

HARVARD UNIVERSITY

OFFICE OF THE PRESIDENT


MASSACHUSETTS HALL
CAMBRIDGE, MASSACHUSETTS 02138

October 23, 2019

The Honorable Charles E. Grassley
Chairman
Committee on Finance
United States Senate
Washington, DC 20515-6200

Dear Chairman Grassley:

I write in response to your letter dated September 25, 2019 requesting additional information on Harvard's commitment to academic freedom and to creating an educational environment where all members of our community can express their views, learn from one another, and thrive.

Freedom of Speech and Expression

Beyond its importance in civic and community life, free inquiry, reasoned discourse, and debate are our most valuable teaching tools. Colleges and universities have a fundamental obligation to share new ideas, knowledge, and opinions as well as to expose these ideas to examination and debate to sharpen and improve them. It is critical for all universities to remain open and welcoming places for these exchanges—for free speech and for generous listening to all perspectives. It is fundamental to our research and educational mission, one of the key differentiators that makes American higher education the envy of the world, a driver of economic competitiveness, and something to which we dedicate substantial effort and attention.

As we discussed during our conversation last year, I personally have a deep and abiding commitment to free and robust speech on Harvard's campus; I made it a major theme in my inaugural address as Harvard's president, where I said:

There are both reassuring truths and unsettling truths, and great universities must embrace them both. Throughout human history, the people who have done the most to change the world have been the ones who overturned conventional wisdom, so we should not be afraid to welcome into our communities those who challenge our thinking.

In other words, our search for truth must be inextricably bound up with a commitment to freedom of speech and expression.

I went on to say:

As faculty, it is up to us to challenge our students by offering them a steady diet of new ideas to expand their own thinking—and by helping them to appreciate that they can gain much from listening to others, especially those with whom they disagree. We need to teach them to be quick to understand, and slow to judge.

At Harvard, we must strive to model the behavior we would hope to see elsewhere. For if we can't talk about the issues that divide us here, on this extraordinarily beautiful campus, where everyone is smart and engaged, where the freedom to speak one's mind is one of our defining precepts, where we are blessed with abundant resources and no one goes to sleep in fear for his or her life—if we can't do that here, there is no hope for the rest of the world.

I have echoed these sentiments in my remarks at the convocation ceremony welcoming this year's first-year undergraduate students and at Morning Prayers in Memorial Church this fall; in a speech I gave last March at Peking University in China; and in numerous other conversations with Harvard's faculty, students, staff, and alumni around the United States and the world. I have appended copies of my remarks, and similar remarks made by the Dean of Harvard College, for your review.

Please be assured that we share your deep commitment to freedom of speech and expression as vital institutional tenets.

Winthrop House Faculty Deans

With respect to your questions about Professor Ronald S. Sullivan, Jr. and Ms. Stephanie Robinson, let me first reassure you that, as the Jesse Climenko Clinical Professor of Law, Ronald Sullivan maintains his faculty appointment at Harvard Law School, where he is leading a trial advocacy workshop this fall. Professor Sullivan also serves as the Faculty Director of the Harvard Law School Criminal Justice Institute, where he oversees the instruction and the clinical experiences of law students who represent indigent adults and juveniles in the Boston criminal courts. Professor Sullivan has been and continues to be an admired member of the faculty, sought after by students, faculty, and others for his experience in numerous criminal trials and for his scholarship in the law. Similarly, Ms. Robinson continues as a lecturer, teaching a course this fall titled "Coloring Politics, Racing Law: America's Ongoing Struggle with the Concept of Race."

As to the question of whether Harvard College¹ would renew the appointments of Professor Sullivan and Ms. Robinson at the end of their second five-year term as faculty deans of Winthrop House, the University has an obligation to its students, faculty, and staff to protect confidential student and personnel information, particularly as it relates to student privacy and employment. Thus, the University must be circumscribed in what it can share without violating privacy or undermining the confidences of the student residents and staff of Winthrop House, one of the twelve undergraduate residences at Harvard College. The enclosed appendix provides answers to the specific questions in your letter within these constraints, but I provide some additional background and clarifying information below, which I hope will be helpful to you.

One area that may merit further context is the role of the faculty dean and the centrality of the residential houses to Harvard College. The primary difference between the residential houses at Harvard College and the more commonly known dormitory experience is that the houses are

¹ Harvard University consists of several constituent parts, among them Harvard College, which is our residential undergraduate college and Harvard Law School (HLS). The faculty deans of the undergraduate houses report to the Dean of Harvard College with respect to that role. As to their roles as faculty, faculty deans hold faculty appointments at other Harvard schools, such as HLS in the case of Professor Sullivan. As President of Harvard University, I am responding to your letter on behalf of the University.

collegia in the traditional sense: they are societies, not just buildings. The houses, which have 350–500 students each, are designed to form small academic and social communities within the larger environment of Harvard College, each with their own activities and traditions. Harvard students are generally required to live on campus for all four years, and fully 98 percent do. Although first-year students live in dormitories in Harvard Yard, upperclassmen are placed into one of the residential houses on campus for their final three years, and most continue their affiliations after graduation.

From the earliest days of Harvard College, a deliberate choice was made to have students brought up in the “Collegiate Way of Living.” Harvard President Henry Dunster (1640–1654) has been credited with saying that “it was by studying and disputing, eating and drinking, playing and praying as members of the same collegiate community, in close and constant association with each other and with their tutors, that the priceless gift of character could be imparted.” Today, Harvard’s residential houses reflect this by fostering an integrated living and learning environment that creates a connection and a sense of belonging in smaller, socially cohesive spaces within a large research university.

At the head of the house, faculty deans serve as the chief administrative officers and the presiding faculty presence, living in residence with their families. They set the tone for the culture of each house, carrying the dialogue and discovery from formal academic settings into the residences and breaking down the barriers that can exist between students and faculty. Faculty deans also develop and oversee the social life of the house, bringing together hundreds of students from all backgrounds into a close-knit community. On a day-to-day basis, they host events, oversee dozens of house staff, and ensure the well-being of students such as by generally joining students in the dining hall for meals; sponsoring discussions, events, and study breaks; attending intramural activities; presiding at important house functions; supporting students in crisis; and providing guidance and perspective. In short, faculty deans are—and should be—a constant, visible, and positive presence in the lives of resident students.

The faculty dean role, as the leading officer within the house, is intended to be preeminent to all other responsibilities, including compensated outside professional activities. This primary responsibility requires a significant commitment of time and attention to teaching, discussing, and demonstrating in the house the vitality and excitement of intellectual and social life at Harvard College.

It was, in this context, that a determination was made based on the best path forward for Winthrop House, as explained in Appendix A.

