



HARVARD

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Dean Rakesh Khurana
University Hall

Dear Dean Khurana,

A few of the Final Clubs are noxious, and you are to be thanked for your determination to rein them in. I am concerned, however, that by asserting, for the first time, such broad authority over Harvard students' off-campus associations, the good you may achieve will in the long run be eclipsed by the bad: a College culture of fear and anxiety about nonconformity. None of us can disagree with the sentiment behind your statement that "Discrimination is pernicious"; but exactly what that means and what it implies in practice are arguable. After all, it was less than twenty years ago that women could be Harvard undergraduates only by joining a single-gender organization known as Radcliffe College. While you are correct that nobody wants to return to those days, even her harshest critics would not have argued that Radcliffe was *perniciously* discriminatory.

You argue that Harvard's stance against discrimination justifies action against student members of single-gender organizations. The crux of your argument is this: "... we do expect leaders of our athletic teams, our recognized student groups, and those seeking a Dean's endorsement to share in the College's responsibility of fostering a non-discriminatory culture at Harvard." Failure to meet this expectation, by being a member of any single-gender social organization, should therefore be grounds for losing certain privileges. It seems to me that you are breaking dangerous new ground in articulating this standard and in interpreting it to disqualify students from captaincies and leadership positions.

This is a standard for which I can find no precedent in the *Handbook for Students* or any other faculty legislation. I am not persuaded that the Faculty would accept your assertion that student leaders must "share in the College's responsibility" to do anything beyond existing regulations of student behavior, were that put to a vote. I am surprised in particular by the implication that the Dean could unseat the presidents of (for example) the *Crimson*, the Democratic Club, and the Right to Life Club, even though they had violated no rule voted by the Faculty, because their membership in *other* clubs allegedly demonstrated their lack of fealty to Harvard's core values.

Harvard has, of course, long expected students to behave appropriately off-campus as well as on; no new ground would be broken simply by asserting that bad behavior off-campus can be actionable, nor by responding to violent or other unlawful behavior off campus. What's new and troubling is the assertion that mere membership in an off-campus organization should be enough to trip an official College response against the student—even if the policies and activities of the organization and of the student members are lawful, and indeed may elsewhere be considered honorable. The wire can be tripped by mere variance of the organization's policies from policy choices Harvard has made.



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The year began with much publicity over reports of linkage between Final Clubs and sexual assault, and many supported the idea of action against at least certain of the clubs on that basis. But you have abandoned the moral high ground by broadening the focus from sexual assault at some clubs to the discriminatory membership policies of a large number of clubs, many of them otherwise innocuous. Even the editors of the *Globe*, in their endorsement of Harvard's crackdown on the Final Clubs, made clear that a rival value, freedom of association, had to be figured into the balance: "Free association at a private college doesn't entail a right to participate in organizations that have been shown to endanger classmates." Your letter makes no reference to that competing value at all—which raises the possibility that student leaders may, through their membership choices, be blamed for fostering other "cultures" that do not conform to Harvard norms.

Your letter, it is true, refers only to single-gender social organizations, and only to those organizations consisting mostly of Harvard students. But the principle having been established, nothing except decanal judgment would limit the applicability of the standard that membership in an organization not adhering to each of Harvard's nondiscrimination principles demonstrates lack of support for Harvard's core values. By the same logic, in another year or by another dean, members of the Chilton Club, of the DAR, or of a political party advocating Muslim exclusion might also be considered deficient relative to Harvard's standards of nondiscrimination.

The reliance on your judgment of what count as Harvard's values, and using that judgment to decide which students will receive institutional support, is a frightening prospect. A great many students require College support for many reasons—not just the Rhodes and Marshall, but Harvard fellowships, and admission to law and medical schools. Your letter articulates a specific sanction for student leaders who are members of certain clubs. Knowing that, non-leaders will also surely think twice about joining such organizations. If a nomination can go to only one of two students, they would naturally expect that, *ceteris paribus*, Harvard will choose to support the one who is not a member of Kappa Kappa Gamma.

Perhaps that is exactly the desired effect—an edict which the dean formally limits to a few students but which will have a chilling effect on all students. But the discretion exercised by the dean and his representatives will chill the activism of students in causes that might also be considered noncompliant with Harvard standards—for example, advocacy for a religion that does not allow women to be full participants, or a political party that opposes affirmative action. Such groups are excluded from your mandate, but only as a matter of your discretion. Why wouldn't activism for such organizations color the support the College would offer their members, on the basis that such students are showing that their true colors are not pure Crimson?

Better to stick to the principle on which we have long operated: *Students' membership in organizations is their own business, not the College's. The College responds to improper acts, not memberships.* That principle is an honorable descendant of President Pusey's defense against Senator Joseph McCarthy's guilt-by-association attacks on Harvard faculty.

When people ask me to characterize Harvard students, I always decline. The group is too diverse in their talents and backgrounds, and in the exercise of their tastes and freedoms. There is not one Harvard, but a thousand; this is a place, I like to say, that you can make your own, because the opportunities are unlimited and your freedom of thought and action are also unlimited, even when your views are inimical to established thinking.



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By reaching into the private associations of Harvard students and declaring some of them to be, in essence, “suppressive persons” because of their nonconformity, you are, I fear, passing from creating community to molding a monoculture, in which people of whom we have every reason to be proud are afraid to do or say things that are lawful and generally considered harmless. I hope you can find a way to pull back from the sweeping statement you have issued and adopt instead a more targeted approach to the problems presented by the Final Clubs.

Sincerely

Harry R. Lewis

Cc: President Faust