

PRESIDENT AND FELLOWS OF HARVARD COLLEGE

OFFICE OF THE GOVERNING BOARDS
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LOEB HOUSE, 17 QUINCY STREET
CAMBRIDGE, MA 02138

March 14, 2016

Dear Dean Minow,

We write on behalf of the Corporation in response to your memorandum dated March 3, 2016, and the report of the Harvard Law School (HLS) committee that examined issues related to the HLS shield.

With you, we are grateful to the committee you appointed for its careful work and thoughtful report. We especially appreciate the efforts by Professor Bruce Mann and the committee to solicit a wide range of views from across the entire HLS community, to weigh competing considerations, and to engage in the kind of reasoned argument and deliberation that is central to the Law School's ideals. We are also grateful to Professor Annette Gordon-Reed for the cogent arguments she raises in her separate opinion, joined by Annie Rittgers. And, of course, we are grateful to everyone in the wider HLS community who took the time to join in this important discussion.

Following a review of the committee report, the "different view" conveyed by Professor Gordon-Reed and Ms. Rittgers, and your own memorandum, the Corporation agrees with your judgment and the recommendation of the committee that the Law School should have the opportunity to retire its existing shield and propose a new one.

As you note, the current shield does not appear to be "an anchoring part" of Harvard Law School's history. The committee points out that it was not adopted until 1936 — the occasion of the University's 300th anniversary — when the Law School was already well into its second century; that the School's use of the shield in the ensuing several decades was sporadic; and that the regular widespread use of the shield as a symbol of HLS "is of relatively recent vintage," apparently dating to the mid-1990s. What is more, the report indicates that when the shield was adopted, it does not appear that any attention was given to the prospect that its imagery might evoke associations with slavery — a circumstance that, if recognized at the time, would quite likely have led to a different choice. Given these circumstances, and with the Law School's own bicentennial approaching in 2017, we believe the School should have the opportunity to propose a new shield that, in the report's words, "more closely represent[s] the values of the Law School" — one conducive to unifying the Law School community rather than dividing it.

At the same time, we agree with the committee's unanimous view "that modern institutions must acknowledge their past associations with slavery, not to assign guilt, but to understand the pervasiveness of the legacy of slavery and its continuing impact on the world in which we live." While we accept the request to change the shield, we do so on the understanding that the School will actively explore other steps to recognize rather than to suppress the realities of its history, mindful of our shared obligation to honor the past not by seeking to erase it, but rather by bringing it to light and learning from it.

Many thanks again to you, to the committee, and to the HLS community for your thoughtful and nuanced consideration of a complex issue. You should feel free to discontinue use of the shield as soon as you see fit, and we will look forward to receiving your eventual recommendation for a new shield, ideally in time for it to be introduced for the School's bicentennial in 2017.

Sincerely,

A handwritten signature in cursive script that reads "Drew Faust".

Drew Faust, President

A handwritten signature in cursive script that reads "William F. Lee".

William F. Lee, Senior Fellow