I appreciate the opportunity to provide you with this important context about a difficult period at Winthrop House and Harvard College. I hope you will be assured that creating a strong and vibrant community focused on the learning and the well-being of students remains our primary objective. Should you or staff have further questions about this matter, please feel free to be in touch with me or Suzanne Day in Harvard’s Office of Federal Relations at (202) 863-1292.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lawrence S. Bacow". The signature is fluid and cursive, with the first name "Lawrence" written in a larger, more prominent script than the last name "Bacow".

Lawrence S. Bacow
President

Appendix A

Harvard University's Responses to Committee Requests Dated September 25, 2019

The following information and materials enclosed or cited are submitted in response to the Chairman's questions.

Although some have tried to place the decision not to reappoint Professor Sullivan and Ms. Robinson at the conclusion of their term into broader political narratives of academic freedom or even the Sixth Amendment right to legal representation, the simple truth is that this was an administrative decision about the best path forward for Winthrop House after a period of considerable disruption. Professor Sullivan and Ms. Robinson remain at Harvard University as faculty members in good standing.

Question 1: The American Bar Association's Model Rule of Professional Conduct 1.2(b) states, "A lawyer's representation of a client, including representation by appointment, does not constitute an endorsement of the client's political, economic, social or moral views or activities." Do you believe it is important for students of Harvard College, whether they intend to engage in the legal profession in some future capacity or not, to appreciate the essence of this rule and the implications it has for the concept of due process afforded to individuals accused of committing crimes in the United States? How heavily did Harvard College weigh consideration of this value when it decided to discontinue its relationship with Ronald S. Sullivan, Jr., and his wife, Stephanie Robinson, as faculty deans of Winthrop House?

Response: The mission of Harvard College (the "College") is to educate citizens and leaders for our society, which we achieve through our commitment to the transformative power of a liberal arts and sciences education. Inherent to serving as leaders is understanding the rights and responsibilities of citizenship, the rights and freedoms associated with our democracy, and a respect for the law. As noted earlier, while some have tried to place the decision not to reappoint Professor Sullivan and Ms. Robinson into broader narratives, such as the Sixth Amendment right to legal representation, the decision was, in fact, rooted in the concern that Professor Sullivan and Ms. Robinson were not in a position to meet the requirements of the critical role of faculty deans.¹ As noted in Dean Khurana's May 11 message to the Winthrop House community announcing his decision, one important consideration among others was Professor Sullivan's extended absences from Winthrop House during a period of crisis. While faculty are afforded considerable latitude to administer their

¹ This op-ed in the *Crimson* by the Faculty Dean of Lowell House further describes the responsibilities of the head of house. See <https://www.thecrimson.com/article/2019/5/1/eck-faculty-deans/>

own outside activities, their primary obligation is to fulfil university responsibilities, including leadership roles assumed voluntarily such as faculty dean. Their overall record as faculty deans was also a factor in the decision. Despite deciding that Winthrop House would benefit by new leadership, Dean Khurana's message to it students noted with admiration Professor Sullivan's and Ms. Robinson's commitment to justice and civil engagement.²

Question 2: In recent years the word “unsafe” seems to have taken on a broader definition. I have always understood this word to have an obvious meaning, generally referring to objects or activities that might give rise to medically unhealthy or physically dangerous situations. But more and more, the word “unsafe” seems to also refer to ideas that some people don't like. This troubles me, and Prof. Sullivan alleges in his piece in the *New York Times* that some students complained that his position as faculty dean of Winthrop House made them feel “unsafe” because of his representation of a certain criminal defendant.

- a. Is Prof. Sullivan correct that some students complained that his faculty deanship of Winthrop House made them feel “unsafe” because of his legal representation of a certain criminal defendant?
- b. If so, does Harvard College take the position that the presence of a lawyer who represents an unpopular criminal defendant can reasonably make someone else unsafe, and if so, how?
- c. If some students complained that Prof. Sullivan's faculty deanship of Winthrop House made them feel “unsafe,” was that concern given any credence in the decision to discontinue Prof. Sullivan's position as faculty dean of Winthrop House?
- d. Does Harvard College take the position that a faculty member who challenges, or encourages critical thinking about the conventional wisdom or a popular ideology of the day can reasonably make a student unsafe?

Response: During these difficult months at Winthrop House, there was significant challenging discourse among students, tutors, staff members, faculty, and others at Winthrop House and the College with many charges and countercharges asserted. These controversies were extensively covered in our student newspaper, *The Harvard Crimson*, with day-to-day as well as in-depth articles. Students expressed many opinions, including that some felt “unsafe.” Other Winthrop House residents recounted that their freedom to speak out in Winthrop

²Student comments in a recent *Crimson* article provide additional context on these considerations, including the improvement in the Winthrop House climate with the greater presence and engagement of the new faculty deans in student life. See <https://www.thecrimson.com/article/2019/10/7/winthrop-climate-improves/>

House about the Weinstein matter was suppressed. The task of administrators was not to take one side or the other; it was to sort through student and staff concerns and identify how to restore the community in Winthrop House. We firmly agree that a liberal arts and sciences education is not one that avoids challenging viewpoints, opinions, or theories, but this is not in conflict with the duty of a residential house to provide a constructive and welcoming living environment.

Question 3: Are the allegations of vandalism throughout the Harvard campus directed at

Prof. Sullivan, as reported in the *New York Times* and discussed above, generally correct?

- a. Did any personnel at Harvard College investigate such vandalism?**
- b. If so, what were the results of that investigation?**
- c. If these acts of vandalism did occur, is it your understanding that Harvard College students committed them?**
- d. To the extent not described above, and without revealing personally identifiable information, were there in fact resulting consequences for such acts of vandalism described, and what were those consequences?**

Response: As with many large universities, Harvard has its own police force. The Harvard University Police Department (“HUPD”) are sworn special state police officers, as well as university employees, and they are responsible for the safety and security of students, faculty, and staff. The vandalism incident was reported to HUPD in the early hours of February 25, 2019. Uniformed officers were dispatched to the scene to locate and interview witnesses, including Ms. Robinson and the reporting party, and to look for suspects. HUPD conducted a thorough investigation and the investigation was closed when a suspect could not be identified. Any suggestion that HUPD did not investigate – or the College did not take seriously – this incident is incorrect.

Question 4: I assume Harvard College has orientation programming for its new students. During such programming, how does Harvard College communicate to those new students the importance of academic freedom, if at all? Please provide copies of any materials used for such programming.

