THE PROFESSIONS, COMMUNITIES, AND PUBLIC SERVICE

The Changing Professions

From Part III of the President's Report to the Board of Overseers
1991–93

NEARLY ALL the major professions in the United States — and the organizations associated with them — are in a state of unusual flux. Businesses face a difficult and uncertain economy, an altered international situation, and an era of widespread fundamental restructuring. The health care system is under severe strain and is undergoing large-scale comprehensive reform. Much the same can be said of our troubled public schools. Many institutions of government throughout the world are perceived even by those within them as being in need of serious rehabilitation; and global political developments have made the study and practice of public affairs even more complex than before.

Meanwhile, the legal profession faces a far more complicated international as well as national agenda: increased litigation and regulation, persistent questions concerning human and civil rights, the effort to help frame constitutions and systems of justice in emerging democratic societies, and a domestic criminal justice system under severe strain. The religious landscape has been dramatically transformed during the past quarter century, in our

own country and beyond. Some established faiths have waned, while new sects and congregations have burgeoned; various fundamentalist movements have obviously emerged with great force; and questions about the relationship between religion and politics or government have arisen with great intensity in many quarters of the globe. Finally, in architecture and its associated design fields, there have also been profound changes – partly because of the continued internationalization of these professions, partly because of changes in the economy, and partly because of the need to address important social problems, such as preserving our built as well as our natural environment.

These developments in the professions (and in the major systems and institutions that are part of professional life) have an inevitable, far-reaching impact on education. If the professions change in more than superficial or transitory ways, then education for the professions must also change. A fundamental reexamination of many of our basic programs is already well under way at Harvard. Given the variety of Harvard's professional schools – business, design, divinity, education, government, law, medicine and dentistry, and public health – we obviously cannot expect to find a single new educational model or conception that will apply equally well to all or even most of them. Yet a number of common approaches and similar emphases have emerged in the course of our planning process.

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Among the most prominent common themes and directions emerging from the plans of our professional schools are these:

First, nearly every School is reviewing, or has recently finished reviewing, the design of its first-degree program – and, in some cases, its more advanced training programs as well. The Medical School has led the way: it began to phase in its watershed New Pathway program for the M.D. degree in the mid-1980s, and full implementation is near. The School of Public Health has just reor-

ganized its basic curriculum around five interdisciplinary topics closely linked to its main research agenda; meanwhile, a special fund has been created in the School to support experiments with promising new teaching methods. The Business School is in the midst of a full-scale review of its M.B.A. program, and specific recommendations are expected soon. The Graduate School of Design is reexamining the curriculum for its master's programs, aiming to provide all students with the opportunity for an integrated introduction to the major design fields, including architecture, landscape architecture, urban design, and planning.

These are only a few leading examples of the "reconstruction" now under way in Harvard's professional schools. Comparisons are difficult, but it is hard to remember a time in recent history when curricular reform in professional education at Harvard has been so pervasive, so fundamental, and so potentially significant in its consequences.

Second, the Schools' plans reflect a growing emphasis on the mission of training for leadership in public service. The professional schools have always been motivated to educate students to become leaders who will, in the fullest sense, be useful to society. At present, however, there is an even stronger emphasis on the importance of leadership and on the mission of public service — an emphasis that is not so much ideological as genuinely civic in nature.

There is, as I suggested earlier, a greater concern to help restore the vitality of large-scale systems and organizations that have been weakened in the past quarter century. There is a special concern for the not-for-profit sector of society: schools, government, social service organizations, and cultural institutions and activities. And there is a marked tendency to take into account more profoundly the difficult questions of ethics and values that are intrinsic to all professional practice today.

In other words, many of our professional schools are defining not a new mission, but a different emphasis in the way they are

approaching their traditional mission. There is a more conscious awareness that the world is troubled, that the foundations of society seem less stable, that interdependencies are greater, and that our need to be responsive must also be greater. Such concerns – underscoring a determined yet unromantic commitment to serve society – echo through the planning documents of many Schools.

Third, virtually every School has identified the reexamination of teaching methods as a major point of focus in the years to come. For it is teaching, in many different settings, that must bring together fundamental or abstract knowledge, the fruits of current research, and something of the experience of "live" practice and decision making.

Equally important, teaching needs to be structured in a way that involves students as active participants in the process of inquiry. From this point of view, the best teaching should be seen as an embryonic form of research. It should be designed to confront students with the need to test ideas and hypotheses against facts and experience, to find new ways to approach difficult problems, and to search for and analyze relevant evidence. It should, in other words, help students to develop habits of mind that can sustain them throughout a lifetime of facing unpredictable challenges and dilemmas that require continuous learning.

In short, as we move forward in professional education, we will continue to emphasize education for leadership – with a concern for the development of values, qualities, and capacities that leadership requires. Consistent with the University's goal of remaining an international as well as a national institution, we will preserve a strong interest in virtually all aspects of international education. And we will continue our commitment to more effective teaching and learning, with a strong emphasis on small-group classes and seminars; a greater reliance on "cases," problems, or issues that can focus attention on complex situations requiring active inquiry and debate; a recognition of the need to exploit the

benefits of modern technologies in the classroom as well as in research; and an increased interest in student internships, fieldwork, or similar activities to help ensure that we do a proper job of connecting practice with formal academic study. In School after School we find that investments in additional faculty – however modest the numbers – are closely linked to investments in better teaching. Finally, we must recognize the benefits to be gained from integrating fields of knowledge, and from encouraging collaboration across different parts of the University in order to make more effective use of the resources we already possess.

