

**Harvard Law School Graduation Speech
Martha Minow May 26, 2011**

Well, class of 2011 . . . wow! You made it!

Today you are officially graduates—alumni—of the Harvard Law School.

Congratulations! Each student graduating today has traveled a remarkable journey to this moment. Your hard work, ideas, and questions advance law, leadership, and innovation.

This is your day—and it is also a day to thank your family and friends. Parents, grandparents, siblings, children, romantic partners, exes, pals—you know who you are—I give you my deepest thanks. You loaned us your cherished ones. Your support, your encouragement, your sacrifice, your love have been just as crucial as the sustained work by students and faculty. The graduates know this. They and I applaud you. Graduates, would you all stand—let’s give your family and friends a standing ovation!

Graduates, you are extraordinary. You were so when we searched the world for you—and you are even more so now. You seized the opportunities here and made new ones. You give Harvard Law School its spark, its energy, and its driving sense of purpose and mission.

You wrote for and edited academic journals; you developed innovative service and clinical projects—keeping people in their homes despite foreclosure, making strides in international development and criminal law, and improving access to justice through the

web and other technologies. You studied corporate law practice in India, mediation in Bulgaria, land reform in South Africa, economic development in the Mississippi Delta, and cybersecurity in the cloud. You helped low-income people start their own enterprises. 350 of you spent time abroad in 50 countries this year. Your gifts for parody and performance, your devotion to one another, your responses to disasters and challenges around the world—and your coffee consumption—are extraordinary. Your pro bono service broke our record—the average in this graduating class of 628 hours per student—amounting to a total of 366,204 hours of pro bono service. I ask the 118 students who performed more than 1,000 hours of pro bono service each to stand!

You leave Harvard Law School a better place because you've been here.

Soon we'll give our modest acknowledgment on paper of your fantastic work and accomplishments. I will hand each of you a diploma. Well, to be more precise, as you've learned to be, I'll hand each of you a leather case that is currently empty. After shaking hands with me, you'll each exit the stage, have a photo opportunity, and pick up your actual diploma. Please take that moment to savor your achievement!

Just before that starts, we have time for one more moment of law school. I give you one more thought—and a story—about what you have done here and what it means. The thought I want to share is this: Cherish and cultivate your talent for asking good questions.

When I was younger, I gave as a baby gift to new parents tiny baby t-shirts saying, “Question authority.” I confess, as I became a parent myself—and later a Dean—I had doubts at times about whether this is such a great present. Yet asking good questions is the key to lawyering, business development, leadership, the best governance, teaching and learning—and the advancement of individuals and communities.

Asking good questions requires thought—and also habit. You students, I believe, now so automatically hear in your minds a set of eight questions that it is worth naming here:

- 1) What do you mean by that?
- 2) What are you assuming—what are counterexamples?
- 3) How do you know?
- 4) What’s the effect of what you’re saying?
- 5) Why is that good?
- 6) How can I make it better?
- 7) Who am I trying to please and is that the right audience/person?
- 8) And why am I asking these questions?

The last one is like the answer to how many psychiatrists does it take to change a light bulb—answer: “What makes you ask this question?” Of course, there can always be multiple answers, as with how many psychiatrists does it take to change a light bulb—“Just one, but the light bulb has to really want to change.”

The story I want to share, for a change, is from a television show—Star Trek: The Next Generation. One episode involves the android named Data—this is before “android”

meant a computer operating system or smart phone. Data serves as an officer aboard the starship Enterprise, but he's one-of-a-kind, with great capacities to learn and develop human relationships. A robotics expert wants to disassemble him to learn how to create more like him. The scientist promises to restore Data after the analysis is complete, but Data asks whether he'd keep his own learning and memories—and he gets no such assurance. When Data refuses to be taken apart, the scientist says Data is simply a piece of property, and has no right to say no.

Captain Picard asks whether anything can be done, and finds he can initiate a hearing before a judge. He does so, and assumes the role of counsel for Data. Under questioning, the opposing counsel—a role served by Commander Riker, (who as I'm sure you all know is a friend of the android)—gets Data to admit he was made by a human being and indeed, his whole being can be shut down with the switch of an “off” button. Right there in the hearing, he switches Data off.

This seems like devastating evidence that Data is merely a thing, a piece of property. Data's defender requests a recess. Captain Picard visits Guinan—played by actor Whoopi Goldberg—who raises a new question: Besides the potential harm to Data, she asks, would not the creation of many more androids lead to a disposable race of people?

Captain Picard returns to the courtroom. He begins by agreeing that Data is a machine, made by a person—but he asks, are not humans also machines, made by people?

The robotics expert admits under cross-examination that he doesn't know how to prove what separates personhood from property. But he hopes to learn enough to create thousands of these androids.

That's when the Captain introduces the new question:

“Won't we be judged by how we treat those thousands? ...Sooner or later people will succeed in replicating Data. The decision today will determine how we treat them. Are we prepared to condemn all who come after him to slavery?”

The Judge rules that the court must ensure Data the freedom to explore for himself what he is and what he will become. He must have the freedom to choose whether to submit to the procedure that could eliminate his memories.

I tell you this story not only because it shows the adversarial legal system serving a larger good, or because Star Trek: The Next Generation will be on the bar exam. I tell you the story to underscore the power in asking the right question.

If Data had not asked his question, he would not have known the risks. If the Captain had not asked for a hearing, there would have been no recourse. And the Captain, with help, asked a new question: “Who will WE be if we deny choice to a sentient being?” That question changed the course of the hearing and the law going forward.

Ultimately, the questions we ask do define us—what we care about, what matters, what we become.

Asking good questions gets other people to think—reflect and connect with their values. Good questions invite people to come up with new possibilities.

With good questions, you can enter another person's thoughts, assume a new intellectual position, work out what is possible within the limits our practicality. The questions we ask frame what we think matters. The questions you graduates ask will keep someone in their home and keep the internet uncensored; uncover corruption and prevent financial misconduct, create new enterprises and advance fairness and freedom.

Indeed, the questions asked by Harvard Law School's class of 2011, now and in the future, will define law and leadership in the years to come. Your influence reflects what Harvard Law School is and who you are and who you will become. I simply ask you to use your influence to better your communities and the world—and to stay in touch with us, as we will miss you!

We searched the world for you—and you each have dazzled us.

I salute the questions you have asked and will ask. Congratulations, class of 2011!