Response: As noted earlier, academic freedom is central to our work and activities. Although we anticipate that students arriving on campus for their first year are familiar with these values, we recognize the importance of explicitly and implicitly emphasizing them as core tenets of life at Harvard. We are attaching several recent statements about free speech and academic freedom. President Bacow has focused on these issues in several key addresses to the Harvard community, including in his inaugural address. Similarly, in his welcome

message to students this past August, Rakesh Khurana, the Dean of Harvard College, underscored the importance of free speech principles, referencing the longstanding guidance for the Faculty of Arts & Sciences on free speech, first adopted in 1990. This message is underscored further in the Harvard College Student Handbook, which links to important faculty resolutions, including the Faculty of Arts and Sciences Free Speech Guidelines and the Faculty of Arts and Sciences Resolution on Rights and Responsibilities. (<https://handbook.fas.harvard.edu/book/faculty-resolutions>)

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These responses are submitted by Harvard University in response to Chairman Grassley's September 25, 2019 letter, as requested by October 25, 2019.

Harvard University has in good faith worked to provide accurate and appropriate information responsive to the Chairman's inquiry. The response provided is based on reasonably available information and is not intended to, and does not, capture all information related to these issues involving Winthrop House. In providing information and documents in response to the Committee's inquiry, Harvard University does not waive, nor does it intend to waive, any rights or privileges with respect to this inquiry by the Committee, including any applicable attorney-client or attorney-work-product or other evidentiary privilege or any objection to the letter requests from the Committee.

Appendix B: Supplemental Materials

Office of the President

Convocation Address to the Class of 2023
September 2, 2019

Morning Prayers
September 3, 2019

The Pursuit of Truth and the Mission of the University
Peking University, Beijing, China
March 20, 2019

Harvard College

Welcome Class of 2023
August 23, 2019

Welcome Home
August 26, 2019

Harvard University, Faculty of Arts and Sciences

Free Speech Guidelines

Office of the President

Convocation Address to the Class of 2023

September 2, 2019

As prepared for delivery.

Good afternoon, Class of 2023. I had the opportunity to meet some of you last week while schlepping boxes to your new homes in Harvard Yard, but it is a pleasure to see all of you gathered in one place—^[T]_[SEP]and an honor to welcome you officially as members of the Harvard community.

We'll undoubtedly cross paths with one another over the next few years, and I hope each of you will feel free to call me Larry. My wife, Adele, is with me more often than not—Adele, are you out there?—and she's also very excited to get to know you and to hear about your College experience.

Like almost all of you, Adele and I are not from around here. She grew up in Jacksonville, Florida, and went to Wellesley. I was born and raised in Pontiac, Michigan, and went to MIT. In fact, this fall marks the 50th anniversary of my arrival in Cambridge. That's right—50 years.

Trust me when I tell you that these first few days will persist in your memory for at least half a century. I still remember driving up to the MIT campus just down the road from here for the very first time with my parents and seeing a big protest going on at 77 Mass Ave.

Remember, this was at the height of the Vietnam War. The police were there in riot gear. There were a bunch of students with bullhorns, and there was a lot of chanting going on. My father, observing the situation, turned to me and said, "If you get arrested, don't call home."

That's one of my earliest memories of this extraordinary city. It was 1969. Richard Nixon had been president for less than a year. Stonewall had become the flash point of the gay rights movement. The Apollo 11 mission had just put men on the surface of the moon. And some of the best musicians on Earth had just made Woodstock famous.

Computers were only found in big office buildings and labs, never in a home, and ARPANET—a US Department of Defense project that would become the foundation of the internet—was brand new. Most people were completely oblivious to everything those advances might make possible—from Bill Gates' Microsoft to Mark Zuckerberg's Facebook.

Every app you've used today was, at best, a twinkle in the eye of a futurist.

I could spend the entire afternoon describing all that has changed since I was sitting in a seat not unlike the one in which you sit right now. I could tell you about the art and music that defined my experience as a freshman. I could bemoan the loss of familiar haunts in Kendall and Central and Harvard Square. I could describe my ridiculous clothing from that era—though I'll admit this puritanical getup is giving some of my best looks a run for their money.

Instead, I want to share with you some wisdom that can only be gained in hindsight—wisdom that will help you navigate your first year at Harvard. Time reveals what is essential. The land

line will soon drift from human memory, as will ham radios, smudgy newsprint, and television antennas. But the desire for information and connection is as strong as it has ever been. The people sitting next to you right now want to know about you, want to understand who you are and where you came from—and how those two things are sometimes in harmony and sometimes in conflict.

We can teach you much in a classroom about the human condition, but there are some lessons that can only be learned through honest conversations with your classmates.

One of the reasons we chose each of you is because we believe that the life you have lived up to this point offers a special kind of education to the people around you. I hope you will have the courage to share your experiences and to learn from one another.

That's not to say you don't have things in common. If you find yourself feeling overwhelmed in these first few weeks and months, know that you are not alone among your peers—or among your proctors, your professors, or even your president. Every person you meet at Harvard has been awestruck by this place and its history at some point; every person has felt out of place in one situation or another; every person has thought twice about her or his worthiness. Embracing the fact that you belong here is easier said than done, but the sooner you get out of your own way the sooner you will be able to take full advantage of all that Harvard has to offer. On any given day, you will have more opportunities to learn than most people get in a month or a year or a lifetime.

It's not necessary for you to do everything—and downtime is important for all of us—but it is necessary for you to recognize that the next four years will be unmatched by any others in terms of the ease with which you can discover new interests and try new things. Being out of one's element can be liberating and thrilling, and you may find yourself rethinking what you thought you knew about yourself. Much of college is a journey of self-discovery.

If you meet someone who appears to have everything figured out, be skeptical. Anyone who is thinking of the next four years as a series of stepping stones to a predetermined outcome—be it an award, a concentration, a job, a specific career, or anything else—is a person who will miss the point of this place. Harvard is where the unknown becomes known. The most interesting seniors I met last year were open to the possibility that they were here to learn about themselves at least as much as they were here to learn about their chosen field or discipline. They took time to explore this tremendous campus, to become familiar with our neighbors in Cambridge and Allston, to venture into Boston and beyond. You are now living in one of the finest metropolitan areas in the United States—get on the T and see every inch of it.

The more you learn—and the more you see—the more you will notice what needs changing. Harvard is not perfect. Massachusetts is not perfect. America is not perfect—and neither is the world in which we live. No one I know—liberal or conservative, Democrat or Republican, or anyone in between—would argue with that statement. It is necessary for all of us to stand up and speak out for the causes in which we believe. And I choose my words intentionally. Standing up and speaking out are actions. They are often most difficult when they are most worthwhile, and you will not regret the time you spend articulating your argument and agitating for change over the next four years.

You'll learn as you undertake that work that not everyone agrees with you, and not everyone shares your view or your values. The easiest way out of those situations—and the easiest way

around those people—is to ignore them. And that is, of course, something you are free to do. But I hope you won't.