A Mind As It Reasons

Introduction of Stanford Law School Dean Kathleen Sullivan
at the Radcliffe Institute Inaugural Lecture Series
April 28, 2000

WHEN KATHLEEN SULLIVAN was an undergraduate at Cornell in the early 1970s, she concentrated in literary studies and was especially captured – as she herself has said – by the moral dilemmas that she found so strikingly portrayed in fiction.

It was just then that the political drama of Watergate was unfolding, and Dean Sullivan began "to see law as a practical arena [in which] to find solutions to moral and ethical problems."

Perhaps not surprisingly, Dean Sullivan (following a sojourn at Oxford as a Marshall Scholar) was ultimately drawn to the field of American constitutional law: the field in which questions of value; of rights and obligations; of freedoms, potential restrictions, public goods, and private as well as public responsibilities come dramatically into play – more continuously, more perplexingly, more subtly, and more significantly than in any other legal field.

Dean Sullivan studied at the Harvard Law School, where she worked with Professor Laurence Tribe – not only as a student,

but also as a colleague – on a well-known Supreme Court case in which they defended the right of the Hare Krishna sect to proselytize at the Minnesota State Fair.

The records of the case do not disclose why members of the Krishna sect ever thought the Minnesota State Fair might be a fertile sphere for missionary zeal. But thanks to their unconventional evangelical foray, the team of Tribe & Sullivan was created – and later went on to tackle several other major cases involving the defense of privacy rights, of free speech issues raised in the so-called "Titicut Follies" twenty-four-year litigation marathon, and of the right of newly arrived poor mothers in California to receive AFDC benefits at the same level as long-term California residents.

Kathleen Sullivan began teaching at Harvard Law School in 1984 and remained at Harvard until 1993, when she was lost – inexplicably – to Stanford, where she became Dean of the Law School in 1999. She has written about a wide range of constitutional issues and has won any number of awards and honors, including the most prestigious award for excellence in teaching that the Harvard Law School bestows.

For me, the pleasure in reading Dean Sullivan's work is a very distinct one, because her writing manages to fuse the forms of persuasion that flow from conviction and commitment with those that are the result of such deft and skilled analysis that the activity of the mind as it reasons, and the almost indiscernible interpolation of evidence, are carried forward without any sense of rhetorical or argumentative "forcing," without any more pressure than the minimum required.

If we want to think carefully, for example, about the difference between judges who tend to view the law and the Constitution in terms of a set of rules, as contrasted to a set of standards, then there just is no better reading than Dean Sullivan's 1992 *Harvard Law Review* article on that subject. It is an article that explores why a Supreme Court which included Justices Rehnquist, Scalia, Thomas, O'Connor, Kennedy, and Souter did not turn out to be

as "conservative" as many people – including Presidents Reagan and Bush – had expected.

This is not the time or the place to try to summarize Dean Sullivan's hundred pages of text and footnotes, except to say that the essay examines quite beautifully how some (not all) individual justices on the Supreme Court began in the 1980s to use historical precedent in quite different ways, on different occasions – depending on the circumstance and the larger context of specific cases. They became, in other words, more engaged with the particularities of each dilemma or situation and (to some extent) less inclined to invoke more general rules in reaching conclusions. The article also elaborates on how the Court must – within limits – function as a collective, deliberative body, thereby creating for itself a sense of responsibility for, and consciousness of, a more comprehensive and heterogeneous range of views than an analysis of the past practice and views of each individual justice would have led us to predict.

In short, as we read this article, we come to see and feel the developing changes in position or stance, in perspective and amplitude, in the very conception of how law should be interpreted and applied, on the part of several justices: we can trace the kinds of moves and shifts that often occur in any small group whose number of members is highly limited, because at least some of the members soon come to see themselves (and their views) less in fixed or absolute terms, than as parts of a whole in which their own roles are defined (to some extent) in relationship to the roles adopted by their colleagues.

In reading Dean Sullivan's article, we experience and understand the subtlety and nuance of all the changes I have just mentioned, because of the skillful analysis and the lucid prose that guide us at every stage in this unfolding mini-drama. Beyond that, we also begin to sense – gradually – the presence of a larger design in the work, because the entire piece is in fact motivated by a deep conviction concerning the essential integrity of the Court

as an institution that somehow discovers and follows a kind of invisible internal compass – that achieves and adjusts its own equilibrium, responding to the necessities of the Constitution as an enduring document, to historical precedents that act as a partial guide, and to the living society in which the law must function with credence and effectiveness. Because the equilibrium of the Court is always subject to constant shifts and changes, predicting how the Court may resolve any particular case becomes very difficult. But this "openness" tends in itself to increase rather than decrease confidence in the responsiveness as well as the strength of the system.

