The Community’s Conversations

To a striking degree, the speeches and welcoming messages to students at the beginning of the fall semester touched on a common theme: the importance of civil discourse and the centrality to the University’s mission of open debate in search of understanding and truth.

Perhaps that should not have been surprising. Pragmatically, in the current overheated, polarized environment, heading into a divisive election year, any campus incident that could be interpreted as repressing speech on ideological grounds risks becoming grist for political attacks on colleges and universities, at a time when much of the public is already skeptical about the value—and values—of higher education. Institutionally, Harvard’s leaders have historically made the case for free speech within academia, as essential to its purpose—and President Lawrence S. Bacow has done so often and forcefully, throughout his career (as reported in “The Pragmatist,” September-October 2018, page 32). And on a purely personal level, Bacow was dismayed by the rare violation of those principles when student advocates of divesting endowment investments in fossil fuels and private prisons prevented him from speaking at a scheduled Harvard Kennedy School event last April (see harvardmag.com/divest-disruption-19). In a subsequent op-ed essay published in The Harvard Crimson, titled “What Kind of Community Do We Want to Be?” he decried the “heckler’s veto.”

Harvard College dean Rakesh Khurana introduced members of the class of 2023 to these community norms in a letter that noted:

At Harvard, you will be joining a lively intellectual community where debate is an important part of learning. Hearing each other’s points of
view, having our own assumptions challenged, and interrogating our own values are experiences central to Harvard’s liberal arts and sciences education. When we gather to address difficult questions, we may disagree, and we may encounter ideas that make us uncomfortable. The temptation to drown out those ideas can be strong. At the same time, we need to be open to different ways of knowing and understanding, and to the possibility that our perspective will change when we encounter new evidence and better arguments. And we must remember that even in difficult moments, we are deserving of each other’s respect and compassion.

He then pointed the students to the faculty’s free-speech guidelines, and observed, “These guidelines acknowledge the tension between maintaining a civil and respectful campus and remaining open to a wide range of views, and discuss both individual rights and responsibilities in our context. Allowing someone to speak does not mean we condone what they are saying, and it does not absolve that person or group from consequences. At the same time, we all share the responsibility for creating a community in which we interact with respect, integrity, and compassion—and with an openness to the possibility of changing our minds.”

Welcoming those students returning to campus, Khurana nodded toward last spring:

When government professor Ryan Enos was growing up, gifts always came wrapped in a map. His father was a navigator for the U.S. Air Force, who used a sextant and paper map to help him fly around the world. “Subconsciously, I think this fascination with maps filtered into me,” Enos says. As a political scientist, he studies “social geography,” or the way that different racial or ethnic groups are organized in space (intermingled, segregated, or completely removed from one another), and how that affects politics. After graduating from Berkeley in 2001, Enos taught with Teach For America on the South Side of Chicago, a city that “in many ways was defined by segregation,” he says. “Segregation was this overwhelming experience in my kids’ lives.” It felt dramatically different from his hometown of Merced, California, “an incredibly diverse place, where you had this big influx of immigrants from Southeast Asia and Latin America.” Enos was struck by that contrast. How do such different social environments come to be, and how do they shape what people think about themselves and each other? When he started graduate school at UCLA, he thought he would study institutional politics: things like why Congress does what it does. But when it came time to begin serious research, he realized his real interest was the intersection of geography and race. His timing was auspicious: his career has coincided with a renewed interest in race in political science. Newly tenured, Enos says, “All of a sudden I’ve got my whole future ahead of me….How does that change what I work on? I’m still sorting that out.” And though he’s finally switched to GPS, he still keeps giant stashes of old maps, to wrap gifts for his students. —MARINA N. BOLOTNIKOVA
liberal arts and sciences education.

Addressing the public servants of the future, Harvard Kennedy School dean Douglas Elmendorf wrote about the serious challenges on any public agenda (gun violence, refugees from war and poverty, the environment, bigotry and persecution), and outlined the human qualities essential to addressing them:

The right values for public leaders like us begin with a commitment to serving others rather than serving ourselves. That means being trustworthy—meeting high standards of honesty and integrity, in what we say and what we do. It means serving all others and not just people who are like us in their demographic characteristics or ideological views. So, public leaders should not promote division, but should build connection; they should not inflame hostility and encourage violence against people who are different in some way, but should instill understanding and encourage respect of others.

To that end, he counseled, “The right values for public leaders also include engaging in civil discourse with people with whom you disagree, even if those disagreements seem insurmountable….I am not suggesting that you should always compromise or be morally neutral….On the contrary, I believe that public leaders should make moral judgments. But I am suggesting that you should be open to the possibility that different judgments from yours have value as well.”

Bacow emphasized those themes directly and personally on the formal occasions that signal the beginning of the school year. At the Freshman Convocation on September 2, he recalled the traumas of his freshman year, at MIT, in 1969, during the national convulsions over the Vietnam War and urban unrest. In that context, he urged the newest members of the Harvard community to work to improve society and the world, and to do so in an intellectually open spirit: “The more you learn, the more you see, the more you understand what needs to change,” he said. “Harvard is not perfect. Massachusetts is not perfect. This country is not perfect, and neither is the world in which we live.”

No one—“liberal or conservative, Democrat or Republican”—would disagree with that sentiment, he continued. “It’s necessary for all of us to stand up and speak for the causes in which we believe.” Bacow also said that in learning about and improving both themselves and the world, students need to hold onto one of Harvard’s most important traditions: “intellectual maturity”—the willingness to adjust beliefs in the face of new information or a better argument.