The Harvard you know exists because its people have had the courage to confront the toughest issues of their day generation after generation. We honor this institution by advocating, by arguing, and—yes—by listening carefully and generously. None of us has a monopoly on virtue.

Changing one's mind in the face of new information or a better argument is a sign of intellectual maturity. It is also the best of our traditions, and you inherit it today.

So, Godspeed to you, members of the Class of 2023. One morning, you will wake to find this moment fifty years in the rearview mirror. My hope for you is that the intervening decades are filled with friendship and love, and a lifetime of purpose—that the arc of your achievements carries you toward joy—and that the meaning of your life becomes clear to you. In the meantime, give to this wonderful place at least as much as you expect to get out of it. Fight for it—and for your country—and for the world—because they are yours. Change them for the better for yourselves, for all of us.

Morning Prayers **September 3, 2019**

As prepared for delivery.

Good morning, everyone. I thank you all for being here to begin the academic year in a spirit of reflection and contemplation—what a wonderful reminder of the commitments that bring us together as a community of learners.

I have learned much about Harvard since I last delivered Morning Prayers. Before my selection was announced, I felt confident that I understood parts of the University quite well after having been a student here, a teacher here, and a Corporation member here, but there is nothing like coming to know the institution as its president.

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 the University to which all of us belong.

There is a story told about the great Rabbi Hillel for whom the organization on our campus and on other campuses is named. He was confronted by a skeptic who demanded that Hillel teach him the entire Torah while standing on one foot. Hillel happily complied. His response? "What is hateful to you, do not do unto others. The rest is commentary."

How can we profess to be seekers of Veritas if we shame and shun those who disagree with us? How can we urge forbearance and generosity in others if we are unwilling to practice it ourselves? How can we have any hope for the wider world if we cannot model in our community the reasoned debate we want to see elsewhere?

Yes, the issues we are confronting—as a University and 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 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.

In the year ahead, there will be many, many opportunities for our community to rise to the challenge of turning individual commentary into collective action, personal conviction into public action. Fortunately, the weakness I just described is still outpaced by one of our great strengths: Bringing people together who care deeply about the search for truth—and who want sincerely to improve our world. May we all see one another in that light as we embark on this important journey once again, and may we all remember the words of Rabbi Hillel.

The Pursuit of Truth and the Mission of the University

March 20, 2019

Peking University, Beijing, China

As prepared for delivery.

Thank you, President Hao. Thank you, colleagues, students, and friends. It is an honor to be here at Peking University, and I am very grateful for the warm welcome you have given me. Please accept my congratulations on your recent 120th anniversary.

It is a special honor for me to visit you as you approach another anniversary, the centennial of the May Fourth Movement, a proud moment in your history that demonstrated to the world a deep commitment on the part of young Chinese to the pursuit of truth—and a deep understanding of the power of truth to shape the future. Even now, President Cai Yuanpei speaks to us. “Universities are places for grand learning,” he said. “They are grand because they follow the general principle of free thought.” Under his visionary leadership, tremendous intellectual exploration and dramatic social change were unleashed.

I join you today eager to learn more about one of the oldest universities in China—a university devoted to grand learning and free thought. My personal and professional travels have brought me to China many times. But it is truly extraordinary to experience this country and some of its great institutions as the president of Harvard University.

Harvard and Beida share a deep and enduring commitment to higher education. We enjoy many strong connections and collaborations among our students and our faculty, who are generating knowledge that will change the world for the better—be it through art and architecture, through medicine and public health, or through engineering and environmental science. We should remember that Cai Yuanpei not only led this university, but also helped to found the Academia Sinica, the Shanghai Conservatory of Music, and the China Academy of Art. His example reminds us of the power of both the arts and the sciences to elevate the human spirit and improve the human condition.

Harvard has long looked eastward for expertise and partnership. In 1879, Mr. Ge Kunhua traveled from Shanghai to Cambridge with his wife and six children to become Harvard's first instructor in Mandarin Chinese. The volumes he carefully transported to our campus were Harvard's first books in any Asian language, and they became the original holdings of the Harvard-Yenching Library. One hundred and forty years and more than 1.5 million volumes later, it is now the largest academic library for East Asian studies outside of Asia—and the third largest of the University's dozens of libraries. Among its many digitized collections are Chinese women's writings of the Ming and Qing periods—an online archive that makes important materials from both Beida and Harvard accessible to scholars worldwide.

These tremendous resources are used by some of the more than three hundred faculty across Harvard who study China—the largest group at any American university. These scholars and teachers deepen and strengthen understanding of Chinese culture, history, religion, anthropology, sociology, law, education, public health, public policy, and business. Last month, in preparation for this trip, I joined some of them for lunch to learn more about their diverse scholarship. It was nothing short of an intellectual feast, and I was reminded of the tremendous value of studying China in all its complexity and of sharing knowledge of China with the wider world.

Of course, no one person can hope to accomplish as much as a team of people can. My university supports and amplifies the important work of our faculty through a variety of centers and institutes. The Fairbank Center for Chinese Studies, the Harvard Asia Center, the Harvard China Fund: these initiatives have shaped how Harvard thinks about its engagement with China in every dimension—from teaching and research to exchange and collaboration. The oldest of these is the Harvard-Yenching Institute, which got its start right here on the grounds of the old Yenching University some 90 years ago, and which continues today to support the training of outstanding young Chinese scholars in every field. The Harvard Global Institute, the newest of our efforts, was launched four years ago to provide funding for small- and large-scale research projects, the majority of which are focused on China. Effective approaches and solutions to challenges posed by climate change, cybersecurity threats, and international relations will not be developed by a single university—or a single nation. Change and adaptation in these and other areas will require many people collaborating across schools, sectors, and societies, as well as governments.

For this reason, how we choose to nurture human and intellectual capital at this moment is extraordinarily consequential. At Harvard, we welcome to our campus individuals from around the world who we believe will make meaningful contributions to our community and to the wider world. This year, over 1,000 students and more than 1,000 scholars have joined us from China—the largest cohort from any nation. They are learning and working in every School at the University. We also have more than 2,500 alumni who call China home. If Ge Kunhua were to return to Cambridge today, no doubt he would be gratified to see that there are many Harvard professors who, like him, were born in China and are now teaching at the University; he would also be pleased, I think, to learn that Chinese is the second-most widely studied foreign language at Harvard.