Confidence or trust in significant institutions is not noticeably in great abundance at the present time. It is a rare thing to encounter writing that offers us some considerable measure of persuasive reassurance about the nature of our Supreme Court and the workings of our constitutional legal system. The achievement is all the more impressive because the reassurance is born not from sentiment or any mere simplicity but from the articulateness and clarity of a complex mind in elegant motion.

Leading Medical Education

Daniel C. Tosteson Medical Education Center Dinner
June 12, 1997

WE ARE ASSEMBLED, friends, colleagues, and family members all, to mark the conclusion of a historic Harvard deanship: Daniel C. Tosteson will leave his post in eighteen days, having held it – held it aloft – for 7,382 days, or approximately twenty years.

Longevity alone would make Dan Tosteson's deanship remarkable. His is a profession where many may seem to be called, but few are actually chosen, and even fewer survive, and far fewer yet can be said to thrive.

Yet our dean has thrived, and indeed triumphed, in a way that will not easily be rivaled, much less surpassed.

I have been asked to speak particularly about Dan as an educator – as someone powerfully committed to the education of students at all levels, of physicians, of patients, and of human institutions, such as this university.

It is the institutional dimension – a dimension that really embraces all the others – that I want to focus upon: partly because that is where Dan Tosteson has made one of his most visible, profound, and lasting contributions; and partly because

almost all the odds are magnificently stacked against anyone who sets out to transform the curriculum, the pedagogy, the form and process, and consequently the content or substance of university learning. Now it is certainly true that professors of medicine – and medical school departments, organized as they are around intensive research – are known far and wide for their astonishing flexibility, malleability, and willingness to change at the snap of a decanal finger or two. Nonetheless, it is also the case that, until recently, scarcely any medical school has actually changed in a significant way its fundamental process of education.

Harvard has done so, and it has done so because of the vision, insight, relentlessness, persuasive power, and decisiveness of Daniel Tosteson. We should remember that, although academic, departmental, and other structures look like tiny boxes on an organizational chart, they are really made of concrete and steel, buttressed by adamantine marble. And the University as a whole – as well as the profession of medicine – often seems even more implacable than the departments. Caught between these twin forces, both exerting pressure from opposite directions, any dean is bound to feel at least some mild discomfort and constraint. It takes an ingenious person, skilled in prestidigitation, to turn so procrustean a predicament into something providentially creative.

Ogden Nash once wrote: "The turtle lives 'twixt plated decks / Which practically conceal its sex. / I think it clever of the turtle / In such a fix to be so fertile."[1]

Dan has been, between his plated decks, the soul of fertility itself, in the sphere of medical education. Let me mention the main reasons.

First, he recognized the rapid rate of change in scientific knowledge.

Second, he realized that full-scale mastery was beyond anyone, and that much of what one mastered would soon be obsolete in any event.

Third, he saw that the spirit of active learning, of inquiry and discovery, of learning how to learn – to frame the right questions,

look for relevant evidence, frame hypotheses and test them, and arrive at conclusions based on less-than-full knowledge – that all of these were the constituents of real education. Of course, content was important, but content would change, and the habits and skill of active inquiry, research, and learning were needed for a lifetime. Next, he saw that the value of problem solving was critical: cases, small groups, tutorials, questions and answers, teamwork – not only in the classroom, but also in physicians' work.

All of this led, of course, to the creation of a powerful model in medical education – the New Pathway program that is now being emulated by many medical schools across the nation. The purpose of the new program is to help foster the kind of sensitivity in medical practice that Dan himself has described:

> *Each medical encounter is unique in a personal, social and biologic sense. Each patient and physician is an individual person reminded by the episode that brings them together that "brass, nor stone, nor earth, nor boundless sea, but sad mortality o'ersways their power." Each patient lives in a specific social context. Each patient is the expression of a genome that has never existed before. All these aspects of uniqueness impose on both physician and patient the need to learn about the always new situation, to find the plan of action that is most likely to improve the health of that particular patient at that particular time. In this way of thinking, a doctor is a teacher helping the patient to learn about possibilities for living in a healthier way.*[2]

Learning is the connective tissue everywhere, throughout the whole process – student, teacher, physician, patient: all seeking to understand, to solve dilemmas, and to keep inquiring for the sake of health and the ability to lead satisfying and productive lives.

In concluding, I would like to read a poem concerning the human spirit's unwillingness to accept limits in the quest to do the impossible – or nearly impossible. The poem has to do with taking the risk of planting a peach tree much farther north than peach trees should be planted, in the hope that it might with-

stand all the forces marshaled against it, and bloom. It must hold out against the coldest, most formidable deep-winter weather – which is where the poem begins:

We sit indoors and talk of the cold outside.
And every gust that gathers strength and heaves
Is a threat to the house. But the house has long been tried.
We think of the tree. If it never again has leaves,
We'll know, we say, that this was the night it died.
It is very far north, we admit, to have brought the peach.
What comes over a man, is it soul or mind –
That to no limits and bounds he can stay confined?
You would say his ambition was to extend the reach
Clear to the Arctic of every living kind.
Why is his nature forever so hard to teach
That though there is no fixed line between wrong and right,
There are roughly zones whose laws must be obeyed?
There is nothing much we can do for the tree tonight,
But we can't help feeling more than a little betrayed
That the northwest wind should rise to such a height
Just when the cold went down so many below.
The tree has no leaves and may never have them again.
We must wait till some months hence in the spring to know.
But if it is destined never again to grow,
It can blame this limitless trait in the hearts of men.[3]

We can recognize Dan Tosteson here – sturdy against the elements, settling for nothing less than the best – pathways or peach trees, whatever the challenge, it will be met and overcome.