The next day, at Morning Prayers in Memorial Church, Bacow was not only aspirational, but blunt, about the stakes. Reflecting on what he had learned about Harvard since becoming president, he said, “The year past brought this extraordinary place’s strengths and weaknesses into greater focus for me, and I wanted to share with you today an area in which I think we are at risk of failing one another—and failing this University to which all of us belong.”

He then asked:

How can we profess to be seekers of Veritas, seekers of truth, if we shame and shun those who disagree with us? How can we urge forbearance and generosity in others if we are unwilling to do so in an intellectually open spirit: “The more you learn, the more you see, the more you understand what needs to change,” he said. “Harvard is not perfect. Massachusetts is not perfect. This country is not perfect, and neither is the world in which we live.”

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ing to practice it ourselves? How can we have any hope for the wider world if we cannot model in our community the reasoned debate and discourse we wish to see elsewhere?

Yes, the issues we are confronting today—as a University, as a nation, and as a planet—need our urgent attention. Yes, they are deserving of our thoughtful consideration. Yes, they are worthy of impassioned argument. But we cannot allow them to create in each of us a righteousness that abhors concession and compromise. When we succumb to the lure of moral certitude, when we stifle disagreement in our community by ignoring and ostracizing dissenters, we lose our ability to make meaningful change.

Bacow ended on a note of optimism about the community’s ability to bring people together (including people whose journey to Harvard from other nations is being impeded by current visa and immigration policies, the subject of a message he emailed to the community the same morning): people “who care deeply about the search for truth—and who want to sincerely improve our world.”

Harvard’s Admissions Process Upheld

Federal Judge Allison Burroughs, who presided over the lawsuit arguing that Harvard College’s use of race in admissions discriminates against Asian-Americans, upheld the University’s admissions program as constitutional on October 1.

“Harvard’s admissions program has been designed and implemented in a manner that allows every application to be reviewed in a holistic manner consistent with the guidance set forth by the Supreme Court,” her decision reads. The plaintiff in the case “did not present a single admissions file that reflected any discriminatory animus, or even an application of an Asian American who it contended should have or would have been admitted absent an unfairly deflated personal rating.”

Stakeholders have been waiting for Burroughs’s decision since February, when the parties presented their closing arguments. The plaintiff, Students for Fair Admissions (SFFA), alleged in the case filed in 2014 that Harvard discriminates against Asian-American applicants in admissions. Part of SFFA’s case rested on Harvard’s practice of assigning applicants subjective “personal” ratings, which the group argued disadvantaged Asian-American applicants. According to Burroughs’s decision, “[T]he Court is unable to identify any individual applicant whose admissions decision was affected and finds that the disparity in the personal ratings did not burden Asian-American applicants significantly more than Harvard’s race-conscious policies burdened white applicants.”

“Today’s decision unequivocally affirms that Harvard does not discriminate on the basis of race in its admissions process, and that Harvard’s pursuit of the diverse student body central to its educational mission is lawful,” said Harvard Corporation senior fellow William Lee ’72, who served as Harvard’s lead lawyer in the case. “It represents a significant victory not merely for Harvard, but also for all schools and students, for diversity, and for the rule of law.”

“The consideration of race, alongside many other factors, helps us achieve our goal of creating a diverse student body that enriches the education of every student,” Harvard president Lawrence S. Bacow said in a message to the University community. “Everyone admitted to Harvard College has something unique to offer our community, and today we reaffirm the importance of diversity—and everything it represents to the world.”

Edward Blum, SFFA’s founder and president, said in a press release that the group plans to appeal the decision. “Students for Fair Admissions is disappointed that the court has upheld Harvard’s discriminatory admissions policies,” he wrote. “We believe that the documents, emails, data analysis and depositions SFFA presented at trial compellingly revealed Harvard’s systemic discrimination against Asian-American applicants.”

Blum, an opponent of affirmative action, previously initiated Fisher v. University of Texas. In that case, ultimately decided in 2016, the Supreme Court upheld that university’s affirmative-action program. Many legal analysts expect that the makeup of the current Supreme Court would mean that the use of race in college admissions could be struck down or significantly curtailed if SFFA v. Harvard were heard before the court.

Burroughs drew extensively on the Fisher decision in her ruling in SFFA v. Harvard.

“Ultimately, the Court finds that Harvard has met its burden of showing that its admissions process complies with the principles articulated by the Supreme Court in Fisher II,” she wrote. In the Fisher case, the Supreme Court specified that college affirmative-action programs had to be tailored narrowly and show that they accomplish a specific goal, and also that colleges must prove that race-based admissions policies are the only way to meet diversity goals.

Burroughs ruled on four separate counts at stake in the case:

• that Harvard intentionally discriminates against Asian-American applicants;
• that Harvard engages in illegal racial balancing, or a quota;
• that Harvard places too much emphasis on race so that it is a determinative factor in admissions; and
• that Harvard hasn’t adequately explored whether there are race-neutral means to reach its diversity goals.

On each of these counts, she ruled in the University’s favor. “[T]here is no evidence of any racial animus whatsoever or intentional discrimination on the part of Harvard,” she wrote.

Although Harvard looks at the projected racial makeup of each class in making admissions decisions, to ensure that it reaches diversity goals, Burroughs wrote, it does not impose quotas or quota-like “target levels” for different racial groups. Having minimum goals for minority enrollment, she added, is not tantamount to a quota: “Every applicant competes for every seat.”

On the third count, alleging that Harvard puts undue emphasis on race, she wrote that colleges that use race as more than just a “plus” factor tend to use either a quota system or “assign some specified value to appli-