The numbers and examples I have just shared communicate important and meaningful commitments, but they cannot fully capture what it means to be a member of a university

community. Each interaction that unfolds, each relationship that blossoms on our campuses depends on both humility and hope—a willingness to say to others “I do not know,” to look in the same direction with them, and to imagine success—and risk failure—in the joint pursuit of knowledge. The work of discovery and innovation is messy and laborious. It requires creativity and imagination, but it mainly requires hard work. Excellence is never achieved easily—and nobody gets anywhere of consequence in this world on his or her own.

People who seek and generate knowledge share a special connection across time and that extends across space. I recall being a young faculty member at MIT in the late 1970s and witnessing a historic visit from a delegation of visiting scholars from China. Long separation had not weakened the bonds of affection among students and their teachers or faculty and their colleagues, some of whom had not seen each other for decades. They greeted one another as if they had been apart for only a short while and soon found themselves engaged again in areas of common interest. It was powerful evidence to me that universities can be sources of strength through tough economic, political, and social times.

I am also reminded of the first Pugwash Conference on Science and World Affairs. In 1957, as Cold War tensions mounted, twenty-two of the world’s eminent scientists gathered in Nova Scotia to discuss the development of thermonuclear weapons and the threat their use posed to civilization. Their collective work helped to pave the way for the Partial Test Ban Treaty of 1963 and the Non-Proliferation Treaty of 1968, among other consequential agreements. There were twenty-two attendees—seven from the United States, three from the Soviet Union, three from Japan, two from the United Kingdom, two from Canada, and one each from Australia, Austria, China, France, and Poland. Professor Zhou Peiyuan, a physicist and the sole Chinese member of the group, later became president of this great institution and, in 1978, led a delegation that arranged for scholarly exchange between China and the United States. We owe thanks to people like Professor Zhou Peiyuan for their farsighted and courageous leadership and for putting peace and mutual understanding above all other considerations.

As I speak to you now, our governments are engaged in important and at times difficult discussions over a range of issues—and those discussions have implications that reverberate around the world. I believe that sustaining the bonds that join scholars across borders is of the utmost importance for all of us gathered here today—and for anyone who cares about the unique role that higher education plays in the lives of countless people.

It is at crucial times like these that leading universities have a special role to play. To be sure, Harvard is an American university, and Beida is a Chinese university. Our institutions have a responsibility to contribute positively to our own societies and to the national good, as well as to the world at large. But as universities we fulfill this charge precisely by embodying and defending academic values that transcend the boundaries of any one country. I spoke about some of those values when I delivered my inaugural presidential address in October. In the audience were hundreds of students, faculty, staff, alumni, and friends from Harvard, as well as delegates from 220 colleges and universities from around the world. I thought I would share with you now some of the thoughts I shared then.

Great universities stand for truth, and the pursuit of truth demands perpetual effort. Truth has to be discovered, revealed through argument and experiment, tested on the anvil of opposing explanations and ideas. This is precisely the function of a great university, where scholars in every field and discipline debate and marshal evidence in support of their theories, as they strive to understand and explain our world.

This search for truth has always required courage, both in the sciences, where those who seek to shift paradigms have often initially met with ridicule, banishment, and worse, and in the social sciences, arts, and humanities, where scholars have often had to defend their ideas from political attacks on all sides.

It is no wonder, then, that transformational thought and action often take root on university campuses. Overturning conventional wisdom takes a remarkable amount of grit and determination, as well as a willingness to welcome contrary views and to risk being proved wrong. Great universities nurture these qualities. They are places where individuals are encouraged both to listen and to speak, where the value of an idea is discussed and debated—not suppressed or silenced.

If we stand for truth, we must appreciate diversity in every possible dimension. We must invite into our communities those people who challenge our thinking—and listen to them. Most of all, we must embrace the difficult task of being quick to understand and slow to judge.

I have been president of Harvard for less than a year. In that short span of time, no less than half a dozen controversial issues have arisen on our campus, generating impassioned discussions—and even some spirited arguments and public protests—among students, faculty, and staff, as well as alumni and friends of the University. Such arguments can cause discomfort. But they are signs of a healthy community and of active and engaged citizenship. In fact, it would be unusual and, frankly, unsettling if a semester went by without any episode of disagreement. When conflict does arise, it forces us to ask: What kind of community do we want to be? And that question sustains and strengthens us—and enriches our search for truth.

In many circumstances, my role as president is not to define the “correct” position of the University but to keep the channels of discussion open. From a distance, Harvard can appear to be a place that speaks in one voice. It is, in fact, a place of many voices. And one of the most important—and most difficult—of our tasks is to ensure that all members of the community feel empowered to speak their minds.

Changing our communities—changing the world—is our responsibility. One of the most popular classes at Harvard College is an ethical reasoning course called Classical Chinese Ethical and Political Theory—425 undergraduates took it last semester. When the professor who teaches the course was asked if he had any advice for students at Harvard, he said, and I quote, “The world we’re living in has been created by human activities, and if we’re not happy with the world we’re living in, it’s up to us to change it. Never fall into the danger of thinking this just is the way things are. The world is always changing.”

Great universities stand not just for truth, but for excellence. At my inauguration, I focused on the remarkable array of pursuits to which students and faculty apply their considerable talents. Brilliance is demonstrated not only in classrooms and laboratories, but also around dinner tables, on playing fields, and on the stage. Living and learning with others creates opportunities to change and grow, opportunities that may not exist in other contexts. It is important to embrace diversity because we learn from our differences. Universities would be dull places indeed if everyone shared the same backgrounds, interests, experiences, and ideas.

I am often asked to share the secret of Harvard's excellence. Whatever we accomplish, we accomplish with the help of others. Without the world's other excellent institutions of higher education to challenge and inspire us, without others to learn from and work with, we could not be nearly as successful as we are. The United States alone is home to some four thousand colleges and universities, and they are remarkably diverse. Some are devoted entirely to undergraduate education, others to undergraduate, graduate, and professional studies. Some are focused on a single academic area—art or music, for example—while others advance a wide variety of fields and disciplines. Each of them competes for talent and resources; all of them look to one another for examples of where and how they might improve.

Harvard is no exception. We learn from our neighbors near and far. We are exploring with partners at MIT the opportunities to improve access to our educational resources through technology. EdX, our joint online learning platform, is opening up educational opportunities to more than 18 million learners and counting. They, in turn, offered us new insights into the science of learning.

Along with HarvardX courses, such students take PekingX courses that have covered everything from folklore, grammar, and music to drug discovery, nutrition, and robotics since Beida joined our effort in 2013. You have reached hundreds of thousands more people than you would have otherwise. Sharing the riches of learning more broadly is one of my aspirations for Harvard and for all of higher education. Our excellence can—and should—help to make the world better for individuals who may never set foot on our campuses.