1 Ogden Nash, "The Turtle," in *The Selected Verse of Ogden Nash* (New York: Modern Library, 1946), 90.
2 Daniel C. Tosteson, "Learning in Medicine," *New England Journal of Medicine* 301 (1979): 690.
3 Robert Frost, "There Are Roughly Zones," in *The Poetry of Robert Frost* (New York: Henry Holt and Company, 1979), 305.

Landscape Architecture at Harvard

Remarks at the Centennial Celebration
of the Department of Landscape Architecture
Graduate School of Design, April 8, 2000

HARVARD WAS the first university to offer a four-year course leading to a degree in landscape architecture. That began during the forty-year reign of our greatest president – Charles William Eliot, who held sway over the University from 1869 until 1909.

It was under Eliot that so much of the configuration of Harvard – as landscape, architecture, and incipient urban design – began to take shape: partly planned, partly through sheer accident, and partly by way of recognizing opportunities as they presented themselves.

I mention this partly because it was Eliot's own interests, as well as those of his son and grandson, that helped to spur the growth of all the studies in art, architecture, landscape design, and planning which ultimately resulted in Harvard's School of Design.

In addition, however, Eliot also had a quite clear sense that this particular university would not take the form of a unified, coherent campus – an academic parkland – but would inevitably be

compelled to interdigitate with the city growing up around it. He also decided not to adopt a single architectural norm, but moved from Georgian to muted Victorian as he filled out the Yard; then to high-pitched Victorian Gothic at Memorial Hall; then to the idiom of H. H. Richardson at Sever and Austin Halls; and then to sophisticated versions of neo-Georgian buildings designed by McKim, Mead, and White.

Harvard would be various and peculiarly textured, with quadrangles and the Yard to serve as refuges, but elsewhere with sharp juxtapositions and abrupt adjacencies, with street crossings and a mid-center square, and with all the stylistic discordances that we know and love so well. Where else could one stand, rotate, and take in (from a single point) the atonalities, not quite orchestrated, of Sert's Science Center, Memorial Hall, Busch Hall, Yamasaki's William James Hall, the Swedenborg Chapel, Gund Hall, the Sackler Museum and – looking up Quincy Street – the Fogg, Le Corbusier's Carpenter Center, Robinson Hall, and heaven knows what else?

It is interesting that if you compare the prose written about Princeton's campus and that about Harvard's, you see immediately in the syntax, and the length of sentences, not to mention the diction, how Princeton beckons writers to create sinuous, curvilinear, lengthening lines that always seem to yearn for long vistas and romantic crescendos before they come to a close. By contrast, Harvard's passages very occasionally begin to open out in a similar way, only to come very soon to quite sudden, mundane endings, because there simply are no sweeping vistas to sustain very much deep purple prose.

Does Princeton succeed visually, in space and time, as one satisfying version of landscape architecture? Does Harvard succeed, on its own terms, as one (or more) versions, or do we have to move to a much more abstract level of conceptual understanding before we can begin to make sense of it? If movement, crowds, energy, streets, stores, automobiles, visual variety – with some sense of

order in the movement from one kind of precinct to another – if all of that matters, then the landscaped architectures and urban non-design of Harvard does seem to be very appealing to students and even adults. It apparently makes up in vitality what it lacks in a certain kind of stylistic unity or apparent coherence. Or else it represents a different sort of coherence, where we can consider and evaluate the built and natural environment only in relation to the particular styles of life of a particular set of converging communities in a complex series of collegiate, commercial, residential, and other spaces.

I raise all these questions and issues partly for selfish reasons. As Harvard now tries to create a few remaining important structures or architectural landscape environments on this side of the river, it has been a major challenge to decide what might constitute successful designs for them. One project is a possible museum of modern art on the river, downstream from here; the other is an international studies center, just around the corner, consisting of two buildings – one on each side of the street.

Neither of these projects is so idiosyncratic as to require unfettered genius for a solution. But each raises quite central questions about the interrelationships between urban design, architecture, landscape, and streetscape, environmental concerns, and the kinds of human communities (including the program of activities) that we hope to foster in each place.

Thankfully, members of this School's faculty are helping us, so I have absolutely no doubt about the ultimate outcome, assuming that we will receive permits allowing us to build anything at all. But I have been led by this entire process to believe not only that the field of landscape architecture is very much alive and well at Harvard, but also that it is faced with exceptionally complex problems at the present time, problems that force us to think about the nature of the field itself – its edges, its center, its fundamentals, and its extensions.

Fortunately, the duties of Harvard's President do not require

him to define the nature of academic fields, quite apart from their possible applications in practice. It is more than enough for me to try to assess results in terms of talent and quality of performance. With respect to those criteria, I want to take this opportunity to say that I – and the University – take enormous pride in the distinguished present, and the equally distinguished past, of landscape architecture at Harvard.

