves as director of the Ethical Globalization Initiative. Her talk touched on a wide range of issues, including hunger and poverty, education, small arms proliferation, and HIV-AIDS, framing these issues in a human rights context.

Robinson recognized the difficulties the United States was facing in its position regarding terrorism, highlighting the snowballing effect of security actions it has taken as many nations look to it for leadership in the realm of civil liberties. Robinson also indicated that international human rights can provide a context for addressing local issues of poverty, but that a lack of commitment and funding has limited the effectiveness of recognized human rights standards. In addition, a lack of funding has stunted progress in reaching goals for reducing hunger and poverty around the world.

The major cosponsors of Robinson's visit were Human Rights for All (a program of the Carlton Savage Visiting Professorship in International Relations and Peace), the Morse Center, and the University of Oregon Women's Law Forum. More than 750 people attended Mrs. Robinson's engaging and informative lecture.

—Jona Maukonen

PIPS Draws International Figures to Speak on Human Rights

By Kristen Parcher, Morse fellow

Through a Morse Center Vision Grant for the 2003–4 school year, the UO School of Law's recently implemented Public Interest–Public Service (PIPS) program developed a “Global Justice at Work” series theme. Last fall, PIPS brought Michael Posner, executive director of the Lawyers Committee for Human Rights, to the law school.

Posner pointed out that the United States needs to start treating civil rights and civil liberties as related to international human rights. He went on to discuss the “new normal” and an action agenda for challenging the erosion of civil rights in the United States. Posner reminded the audience that patriotism is asking questions of government, and that citizenship should be about spirited, robust, public debate.

In February, PIPS hosted Kenneth Roth, executive director of Human Rights Watch, an organization that works in seventy countries to fight human rights abuses. Roth's lecture addressed abuses in Iraq, Guantanamo, Afghanistan, and domestically as responses to security threats. Roth encouraged us to “not overstate the problems,” that enough serious issues exist with the recent actions of the United States. In addition, he asked



JACK LIU

Law student fellows helped bring a record number of Morse events and speakers to the University of Oregon and the community in 2003–4. Pictured from left to right: Karen Ellis, Kristen Parcher, Patricia Bradwell, Lauren Sommers, Tehan Pearce, Martha Pellegrino, Naomi Melver, and James McCurdy. Missing is three-year Morse fellow extraordinaire Jona Maukonen. In 2004–5, the Morse Center will again be ably assisted by nine law student fellows.

that we not be tempted to blame only the current administration, but that the current state of U.S. foreign relations is a result of many different factors.

Roth also spoke to law students about career opportunities in human rights, and what skills could help them achieve careers abroad and domestically in the field of human rights.

E-LAW Speaker Series: Environmental Challenges that Transcend National Boundaries

By Naomi Melver, Morse fellow

The Morse Center awarded a vision grant to help organize public speaking events with international “working exchange fellows,” visiting at the U.S. office of Environmental Law Alliance Worldwide (E-LAW U.S.), a nonprofit organization based in Eugene. The alliance works with more than 300 grassroots advocates to protect the environment through law in sixty countries around the world (for more information, visit the website at <http://www.elaw.org>).

The speaker series made possible two well attended brownbag lunches with members of the E-LAW network: Wiwiek Awiati, executive director of the Indonesian Center for Environmental Law (ICEL), one of Indonesia's leading public interest environmental law organizations; and Mexican attorney Raquel Gutierrez.

Awiati gave a presentation entitled “Mining, Logging, and Human Rights Abuses in Indonesia” in October 2003. In collaboration with grassroots advocates in the region, ICEL pressured industrial plantation owners to stop using slash-and-burn fires to clear Indonesia's tropical forests for plantations. Wiwiek also discussed ICEL's efforts to help pass Indonesia's first Freedom of Information Act, and to pass the country's first class-action legislation.

Gutierrez gave a presentation entitled “Hidden Costs of NAFTA in Mexico: Case Study of the Lake Chapala Basin” in January 2004. Gutierrez has been working tirelessly to clean up and protect Lake Chapala, Mexico's largest freshwater lake. Raquel is working with E-LAW U.S. to file a claim to the Inter-American Human Rights Commission to force the Mexican government to abide by its environmental laws and clean up Lake Chapala.

Meet the 2004–5 Morse Resident Scholars

Lynn Fujiwara received her Ph.D. in sociology from the University of California, Santa Cruz. She has been an assistant professor in women's and gender studies and sociology at the University of Oregon since September 2000. As a 2004–5 Morse Resident Scholar, she will work on her project, "The War against Terrorism and Immigrant Rights."

Fujiwara's interdisciplinary work connects the politics of social policy to the role and formation of community mobilization as catalysts for social change. Her research examines the erosion of immigrant rights in the wake of the war against terrorism and



the implications of the normalization of such social policy.

Looking specifically at community and national grassroots organizing by immigrant rights groups attempting

to challenge government actions, Fujiwara plans to conduct interviews among participants of the 2003 Immigrant Workers Freedom Ride. Inspired by the freedom rides of the civil rights movement, participants of the new protest were deployed from ten different cities across the country, stopping at over eighty-five cities along their routes to Washington, D.C., for a lobby day in Congress, and then on to New York City for a massive demonstration that included more than 100,000 protesters.

Ibrahim Gassama received his J.D. from Harvard Law School. He has been an associate professor at the UO School of Law since 1991. As a 2004–5 Morse Resident Scholar, he is working on a project about the future of the United Nations in light of challenges posed by the global war on terror.



