



**HARVARD**

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To: The US House of Representatives Committee on Education and the Workforce

My name is Harry Lewis. I am in my forty-fourth year as a computer science professor at Harvard. Both Bill Gates and Mark Zuckerberg were my students, as were many leaders in academia and government. I have served both as dean of Harvard College and as interim dean of Harvard's School of Engineering and Applied Sciences. I am also a Harvard graduate, with both bachelor's and PhD degrees.

I regret that I am unable to attend the September 26 Hearing. I write to express my distress about the erosion of students' personal freedom at Harvard—freedom of thought, freedom of speech, and most specifically freedom of association. While I regret these developments at Harvard, I am also alarmed that Harvard's actions may serve as a model or justification for practices elsewhere.

The clearest example of Harvard's unwarranted limitation of students' freedom is its policy sanctioning students for belonging to certain off-campus organizations. Students belonging to the blacklisted clubs have been made ineligible for a variety of distinctions and honors, including team captaincies, presidencies of political clubs, and nomination for Rhodes Scholarships. To be removed from the blacklist, an organization must be open to all genders.

In other words, Harvard is coercing single-gender student clubs that have no official connection to the University to go co-ed or go out of business. To date, some have chosen each option. Several men's clubs have defied the University and survived, but almost all of the women's clubs—which had more members but less power than the men's clubs—have folded one way or the other. So the upshot of the policy has been to leave men with more single-gender options than women. This situation fits a familiar pattern in society: protection of individual liberties is more important to those who are more vulnerable.

Because the sanctions policy applies to the future as well as the present, creation of new single-gender clubs is effectively banned. No social organization of refugee women, for example, could be formed by Harvard students, even to meet off campus and without university support, unless members were willing either to admit men or to forgo their opportunities for leadership positions and postgraduate fellowships.

Harvard's rationale for this policy is not to combat the serious problems of drinking or sexual assault, though at first it made such statistically dubious suggestions—which were never credible about women's clubs. When the data were challenged, Harvard fell back on the pliable and slippery notion that single-gender clubs do not share Harvard's "institutional values."<sup>1</sup> In other words, Harvard claimed a right to align students' thinking on social matters with its own. Anyone belonging to a single-gender club does not "advance our deepest values" of "inclusion and belonging"<sup>2</sup> as the president put it, and should be dishonored accordingly. As enacted, the sanctions have nothing to do with students' conduct, only with their alleged betrayal of Harvard's "deepest values" by joining a single-gender club.

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<sup>1</sup> [https://college.harvard.edu/sites/default/files/deankhurana\\_letter.pdf](https://college.harvard.edu/sites/default/files/deankhurana_letter.pdf)

<sup>2</sup> <https://www.harvard.edu/president/news/2016/letter-on-single-gender-social-organizations>



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On the basis of that rationale, Harvard might with equal justice censure students for belonging to religions or political parties not sharing Harvard's values, or for advocating social principles other than Harvard's. None of these things has been proposed, but turf, once claimed, provides a foothold for further overreach.

Of course, the founders of the American democracy guaranteed that the government would punish no individual for belonging to a disfavored organization. Harvard is a private institution, and so those protections end at the gates of Harvard Yard. But *should* the University exercise its right as a private institution to penalize members of its community for peaceable assembly?

In doing so, Harvard is failing its educational mission. It is teaching that the way to address a perceived social ill is for the governing authority to penalize all members of noncompliant organizations, rather than through the free exercise of observation, discussion, and reason. That truly is a failure to honor Harvard's deepest and most basic values.

I am no fan of government interference with private universities, but Harvard needs a civics lesson. The first of *American* values is freedom, and universities have a responsibility to preserve that inheritance.

The "liberal arts" that colleges like Harvard pride themselves in teaching are literally the arts of living as a free person. In the Massachusetts Constitution, John Adams specifically called on the "legislatures and magistrates" of the Commonwealth to "cherish the interests" of educational institutions, "especially the university at Cambridge," so that "wisdom and knowledge, as well as virtue" would be "diffused generally among the body of the people" as "necessary for the preservation of their rights and liberties."<sup>3</sup>

The First Amendment is a remarkable statement of American confidence that we are all better off in the long run letting people speak and associate freely, even when they are saying disagreeable things or gathering for nonconformist reasons of which the authorities disapprove.

I have no truck with any of the blacklisted organizations; they have never been part of my Harvard, and in my years as dean I did battle with some of them for their members' bad behavior. But students join them, often for support and mentorship and learning they are not getting through officially approved channels. Organizations come and go as conditions change and as the student body changes, in all its wonderful diversity and complexity. Harvard, like our government, can never keep up with the social and intellectual churning, and should let students participate in private associations in which they find meaning and utility. As William James said in 1903, "The day when Harvard shall stamp a single hard and fast type of character upon her children, will be that of her downfall. Our undisciplinables are our proudest product."<sup>4</sup>

I love Harvard. Out of that love, and love for American freedoms, I hope this brave principle—that no one needs official approval to assemble peaceably—can be restored at Harvard and at every college and university where it is threatened.

Sincerely,

Harry R. Lewis

<sup>3</sup> Article 1, Section 8, Clause 8

<sup>4</sup> William James, "The True Harvard," speech at the Harvard Commencement Dinner, June 24, 1903. *Harvard Graduates' Magazine*, September, 1903.