It is no exaggeration to say that Harvard's faculty (and graduates) invented and reinvented the field; that thanks in large part to you, there is now a far deeper understanding of the many disciplines that the field comprises; that whether we are talking about plants, about grasses, about gardens, or different forms of natural landscape, or architecture, design, urban planning, regional planning, environmental planning, and any number of other considerations, this department and School have the capacity to analyze, to imagine, to create, to preserve, to restore, and to intervene at a level of excellence that no analogous department or School has realized.

Servant of the Public Good

Remarks about Alan Greenspan
Honorary Degrees Dinner, June 9, 1999

BORN in New York City, educated at NYU, our last honorand dabbled for a brief few years as the head of his own financial consulting firm. Then, weary of the burdens of private office, he moved into the much more profitable public sector to become chairman of the President's Council of Economic Advisers. Shortly afterward, he became chairman of the National Commission on Social Security Reform, and then on to any number of advisory, chairmanly, boardly, and commissionly positions, until in 1987 he became chairman of the Federal Reserve.

In a miraculous display of tripartisanship, three separate presidents, from two more-or-less identifiable political parties, have kept him continuously tethered to what has by now become his own federally reserved chair.

His achievement has been more than impressive and has confounded all the received ignorance of his chosen academic field. What is the secret of Dr. Greenspan's success? It surely has something to do with his prose style. He has (as he himself has phrased it) "learned how to mumble with great incoherence." Or, as he

said on another occasion, "If I seem unduly clear to you, you must have misunderstood what I said."

Since my own field is English literature, I recently took the liberty of examining just one page of Dr. Greenspan's prose. In twenty-odd lines I found approximately forty examples of conditionals, qualifiers, and other artful miasmics including everything from "if... but... nevertheless... however... yet... despite... whether or not... while one might... although it is true" to "most... not all... partly... probably... perhaps..." and "as best I can tell... it seems... appears... implies... suggests... I suspect... it would be unwise."

These paragraphs, moreover, tend to be studded with intermittent conclusions, assuring us, for example, that a particular question (and I quote) "will be answered" not by the chairman himself, "but only with the inexorable passage of time." In this deconstructed age of ours, it is a distinct pleasure to have someone at our economic helm who is so much in tune with the literary theory of our era, and wears his linguistic indeterminacy so lightly upon his sleeve.

Nevertheless, Dr. Greenspan's homespun prose, like Penelope's daily knitting and unknitting, really does matter. In his speeches and articles, he raises all the hard questions, the substantive issues, and the entire range of pertinent considerations, and he does so with scrupulousness and finesse, as if weighing the finest and most transparent of virtually weightless particles, in order to see where the balances will finally quiver themselves to rest, at their precise point of equipoise. What we apprehend, in other words, is the faculty of informed, experienced, seismically sensitive, and marvelously sure judgment in action – judgment so fine that it has earned him the confidence and respect of millions around the world.

Celebrating Courage and Commitment

Nieman Fellows Reunion Remarks
John F. Kennedy Library, April 29, 2000

LONG AGO, when the Nieman bequest fell out of the sky, without any warning, onto the otherwise tidy desk of President James Conant, his reaction approximated something that might be described as intensely unqualified ambivalence. This gift, he suggested, "places another problem at our door." It was, he said, the most unlikely Christmas present he could have imagined.

Nonetheless, the President took up the challenge, which consisted of giving some tangible educational shape to something described only in the vaguest possible terms by the deed of gift: to wit, an effort intended to "elevate the standards of journalism in the United States." With characteristic intelligence and imagination, President Conant set up a fellowship program not very different in conception from the one we now have.

Not everyone cheered and shouted with unrestrained joy. Walter Lippmann, for example, from his high perch at the *New York Herald Tribune*, said that he felt "[the Nieman] experiment would not be successful if the choice of subjects open to the Fellows" remained so "freely elective."

Lippmann wanted a sort of required core curriculum,

because it seemed to him that the Fellows were wandering into all sorts of subjects and courses for which they had absolutely no preparation. This encouraged them (as Lippmann delicately phrased it) to indulge indiscriminately in the greatest of journalistic vices: the attempt "to deal with very great questions on the assumption that anybody, without previous training, can understand anything."

Fortunately, President Conant stuck to his guns, and that has made all the difference. The obvious strength of the Nieman program is precisely the fact that it has never required that the Fellows should, for whatever obscure reason, be sent back to school.

In fact, if there was ever an era when journalists – to use the term broadly – needed more time, more freedom, and more opportunity to reflect, to read widely, to explore new ideas, and to meet a great diversity of people in an unfettered way, then *this* era of twenty-four-hour-a-day breaking instant news is certainly such a moment.

Nieman Fellows, and others, need that time and freedom because the conditions under which you work have never been more difficult, even ferocious. The rest of us, meanwhile, really do need you to be at your absolute best, because you are – collectively – the crucial filter through which, day in and day out, we try to make sense of contemporary reality as it unfolds. If this is a period when the media have often been subject to criticism from many quarters, I myself want to stress something very different: the depth of your service to society, to free institutions everywhere, and to the indispensable values of open inquiry and free expression.

