relatively paltry grant aid to scholarship students (an average of $13,213 per recipient in the past academic year).

In a confessedly "wistful" mood, Clark told the dinner guests that cleaning out his office had reminded him of the scholarly accomplishments of his faculty colleagues in fields from public administration and tort reform to overhauling corporate governance ("operationalizing ethics, if you will")—work that, he said, "generations from now, serious scholars will still be studying." He was further reminded of HLS graduates' leadership in government and public life (five of nine Supreme Court justices, 10 Senators, 12 U.S. Representatives, governors, President Bush's top lawyer, and the head of the American Civil Liberties Union—see page 94), in corporate management, in preeminent law firms, in academia, and in the profession "from Brussels to Beijing."

Given students and scholars with such diverse interests and beliefs, it should not come as a surprise that the law school is "about people who have ideas that bite, and pinch, and conflict, and bump into each other," as Gottlieb professor of law Elizabeth Warren puts it in the campaign case statement, "Harvard is noisy, and of course, that’s how it should be."

Some of that noise was on display in the substantive panels that drew on alumni and faculty expertise Saturday morning and afternoon. A plenary session on "Freedom v. Security: Striking the Right Balance," moderated by Bromley professor of law Arthur R. Miller, found wide agreement that the USA PATRIOT Act, adopted in corporate management, in preeminent law firms, in academia, and in the profession "from Brussels to Beijing."

Crisis and Legal Reform: Too Little, Too Much, or Both?" moderated by professor of law John C. Coates IV. New York attorney general Eliot L. Spitzer, J.D. ’84, who has led prosecution of Wall Street conflicts of interest over investment advice and investment banking business, clashed sharply with private corporate attorney Toby S. Myerson, J.D. ’75, and Lena G. Goldberg, J.D. ’78, general counsel of Fidelity Investments. While the latter panelists worried about the multibillion-dollar costs of complying with new regulations and the chilling effects on company directors and management (what Myerson called "a climate of overreaction"), Spitzer compared those costs to the trillions lost in the stock-market bubble and its collapse, and excoriated directors and managers for faulty oversight and fraud. But echoing the earlier discussion of national security and civil liberties, the panelists found problems in the hasty and inexpert drafting and implementation of the Sarbanes-Oxley legislation that established the new ground rules for corporate governance.

In that sense, the day's substantive discussions seemed to reflect well the law school's daily processes and product. "All over the globe, our graduates are making laws, interpreting laws, and shaping them," Clark had told the dinner guests in his concluding remarks. "By doing so, they contribute to freedom and democracy, they contribute to both economic growth and social justice...and these consequences are profoundly good for the larger society in which we live." To that end, he hoped, support would be forthcoming from the assembled graduates for HLS's education and research, the impact of which "is great and is basically good."

**Genomic Joint Venture**

Harvard, its hospitals, MIT, and the Whitehead Institute for Biomedical Research announced on June 19 that they will together create a $300-million research institute that aims to develop tools for genomics-based medicine.

Named for Los Angeles philanthropists Eli Broad (pronounced Broad), chairman of AIG SunAmerica Inc., and his wife, Edythe Broad, the new institute will take the human-genome sequencing effort to its logical next step by attempting to develop systematic approaches to healthcare through an understanding of the genetic basis of disease. When genomics-based medicine reaches its full potential, the researchers hope, doctors will no longer be treating the symptoms alone, but also the causes of genetically linked disease, taking the concept of preventive medicine to a new level.

The Broad Institute, which in its research orientation (and its strong academicies) will be modeled on the Whitehead Institute, will be directed by a leading geneticist, MIT professor of biology Eric Lander, who also becomes a professor at Harvard Medical School this fall. Lander most recently directed the Whitehead Institute/MIT Center for Genome Research, which will become part of the Broad Institute now that the Human Genome Project, the effort to sequence the instructions for all basic life processes, is complete. While the Whitehead Institute pursues pure research, however, the Broad Institute will seek clinical applications for its work.