For most of the twentieth century, Gassama points out, the big idea in international relations was the development of structures and principles of collective security to restrain the

exercise of national power in international affairs. Yet in the post-cold war, post-September 11 era, a vigorous challenge to the existing system of collective security has arisen. Spurred by theorists and activists loosely referred to as neoconservatives, the United States has adopted a sweeping new variation of the doctrine of anticipatory self-defense or preemption and has insisted that the rest of the world join it in a worldwide war on terror.

Gassama's research looks at the United Nations as an institution that needs to respond more effectively to the intellectual and practical challenges posed by this new U.S. posture. Gassama argues that even though such a response would threaten the critical financial and logistical support the U.S. provides to the world body, the opportunity to transform itself is one that the United Nations and the rest of the world community should not reject.

MORSELS

We at the Morse Center were delighted when Morse fellow and first-year law student Patricia Bradwell introduced us to her grandfather, Orval Etter, this year. Mr. Etter had Wayne Morse as a professor when he attended the UO School of Law during the 1930s. Here is what Mr. Etter had to say about participating in his granddaughter's law school and Morse Center activities:

"Last fall, I visited my granddaughter's criminal law class. In the winter, I participated in a panel that commented on Charles Deemer's play about Wayne Morse. On each occasion I encountered a Socratic irony.

"The class was devoted mainly to Socratic dialogue. In Dean Morse's class in criminal law that I took in the fall of 1936, there was nothing—repeat, nothing—Socratic. The reason probably was that he was as facile a speaker as I have ever known. To him, lecturing was easier than falling off the proverbial log.



"Deemer's play was titled *American Gadfly*, borrowing a metaphor that Socrates, according to Plato, applied to himself. In four classes and on other occasions, I never saw Morse shift into Socratic gear. The reason? Probably the one stated supra."

2004–5 Vision Grants

Steve Hecker of the UO Labor Education and Research Center will host a symposium entitled “Workplace Health and Safety in the Global Economy” in spring 2005. Community partners in the symposium will be local, state, and national union organizations, as well as representation from the Maquiladora Health and Safety Support Network.

The Eugene Day of Remembrance Committee, with support from **Keith Aoki** of the UO law faculty, is organizing a symposium entitled “Latino Immigration in the New World Order: Lessons from the Japanese American Internment” in February 2005. The centerpiece will be a public dialogue between observers of the Japanese American experience in the years preceding and immediately following World War II and observers of the current experience of Latino Americans.

Another February symposium, “Violence and the Changing Geopolitical Order in Literature and the Arts,” is being prepared by **Jeffrey Mason**, professor in the UO Department of Theater Arts. The symposium will feature the presentation of scholarly papers examining the rising oppression of writers and artists and the suppression of literature and art influenced by recent global events.

Judith “Sparky” Roberts of the LCC theater department will produce two performances of Charles Deemer’s one-man play, *American Gadfly: The*

Story of Wayne Morse. The play covers the 1950s and 1960s—Morse’s years as the “Tiger of the Senate.”

E-LAW U.S. will continue its relationship with the Morse Center and law school (see article page 5). More public presentations featuring E-LAW fellows from around the world are planned for the law school, the university, and the Eugene community next year.

For the Peace and Justice in Latin America conference in May 2005, Bryan Moore of the Department of Romance Languages is bringing to campus artist **Francisco Letelier**’s curated art exhibit celebrating the life of El Salvador’s Archbishop Oscar Romero. The conference will analyze the effects of U.S. military involvement in Central America and commemorate the twenty-fifth anniversary of Romero’s assassination.

John Shuford of the **UO Center on Diversity and Community** will collaborate with the Morse Center and resident scholar Lynn Fujiwara on a one-day symposium, “Cross-Border Politics and People: Western North America, Then and Now.”

The law school’s **Public Interest–Public Service** program will continue its outstanding speaker program, initiated this past year with a Morse Center Vision Grant (see article page 5). Next year’s speakers will address issues relating to the Alien Tort Claims Act; issues related to toxic tort harm resulting from activities of American corporations outside the United States; and global issues related to women, children, and sexual minorities.

A Recollection of Morse

By **Carole McClurg**

My father was president of the Young Democrats, and from my earliest recollection the name Wayne Morse was present in our household. To me, he was a kindly man with a warm smile who I would encounter at various gatherings my dad attended, with me by his side. I enjoyed the enthusiasm of the audience as they listened to my father’s friend speak. I did not know Morse then as the “Tiger of the Senate,” but I knew somehow that the older gentleman with the moustache was a great man. I just didn’t know why.

Sometime in the early 1960s, my father was stricken with Hodgkin’s disease. Our lives soon consisted primarily in shuttling between home and the hospital as my father’s life ebbed away. My older brother was in the jungles of Vietnam during this time. I remember the concern on my father’s face as he watched the evening news from his hospital bed, straining to hear the latest on that far-away region where his second-born was at war. By late 1967, it became apparent to all of us that my father would die. He was greatly saddened to leave his family and especially concerned for the welfare of my brother. It was then that Senator Morse intervened. He was responsible for ensuring my brother caught the next plane out of Vietnam, thereby making it to our father’s side before he died.

As an adult, I have enjoyed reading about the career of this dignified senator. His political significance is inescapable. However, to me he will always remain first and foremost my father’s friend, a man who showed himself to be true, compassionate, and good to a grieving family.



2003–4 Morse Chair Neil Smith addressed a variety of audiences in Oregon in a variety of ways: from rousing lecture to Scottish folk tunes.



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MORSELS: "I believe that within the next century, future generations will look with dismay and great disappointment upon a Congress which is now about to make such a historic mistake."

—Wayne Morse, just before the Gulf of Tonkin Resolution passed Congress

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