These happen to be values that are also absolutely critical to the central purposes of universities, and that is clearly one of the reasons why the Nieman program and Harvard have reinforced and energized one another over so many decades. And your role, in guarding the values that we share, is in significant respects the harder one. It involves more uncertainty, more pressure to make instantaneous judgments, more daily public exposure and reaction. Beyond all of that, we have seen, for instance, in the last two

or three weeks, what has happened to the "reformist" press in Iran, and each of us could cite any number of similar examples. To create and sustain real freedom of the press remains, in most parts of the world, a job that is filled with hazard and danger. It demands, under even the most favorable circumstances, more than a little courage and deep conviction over long periods of time.

A Sympathetic Imagination

Comments at the Swearing-in of Justice Margaret Marshall to the Massachusetts Supreme Judicial Court
October 31, 1996

I WANT TO SAY a few things about Margaret Marshall, because I have worked so closely with her these last four years. I want to single out just three of her qualities – qualities that in some respects may be obvious, but are worth some reflection.

First, this is a person of remarkable intelligence – an incisive intelligence – keen, sharpened in relation to the realities of life as well as the realities of law. So, the very first quality that one needs in the practice of law and in the art of "judging" (as well as in helping to run a university) is present here in its full power: the capacity to make significant distinctions and to see things clearly, with a mind that is fully equipped for the task at hand.

The second quality may be somewhat less obvious, but is essentially nothing more nor less than a sympathetic imagination. We clearly cannot make difficult judgments about situations or people unless we can reach out with our imagination – with our entire mind, with our full human powers – in order to understand the people and predicaments that confront us. We

need somehow to enter into them, and to realize how our actions will affect them. This capacity, this activity of the sympathetic imagination, is crucial in the law, and in so many of our endeavors. And Margaret Marshall has it in abundance.

Finally, she has extraordinary judgment. She has not only the insight and ability to imagine situations in human terms; she also is able weigh matters with thoughtfulness, with respect, and with integrity in the light of the law.

Let me mention two additional points. Margaret Marshall is a buoyant person. She approaches the law hopefully, with a sense of its possibilities. There is a Hobbesian point of view which suggests that the law is born of something approximating deep gloom with respect to human nature: people are such that we must find ways to constrain them – must create laws to keep individuals and society under restraint. There is a good deal of truth in this view, but it is far from the whole truth.

Another approach is to view the law as something that cherishes central human values and potentialities: liberty, respect for other individuals, and for the importance of allowing people to find their different pathways in pursuit of happiness. The law – the American constitution and our legal system – enshrines these values and hopes, and is as committed to their realization as it is aware of the need for constraint. Margaret Marshall is sensitive to both perspectives, but she understands wonderfully the importance of the liberating capacities of the law to help and sustain people, to persuade them that freedom is a reality – that individuals will be fairly treated, that societies and their laws can be equitable, that the aspirations and ideals of people are in fact part of our very conception of justice. Justice is not only a constraining but also an enabling power.

Several great justices in our legal tradition have been named Marshall. One of the very first, of course, actually established for all time the idea that the court is the final interpreter of the law in our society. It was once said of Justice Marshall – John Mar-

shall, that is – that he possessed "a mind that created something; a heart that adored something; a faith that believed something; a hope that expected something; a life that was lived for something." These are the qualities, energies, and commitments that Margaret Marshall will bring to this distinguished Court.

Casting and Recasting

Senator Edward M. Kennedy Dinner Speech
17 Quincy Street, October 20, 1992

THIS IS INTENDED as a chance for all of us to express our special appreciation to Senator Kennedy and to Congressman William Ford, as well as to their staffs, for what they have accomplished this year on behalf of higher education – specifically in leading the long effort to design and finally pass the Higher Education Reauthorization Act.

Many of us know that this major piece of legislation was signed in July. But few of us appreciate how much was involved in casting and recasting, debating and re-debating, and finally coaxing Congress into a sufficient state of convergence so that this fiendishly complicated bill could become law. Having watched parts of the drama from a distance and having read the relevant pages in the *Congressional Record*, I can unequivocally say how much higher education (especially students and their families) will benefit from the eighteen months of analysis, negotiation, and persistent hard work that were necessary to bring about this formidable achievement.

I want to take a moment to outline some of the main provisions of the new Act.

First, it authorizes increases in the stipend for Pell Grants, allowing them to rise incrementally every year, from $3,700 in 1993 to $4,500 by 1997. It also increases the authorization for College Work-Study Programs.

Second, the new Act raises the allowable loan limits for college students, simplifies the needs-analysis process, and removes family home-equity as an item that is taken into account in federal needs analysis.

Next, it takes a major step by creating a "direct lending" demonstration project. This will allow many students and families to borrow funds directly from universities under the federal Guaranteed Student Loan Program, rather than requiring them first to seek their loans from banks. The new process will not only be far simpler but also less expensive for everyone.