The new institute was launched with a $100-million, 10-year gift from the Broads. Harvard and MIT have agreed to raise another $100 million each to support the in-
Although it was not the educational institution directly involved in the affirmative-action cases decided by the Supreme Court on June 23, Harvard again figured prominently in the outcome. Writing for the 5-4 majority in Grutter v. Bollinger, which upheld the consideration of race in admissions to the University of Michigan law school, Justice Sandra Day O’Connor made extended reference to Justice Lewis F. Powell’s opinion in the 1978 Regents of the University of California v. Bakke case, where Harvard’s admissions policies proved crucial to sustaining a workable process for affirmative action.

“We are satisfied,” O’Connor wrote, “that the law school’s admissions program, like the Harvard plan described by Justice Powell, does not operate as a quota.” Further, “Justice Powell’s distinction between the medical school’s rigid…quota [in the Bakke case] and Harvard’s flexible use of race as a ‘plus’ factor is instructive. Harvard certainly had minimum goals for minority enrollment, even if it had no specific number firmly in mind. What is more, Justice Powell flatly rejected the argument that Harvard’s program was ‘the functional equivalent of a quota’ merely because it had some ‘plus’ for race, or gave greater ‘weight’ to race than to some other factors, in order to achieve student body diversity.”

The University had filed a friend-of-court brief supporting affirmative action in admissions as a key to achieving diversity essential to its educational purposes (see “Affirmative Amicus,” May-June, page 50). President Lawrence H. Summers reacted to the twin decisions on the Michigan law-school and undergraduate admissions processes (the latter overturned in Gratz v. Bollinger) by noting the “paramount significance for our community” of the court’s embrace of “the core principles that have long informed Harvard’s approach to admissions.” He observed with satisfaction that, “As Justice Powell did in the Bakke case a quarter-century ago, Justice O’Connor cites Harvard College’s careful and flexible approach to admissions as a model.”

Another Harvardian also weighed in on O’Connor’s expectation that “25 years from now, the use of racial preferences will no longer be necessary to further the interest approved today”—an expressed desire that affirmative action in admissions might have a distinct, limited duration. Gary A. Orfield, professor of education and social policy and founding codirector of the Civil Rights Project at Harvard, has researched the recent widening gap between the performance of white and black students enrolled in public schools. Looking ahead 25 years, he told the Wall Street Journal, “if we go on the current trajectory, that gap in achievement will be greater than it is now.”

The Broads have no prior connection to Harvard nor to MIT, nor to Cambridge, nor even to the East Coast. “Edy and I,” said Broad, “have been asked why, as L.A. residents, we are creating the Broad Institute here in Cambridge and the answer is simple...the science is more important than the geography. There is no place in America, or elsewhere in the world, we believe, that has the combined scientific quality and leadership that’s here in Cambridge.” MIT president Charles M. Vest said the institute “will build a new kind of collaboration and synergy...[that] will make discoveries while training the next generation...” President Lawrence H. Summers hailed the approach of “a new frontier, [that] Harvard and MIT are joining forces to explore...together...For the first time, it is now within reach to respond to disease not by examining and treating symptoms but by understanding and interfering with disease processes at the molecular level.”

The new institute, which aims to be operating in Kendall Square by November, will have 12 core faculty members and as many as 30 associated faculty members from Harvard, MIT, and the Whitehead. Three core faculty members (in addition to Lander) were named at the press conference: David Altshuler, assistant professor of genetics and of medicine at Harvard Medical School and Massachusetts General Hospital; Todd Golub, associate professor of pediatrics at the medical school and the Dana-Farber Cancer Institute; and Loeb professor of chemistry Stuart L. Schreiber, who codirects Harvard’s Institute of Chemistry and Cell Biology with Timothy J. Mitchison, Sabbagh professor of cell biology at the medical school.

“Harvard is the national leader in small-molecule-based studies in biology and medicine,” says Schreiber. The completion of the Human Genome Project, he says, has allowed researchers to read the text that forms the basis of life’s processes. Although genomics has allowed researchers to “observe” the genome, Schreiber explains, chemical genetics allows them to “perturb” it, “tweaking the genome” in laboratory settings—by using compounds called bioprobes—to interfere with basic life processes. He says the goal, which dovetails with the Broad Institute’s mission, is to “get the complete set of bioprobes for all proteins.” When those are used to interfere with the genome, a tremendous amount of information is generated that must be analyzed with equipment and expertise that no single department could ever bring to bear on such research.