Finally, great universities stand for opportunity. My parents came to the United States as refugees. My father arrived as a child after escaping the pogroms of Eastern Europe. My mother survived the Nazi concentration camp at Auschwitz. As new immigrants in a foreign country, they saw clearly the importance of education and, having worked hard themselves to gain an education, encouraged me in my own studies. Without education, I would not be here today speaking with all of you. Attending college enabled my success, just as it has enabled the success of countless other people. I want to ensure that young people in China and every part of the world understand a simple truth: If you want to get ahead, education is the vehicle that will take you there.

Our institutions must continue to stand for those values which have distinguished us throughout our long histories: truth, excellence, and opportunity. And we must sustain and strengthen the collegial bonds that enable our work together on behalf of the entire world.

I wish to leave you today with the words of one of China's great modern poets, Abdurehim Ötkür:

Along life's road I have always sought truth,
In the search for verity, thought was always my guide.
My heart yearned without end for a chance of expression,
And longed to find words of meaning and grace.
Come, my friends, let our dialogue joyfully begin.

Harvard University and Peking University are on the same road together. We will continue to seek meaning and grace through relationships created and nurtured by our faculty and our students. May we continue to learn from one another and grow in knowledge and wisdom. Thank you, again, for welcoming me so warmly today. It has truly been an honor—and my pleasure. May our dialogue joyfully endure.

Harvard College

Welcome Class of 2023

August 23, 2019

Dear Members of the Class of 2023,

This is it — the moment you, your family, and all of us have been waiting for — move-in day. The excitement has been building throughout the Yard and across campus this past week as we prepare for your arrival. We are delighted to welcome you home to Harvard.

As you navigate these next few days, you will have many new experiences. The transition to college can be exciting but also stressful, and it is important to take good care of yourself as you get acclimated to Harvard. If you are worried about something, or if you have questions about the College or your experiences here, we encourage you to talk to your proctor, resident dean, academic advisor, or peer advising fellow. We are all here to support you, and we hope that you will all support each other.

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.

With that in mind, I want to bring to your attention the Harvard Faculty of Arts and Sciences guidelines on free speech, which I think provide a useful framework for thinking about how we exchange ideas on this campus. 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. As you prepare to join our diverse community, I ask you to remember these values.

Each of us can take an active role in shaping the community we would like to see at Harvard and beyond. I cannot wait to meet you and to begin our conversations as the fall term begins.

Warmly,

Rakesh Khurana
Dean of Harvard College

Welcome Home
August 26, 2019

Dear Harvard College Students,

With the summer days waning and move-in day swiftly approaching, I know you are eager to immerse yourself in academic work and re-connect with each other. I look forward to having you back at Harvard.

As I prepare to welcome you back and to welcome all 1,650 members of the Class of 2023 to campus, I've been reflecting on the issues that captured our attention last year, both here at Harvard and beyond our gates. In particular I've been thinking about how we can advocate for change, both on-campus and more broadly, in a world where common ground so often seems elusive.

Last year at Harvard we saw robust debate about a variety of issues, which we appreciate at an institution committed to pursuing knowledge and educating global citizens. When we gather to address difficult questions, we will often disagree. While I am proud that so many of you fiercely advocate for your beliefs, I am also concerned that sometimes on this campus we see those with differing opinions as undeserving of our attention, our respect, or our compassion. Hearing each other's points of view, having our own assumptions challenged, and interrogating our values are experiences central to Harvard's liberal arts and sciences education.

As scholars and citizens, we must be open to different ways of understanding, critical self-

reflection and to changing our perspectives when new evidence and better arguments appear. The temptation to drown out ideas that make us uncomfortable can be strong. I have found the framework in the Harvard Faculty of Arts and Sciences [guidelines on free speech](#) helpful because they 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. Especially during this challenging moment in history, we need to be vigilant in ensuring no one is prevented from speaking or expressing any idea. Letting someone speak does not mean we condone what they are saying, and it does not absolve that person or group from consequences. And when we disagree, we have an obligation to respond earnestly. At the same time, we share the responsibility for making Harvard a community in which we interact with respect, integrity, and compassion.

As we begin this new academic year, I hope you will think about what kinds of interactions will help us continue to carve out a community that we'd like to live in, both here at Harvard and beyond. If we can find it in ourselves to engage with those we disagree with, and to care for others even when their beliefs may not be our own, we can light a path forward.

I look forward to working alongside you this year to build and sustain a community that acknowledges our present challenges, yet works toward our aspirations. In the spirit of our shared pursuit, I hope you will take the time to express your thoughts about what our community should look like and what we can do to create it. Please feel free to email me, visit my office hours or just stop me in the Yard or dining hall for a chat. I look forward to continuing this conversation on campus.

Warmly,

Rakesh Khurana
Dean of Harvard College

HARVARD UNIVERSITY
FACULTY OF ARTS AND SCIENCES

FREE SPEECH GUIDELINES

As adopted by the
Faculty of Arts and Sciences on
February 13 and May 15, 1990

FREE SPEECH GUIDELINES

Free speech is uniquely important to the University because we are a community committed to reason and rational discourse. Free interchange of ideas is vital for our primary function of discovering and disseminating ideas through research, teaching, and learning. Curtailment of free speech undercuts the intellectual freedom that defines our purpose. It also deprives some individuals of the right to express unpopular views and others of the right to listen to unpopular views.

Because no other community defines itself so much in terms of knowledge, few others place such a high priority on freedom of speech. As a community, we take certain risks by assigning such a high priority to free speech. We assume that the long term benefits to our community will outweigh the short term unpleasant effects of sometimes noxious views. Because we are a community united by a commitment to rational processes, we do not permit censorship of noxious ideas. We are committed to maintaining a climate in which reason and speech provide the correct response to a disagreeable idea.

Members of the University do not share similar political or philosophical views, nor would such agreement be desirable. They do share, however, a concern for the community defined in terms of free inquiry and dissemination of ideas. Thus they share commitment to policies that allow diverse opinions to flourish and to be heard. In the words of the Resolution on Rights and Responsibilities, the University must protect "the rights of its members to organize and join political associations, convene and conduct public meetings, publicly demonstrate and picket in orderly fashion, advocate and publicize opinion by print, sign, and voice."

There is a broad consensus about the central principles of free speech in this community. But there is often ambiguity about where the line should be drawn in terms of the rights of speakers, protestors, and audience. These guidelines are intended to supplement and clarify the administration of the Faculty of Arts and Sciences' Resolution on Rights and Responsibilities.* [* The Resolution on Rights and Responsibilities is provided immediately after the Report.] Clearer procedures are needed to assist student organizations wishing to sponsor speakers as well as to inform students of the acceptable limits of protest. In addition, this Faculty must be prepared to pay for extra security to protect controversial speakers, to make provisions for reconvening a disrupted speech, and to ensure that new members of the community are aware of and have an opportunity to discuss their obligations.