Finally (and this is important, and it took literally months of discussion), new provisions were passed to allow colleges and universities to enter into purely voluntary agreements to award students financial aid on the basis of need. The institutions are also permitted to discuss broad principles that serve as a means of determining eligibility for student aid. There can be no discussion or comparison of offers to individual students, but the newly passed legislation goes a considerable distance toward correcting some of the potentially damaging effects of the situation created by the recent antitrust rulings of the Justice Department.

These are only a few of the important provisions of the new bill, and none of them, during a recession and during the difficulties of an election year, was even remotely easy to manage. The effort was bipartisan, with strong help from both sides of the aisle. But it would never have happened at all had it not been for several critical people.

In one sense, we know a great deal about how much Senator Kennedy does – and *has* done for so many years. In addition to his work on higher education, he has oversight (as chairman of the Committee on Labor and Human Resources) of all biomedical research and training legislation in the Senate. He has been enor-

mously influential in helping to set directions for the National Institutes of Health and has had a great effect on other health-related legislation, including childhood nutrition and the pursuit of national health insurance programs. Although he is not a member of the Senate Committee on Finance, his stature is such that he has consistently made a difference in setting priorities for tax legislation and funding.

Yet all of this – plus his work in the field of immigration legislation, his steady support for the full participation and advancement of women and minorities in our society, and his more direct work on behalf of the Commonwealth of Massachusetts – all of this gives us only an inkling of the major role he plays in our national public life. That is because a tally of his specific accomplishments and official positions doesn't really convey what seem to me to be his most important contributions.

Senator Kennedy, true to the tradition of his family, has always approached his work as if there were more to do than could be accomplished, and far too little time to do what might be attempted. Managing legislation on the Senate floor or in conference is not an activity that lends itself to portrayal in terms of the bold, broad strokes and utterances associated with heroic political leadership. As we know, it is a process that is saturated with details, that depends on the cooperation and agreement of many people, that requires months and months of patience and perseverance, and that often results in legislation so complex that the public may not recognize its significance.

Under such conditions, many members of Congress – even excellent members – are pleased if they are able to pass any legislation at all. What is rare about Senator Kennedy is his extraordinary intuition, guided by deep conviction: an intuition that enables him to sense where the critical issues and the large opportunities really lie, waiting to be realized and turned into action. He is practical, he gets things done, but he doesn't see politics as merely the art of the possible. Instead, he presses more forcefully to see what might *conceivably* be possible if our angle of vision were

shifted, if some of the apparently fixed points were moved. Walter Bagehot once remarked that "the great pleasure in life is doing what people say you cannot do." Approaching life from this vantage point does change our sense of its probabilities, and that is exactly what Senator Kennedy does as a matter of course.

If you had asked me a year ago what the odds were of passing the Higher Education Reauthorization Act with all the major provisions I described earlier – especially those related to need-based aid – I doubt I would have given the idea more than a 25 percent chance. It simply didn't seem to me as if it could be done. But the Senator saw that it just perhaps *might* be done – and it was.

There is one last point that I would like to make. So much of what Ted Kennedy achieves is the result of a commitment not to a set of abstract ideals or goals but to actual people and their welfare, to individuals and their daily lives, to the ways in which things can be made better for everyone. On a purely personal note, I remember that one of the first telephone calls I received after being appointed last year came from Ted. He was calling from his car, having just left a meeting. It was 11:30 at night. He simply wanted to congratulate me, to say hello, and to say how much he looked forward to meeting Angelica and me. We were still feeling slightly like displaced persons, and the call gave us very much the sense that there was someone at the other end of the telephone line who had not only sent a genuinely friendly greeting, but who was ready to help out if needed.

I am certain that Ted has touched countless other people in the same way. In this respect, he shares some of the qualities that were once described by Isaiah Berlin in an essay about an American political leader from an earlier era:

> *[He evoked] an obscure feeling on the part of the majority of the citizens ... that he was on their side, that he wished them well, and that he would do something for them.... He showed that it was possible to be politically effective and yet ... human.*[1]

1 Isaiah Berlin, *Personal Impressions* (New York: Viking, 1981), 28, 31.

Contributing to the Life of Our Community

Boston Chamber of Commerce Speech
September 29, 1999

I WOULD LIKE, in the time available to me today, to say something about our common purposes: how Harvard (as well as other universities and colleges) and Boston work together, and contribute significantly to one another. And I will do this by focusing on just three questions.

First, what are some of the most important ways in which Boston makes a major difference to my own university's well-being, including some of the less obvious ways that we often overlook?

Second, what can Harvard and other universities contribute to the city and region, especially economically, but also in other ways?

And finally, given the fact that all of our different institutional fates are linked to one another, because many of our institutions have been here a long time and most of us expect to stay – what are some of the common problems we now face, and what are

some of the concrete ways that we can continue to work together in the future?

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Let me begin by saying that, fortunately, a great deal has changed in the relationship between Boston and Harvard over the past decades and even centuries. For instance, when Benjamin Franklin started out as a young Boston reporter in the early 1700s, nothing gave him more pleasure than writing articles excoriating Harvard. Franklin said our eighteenth-century students were rich, vain, lazy, arrogant, and not worth any of the time and money lavished on them. None of our present-day newspapers would ever engage in anything like this kind of behavior.