This approach to genomic science is not the only one, nor necessarily the best, says several Harvard faculty members—as the Broad Institute news brought out differences of opinion surrounding the rapidly evolving frontiers of life science. A hotly debated issue revolves around the question of whether the large-scale, data-gathering approach to genomics exemplified by the Broad plan is best, or whether it is more valuable to conduct targeted research that solves a single problem whose solution may lead to general insights into how the genome works. In fact, the Faculty of Arts and Sciences is conducting a search for a high-level dean to direct its life-sciences efforts.

Lee professor of molecular and cellular biology Thomas P. Maniatis, an eminent geneticist whose laboratory was the first to clone a human gene, believes both approaches are valid and that a mixture of the two may be optimal, but with regard
to the Broad Institute, he says, there was no discussion of this issue. Maniatis believes there is “no question that ultimately the outcome [of the Broad Institute] is going to be positive.” But he says that many faculty members in the life sciences are concerned about the “highly secretive” process by which the new institute was approved. Administrators, Maniatis says, informed faculty members of the decision two weeks before the public announcement, at a meeting at which “there was no documentation explaining anything.” Professor of physics Daniel S. Fisher, who also teaches in the Division of Engineering and Applied Sciences, says the decision to commit resources to the new institute was made “under a pretense of consultation.”

Maniatis is concerned that generous funding has been allocated to an undertaking with no clearly articulated plan of research and no details about how the enterprise will “benefit the University as a whole.” The new institute, some faculty members worry, will siphon off donations that would otherwise have gone to promising research based in traditional departmental laboratories.

But Schreiber, in an earlier interview, said that the new venture will expand the capabilities of departments with affiliated faculty members, and will benefit both graduate and undergraduate students, who will have an opportunity to work in new laboratories undertaking broad interdisciplinary research projects.

Allston Deliberations

Having hired a team of consultants and engineers one year ago to assess the University’s existing real estate assets in Allston, as well as the infrastructure needs of a future campus across the river, Harvard’s leaders are taking a deep breath before making any decisions. Among considerations that will figure into any plan, says chief University planner and director of the Allston Initiative Kathy Spiegelman, are four main questions: What are Harvard’s academic program requirements? What does the real estate allow in terms of physical planning? What does the political process allow? What is the cost? The first and last questions are proving to be the most challenging.

As a first step toward figuring out future program requirements, the School of Public Health, the Graduate School of Education, the Law School, and the Kennedy School of Government have each completed studies of what they might do in Allston as compared to their current locations. But the Faculty of Arts and Sciences (FAS), with an immediate need for science facilities for existing faculty, is actively pursuing expansion in Cambridge on a site east of Oxford Street.

Last year, four advisory groups, composed primarily of faculty members, developed scenarios emphasizing different uses of Harvard’s Allston land. One looked at graduate and professional education, contemplating the feasibility of creating an academic precinct across the Charles River. Another studied the pros and cons of building new cultural amenities—museums, theaters, or performance spaces. The third looked at housing, primarily with an eye to addressing the needs of graduate students. The fourth, the science committee, had perhaps the most challenging task. Neither FAS nor the Medical School, the two major centers for Harvard’s science programs, has immediate needs for Allston space, unlike some schools and other parts of the University. Yet for science in Allston to be feasible virtually requires their participation. Add to that the burgeoning interdepartmental nature of fields like bioengineering—whose heavy computational needs intersect with requirements for traditional “wet lab” space—as well as possibilities for intra- and inter-institutional collaborations (see “Genomic Joint Venture,” page 75), and the patterns of future growth become highly unpredictable. “Science has been the most difficult to plan,” says Spiegelman, “because it is so dynamic.”

Even as the question of what will emerge in Allston becomes more complex, the University’s holdings across the river continue to grow. Most recently, the University acquired commercial property housing the headquarters for Bickford’s Family Restaurants; Harvard has also been approached by the board of the Charlesview Apartments, an affordable housing development at the intersection of Western Avenue and North Harvard Street, to discuss whether there is any University interest in their land, says Spiegelman. “That might be the source of a better future for them than trying to maintain the buildings that they already have.” The Charlesview board is keeping the tenants informed and has hired a consultant to ensure that whatever Harvard might offer or suggest will be in the residents’ best interest.

Regardless of what properties Harvard eventually owns in Allston, development will track the...