Speech is privileged in the University community. We are equally committed to the individual's pursuit of inquiry and education. There are obligations of civility and respect for others that underlie rational discourse. Racial, sexual, and intense personal harassment not only show grave disrespect for the dignity of others, but also prevent rational discourse. Behavior evidently intended to dishonor such characteristics as race, gender, ethnic group, religious belief, or sexual orientation is contrary to the pursuit of inquiry and education. Such grave disrespect for the dignity of others can be punished under existing procedures because it violates a balance of rights on which the University is based. It is expected that when there is a need to weigh the right of freedom of expression against other rights, the balance will be struck after a careful review of all relevant facts and will be consistent with established First Amendment standards.

Hard choices regarding appropriate time, place, and manner should have a presumption favoring free speech. For example, concerns about time, place, and manner should ordinarily not be interpreted to prevent signs or expressions of political views that are not disruptive or pose no threat to maintaining public order at athletic events. While the following guidelines deal primarily with the problems of disruption of speech, it is important to note that there are other policies (for example, those relating to racial and sexual harassment) relevant to the administration of the Resolution on Rights and Responsibilities.

The following guidelines are intended to apply to all gatherings under the auspices of the Faculty of Arts and Sciences, but they are not intended to govern classroom procedures. The classroom is a special forum, and the teacher should be the one who determines the agenda of discourse in the classroom.

GUIDELINES

I. Expression and Dissent

A. Within the context described in the preamble, the speaker's right of expression and the audience's right to listen take precedence. After all, the event occurred because the audience came to hear the speaker. The University's procedures should maximize the room for dissent without curtailing the speaker's ability to communicate.

B. Our definition of disruption has two components:

1. The length of time of the action -- in order for an action to be deemed a disruption, it must extend over an unreasonable period of time. Thus, the first condition for disruption is that the action is repeated or continuous, extending over an unacceptable period of time.
2. The importance of creating an environment in which the audience can hear the speaker -- a disruptive action effectively prevents members of the audience from adequately hearing or seeing the speaker. If a person interrupts the speaker every few words, s/he prevents members of the audience from hearing the speech. The speaker must be allowed to proceed at a reasonable pace, to make coherent progress in the expression of his or her ideas.

Thus, the definition of disruption is any repeated or continuous action which effectively prevents members of the audience from adequately hearing or seeing the event.

C. Because the definition of disruption is subject to interpretation, a single warning procedure would avoid confusion about what constitutes disruption. By issuing a warning, the disrupters are told that their actions are unacceptable and must stop. Members of the audience will learn where they stand; they will know where the line is. If people cross that declared line again, they cannot claim not to have realized they were disruptive.

D. At events in which there are a large number of disrupters, the officers or moderator should try to approach the most disruptive individuals first. The officer or moderator has three types of warning at his disposal:

1. A warning directed at a specific individual.
2. A warning directed at a small, specifically indicated group.
3. A warning to the entire audience. Because this warning entails interrupting the speech, it should be employed only when the other warnings are inappropriate.

E. A warning is not needed in cases of physical violence. Individuals who commit such acts should be ejected from the event immediately. Any act or threat of physical violence must be regarded as a complete lack of respect for the deepest values that unite the community.

F. The University should back up the warning by removing the disrupter if s/he does not heed the warning. Within the constraints of prudence and safety, if the disrupter refuses to leave, officers of the University should try to remove him or her. If that proves impossible, they should adjourn the meeting and try to reconvene it in another room where security forces can control admission. A disrupter who resists removal and persists in causing disruption should be subject to severe disciplinary measures.

G. Audience's Responsibility: The audience, like the host and the speaker, must respect the right to dissent. A member of the audience or the host organization who substantially interferes with acceptable dissent is violating these guidelines in the same way as a dissenter who violates the rights of the speaker or audience.

H. Question and Answer Periods in Open Meetings: In open meetings, the sponsoring organization should make every effort to arrange with the speaker to assure a reasonable opportunity for a question and answer period.

I. Punishments should be decided only on the basis of the specific infraction of the rules which has been committed, not on the political content of the transgression. In cases of obstruction, for example, the offenders should be punished for breaking the law of trespassing or rules against interfering with freedom of movement, not for the content of their political expression. It is important that punishments not be used to discourage the specific content of legitimate political dissent as defined in these guidelines.

II. Use of a Moderator

A. Determination of Need: Administration officials may determine that the protection of free speech at an open meeting requires a Moderator, or a group may request it.

B. Selection: The sponsoring organization will select a member of the Faculty or Administration to be Moderator and will notify the University administration of its selection, which will normally be approved if the person is broadly perceived in the community to be capable of acting in a neutral and non-partisan manner on the issue. In case of deadlock, students may appeal to the Free Speech Committee described below, and ultimately to the Faculty Council. The Moderator's task shall be to preserve the University's concern for the protection of free speech. In carrying out this role, the Moderator should be aware of the danger of curtailing free speech because of audience dissent.

C. Role

1. The Moderator should make clear at the meeting that his/her role reflects no position for or against the views of the speaker or the sponsoring organization.
2. At the event, final decisions regarding balancing the rights of the speaker with the rights of those who disagree will be made by the Moderator. These decisions include, but are not limited to:
 - a. Asking a speaker to refrain from the use of slurs or epithets.
 - b. Ejecting a disrupter from the room.
 - c. Suspending a speech temporarily if disruption occurs.
 - d. Moving an event because of disruption or security concerns.
 - e. Canceling an event because of a clear threat of physical violence or to University property.
3. When there is not incitement of violence or University property is not threatened, the Moderator should ordinarily not cancel an event. If a Moderator must adjourn an event, efforts should be made promptly to reconvene it, if possible, in a setting where free speech can be protected. (It is understood that the police always have emergency powers, and that nothing in these Guidelines questions the University's legal responsibility for safety on campus. If it becomes necessary to use such residual powers, a University official should normally attempt first to consult with the Moderator.)

III. Meetings to be Designated as Open or Closed

A. Gatherings on campus may be considered closed under traditions of privacy. A meeting to which a speaker is invited may be designated "open" or "closed." In either case, incidental University facilities such as room and utilities may be used.

B. The press may be excluded when a meeting is closed. The chair or moderator of a meeting may ask the press to treat a speaker's remarks as "off the record."

C. If a student organization or group uses University funds for other than incidentals, the meeting must be designated and treated as open. Use of room and utilities is considered "incidental" and therefore available for a closed meeting; all expenses of substance (e.g., a speaker's travel expenses or provision of more than de minimis refreshments) are not considered "incidental," and may only be paid from University funds if the meeting is open.

D. In considering closure of a meeting against the wishes of the sponsoring organization, University officials or moderators should try to keep the speech open if adequate security resources are available.

E. Closed Meetings

1. A closed meeting may be limited to membership in the organization, or by invitation to designated persons or groups, but cannot be closed on the basis of any category which is discrimination in violation of the University's published antidiscrimination policies.
2. To the extent that a closed meeting is advertised to those who are not invited to attend, there must be clear disclosure that the meeting is closed.

F. Open Meetings

1. A meeting is considered open even though the sponsoring organization limits the audience to members of the University community, or to portions thereof, unrelated to the sponsoring organization.

IV. Identification

- A. Attendees may be required to produce identification, so long as:
 - 1. Advance notice is given as to what specific types of ID will be required.
 - 2. Identification procedures are enforced consistently and uniformly.
- B. When required in an open meeting, identification and, when appropriate, press credentials should be checked by an official perceived to be neutral (e.g., an administrator or a designated general student monitor), not by a member of the sponsoring organization or by any person perceived as partisan.

V. Security

A. University officials shall determine, either on their own or after hearing from student organizations or groups, whether the protection of free speech at an open meeting requires security measures.

B. Upon making this determination that security measures are required, University officials, in consultation with the University Police, will have and will exercise the responsibility to determine the nature and extent of such measures. The University will fund these measures. They may include but are not limited to:

- 1. Bags and other containers may be subject to search by University Police, and may be required to be put in a checkroom before entrance to the event.
- 2. Coats or outerwear may be required to be put in a checkroom before entrance.
- 3. Videotaping of the event may be done, with notice to the audience.

C. For closed meetings, the sponsoring organization will ordinarily be responsible for planning, obtaining, and funding its own security.

D. Provision for security measures should be planned with the University Police. Only the police may use force as a security measure.

VI. Sanctions: Violation of the free speech rights of any person, as protected in these guidelines, will be treated seriously. Sanctions may include:

- 1. Expulsion from the meeting or event.
- 2. Arrest or other legal action.
- 3. Disciplinary proceedings before the Judicial Board, which may lead to:

- a. Warning
- b. Written reprimand.
- c. Probation
- d. Required to withdraw
- e. Pursuant to existing procedures, these sanctions may be noted on the student's record.

4. While the disciplinary bodies are charged with determining appropriate penalties, it is our recommendation that the appropriate boards discuss the range of penalties and make them widely known in the University Community. (Some illustrative recommendations are in Appendix A.)

VII. Advisory Committee on Free Speech: Some form of student-faculty advisory committee on free speech should be established by the Faculty Council. It should involve both undergraduate and graduate students. Its tasks would be to discuss ambiguities which may arise in applying these Guidelines in the future and to introduce these values to new generations of the University Community. This could include meetings with administrators and others to discuss the difficulty of striking appropriate balances of rights in hard cases. Protection of free speech in our community requires not only guidelines but a process for continuing a moral discourse that is vital to our existence.

Joseph Nye, Chairman
Henry Ehrenreich
Michael Sandel

APPENDIX A

PENALTY RECOMMENDATIONS

Case

Suggested Range

I. Warned, asked to leave, leaves voluntarily without disruption
No punishment to admonishment.

II. Warned, asked to leave, leaves voluntarily though disruptively
Admonishment to semester probation

III. Warned, asked to leave, refuses to leave, or must be escorted by police
Admonishment or semester probation to one year probation.

IV. Warned, asked to leave, refuses to leave, and effectively prevents free speech
Depending upon severity of disruption, one year probation to one year withdrawal

V. Immediately ejected due to physical attack
At least one year withdrawal to no upper limit.

These recommended punishments are prototypical examples. They should not be interpreted as preventing lesser penalties in exonerating circumstances or greater penalties in aggravating circumstances. The University also has the option of pressing criminal charges. These categories suggest higher ranges of punishment for effective disruption of free speech or violence. The difference between categories II and III relates to refusing to obey the moderator who has the right to determine that protest has crossed the line defined in this report. The difference between categories III and IV relates to the effective prevention of free speech. The difference between categories IV and V relates to the use of violence.

RESOLUTION ON RIGHTS AND RESPONSIBILITIES

The central functions of an academic community are learning, teaching, research and scholarship. By accepting membership in the University, an individual joins a community ideally characterized by free expression, free inquiry, intellectual honesty, respect for the dignity of others, and openness to constructive change. The rights and responsibilities exercised within the community must be compatible with these qualities.

The rights of members of the University are not fundamentally different from those of other members of society. The University, however, has a special autonomy and reasoned dissent plays a particularly vital part in its existence. All members of the University have the right to press for action on matters of concern by any appropriate means. The University must affirm, assure and protect the rights of its members to organize and join political associations, convene and conduct public meetings, publicly demonstrate and picket in an orderly fashion, advocate and publicize opinion by print, sign and voice.

The University places special emphasis, as well, upon certain values which are essential to its nature as an academic community. Among these are freedom of speech and academic freedom, freedom from personal force and violence, and freedom of movement. Interference with any of these freedoms must be regarded as a serious violation of the personal rights upon which the community is based. Furthermore, although the administrative processes and activities of the University cannot be ends in themselves, such functions are vital to the orderly pursuit of the work of all members of the University. Therefore, interference with members of the University in performance of their normal duties and activities must be regarded as unacceptable obstruction of the essential processes of the University. Theft or willful destruction of the property of the University or its members must also be considered an unacceptable violation of the rights of individuals or of the community as a whole.

Moreover, it is the responsibility of all members of the academic community to maintain an atmosphere in which violations of rights are unlikely to occur and to develop processes by which these rights are fully assured. In particular, it is the responsibility of officers of administration and instruction to be alert to the needs of the University community; to give full and fair hearing to reasoned expressions of grievances; and to respond promptly and in good faith to such expressions and to widely-expressed needs for change. In making decisions which concern the community as a whole or any part of the community, officers are expected to consult those affected by the decisions. Failures to meet these responsibilities may be profoundly damaging to the life of the University. Therefore, the University community has the right to establish orderly procedures consistent with the imperatives of academic freedom to assess the policies and assure the responsibility of those whose decisions affect the life of the University.

No violation of the rights of members of the University, nor any failure to meet responsibilities, should be interpreted as justifying any violation of the rights of members of the University. All members of the community - students and officers alike - should uphold the rights and responsibilities expressed in this Resolution if the University is to be characterized by mutual respect and trust.

Interpretation:

The Faculty regards it as implicit in the language of the Resolution on Rights and Responsibilities that intense personal harassment of such a character as to amount to grave disrespect for the dignity of others be regarded as an unacceptable violation of the personal rights on which the University is based.