Life for Harvard presidents was apparently not all that cheerful, either. The University managed to go through quite a large number of them at a few points in its earlier years. I am sure the members of the faculty were as soft-spoken, uncontroversial, and modest then as they are now, so that could not have been the source of difficulty.

If Harvard had its problems, Boston itself, at least in the eighteenth and nineteenth centuries, was not necessarily all that it is now. In 1788, a French visitor to Harvard noted with satisfaction that the University was far enough distanced from the big city to escape what he called "the contagion of licentious manners common in commercial towns." Seventy-five years later, however, modern transportation had dramatically changed the situation. In 1863, President Thomas Hill lamented the fact that "the passage of horse-cars to and from Boston, nearly, if not quite, a hundred times a day, has rendered it practically impossible for the government of the College to prevent our young men from being exposed to the temptations of the city."

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There will always be people who bewail the present, and prefer

the past. But in the case of Boston and Harvard, my own view is that any serious look at the historical record suggests that, for all our current problems and challenges, the health, well-being, and general state of our institutions, and their interrelationships, are in fact far better than ever before.

I want to elaborate a bit more on this point, because it relates directly to the first question I posed earlier: what are some of the chief ways – not always the most obvious ones – in which Boston makes a major difference to the well-being of Harvard?

First, it matters that there is a strong civic society here, a sense of pride about the city, and the urge to be involved in its life. All of you care about and create the economic health of the city and region, and you have created a modern economy that is as enviable as it is impressive. You also care about the vitality of Boston's not-for-profit sector. And you give with amazing generosity your time, effort, advice, and financial help toward keeping all our institutions in an extraordinary state.

It also matters that we have an enlightened, progressive, and strong city government, with a mayor who has clear priorities, and who is willing and able to act effectively. This is vital. We know only too well the plight of many cities around the country where leadership is sorely lacking, and where the results are painfully visible.

Next – and here I want to mention some intangibles – we need to remember that Harvard is by design a residential university, which brings students and faculty and others here from all over the country and the globe. That means we depend critically on an environment which is attractive and welcoming. Our students, faculty, and staff come here to live, and they want to live in a place that is in different ways appealing and stimulating.

From this point of view, Harvard, along with our other local colleges and universities, enjoys advantages that are clearly unsurpassed, and largely unrivaled. We are able to draw, disproportionately, the most talented people to the University for many

reasons, but one of them is unquestionably the fact that from Harvard Square to Copley Square we are fortunate to be surrounded by a vital and robust urban environment that is inviting, interesting, humane, and responsive. There is no way to place an exact value on this intangible (but crucial) factor, but, I can assure you, it is a very high value indeed.

It also matters that there is a real mix – a real diversity – of people and neighborhoods in Boston: that there is a North End, a South End, a Chinatown, a Roxbury, and so many other strong, distinctive communities.

This means that people from the University (who are themselves very diverse) can be in touch with people throughout the city from all backgrounds and walks of life. That kind of interaction is one of the most important characteristics of our society – and Boston fosters it and embodies it in action.

Let me mention just one statistical indicator of how the larger Boston environment can help draw people to Harvard. In undergraduate admissions, we have a term called the "yield rate": that is, of all the offers of admission that we make for places in the freshman class, how many accept our offer, and how does that compare with the yield at other major universities?

The answer is just about 80 percent – four out of five – accept our offer, a far higher percentage than our closest rivals, and nearly 10 percentage points higher than Harvard itself had in 1990. Part of this extraordinary yield rate may have something to do with Harvard and its educational programs. But I have no doubt at all that the City of Boston and the whole area in which we are located also play a very significant role in producing our powerful results.

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I want now to focus on some of the ways that I believe Harvard can and does contribute to Boston and other neighboring communities. I do this not to claim any credit, but to emphasize that

we consider ourselves to be active partners in the community, and that we care about its well-being.

This week, we have released the first comprehensive directory of public and community service at Harvard University. Even a glance at the document conveys how strongly our students and faculty feel that a deep commitment to our cities is a major part of their education. I won't take you through the more than 240 public service programs now in operation at Harvard. Just a few highlights:

First, more than two-thirds of all Harvard undergraduates choose to do some significant form of uncompensated, purely voluntary, and often quite demanding public service work each year in Boston, Cambridge, and other local communities. And a very large number of our professional school students – in business, law, divinity, education, public health, medicine, government, and other fields – do at least as much.

These initiatives range from a very serious English language program for recent Southeast Asian immigrant children, to a special public-school enrichment program, to an imaginative and effective project called "Peace Games," started by Harvard students, which has enrolled literally hundreds of elementary school students in a creatively designed program of violence prevention and conflict resolution. In addition, there are the Jimmy Fund, Arts Boston, and several other major efforts.

Meanwhile, the Law School operates significant legal clinics, including the Hale and Dorr Legal Services Center in Jamaica Plain, which provides legal representation to more than 2,500 clients every year.

Our School of Education is part of the Fleet Leadership Development Initiative, working with Boston public schools. And, of course, Phillips Brooks House has a whole array of volunteer programs that have been functioning throughout this past century.

If we were to visit hospitals, elderly care facilities, schools, youth centers, churches, and many other organizations around

the metropolitan area, the chances are quite high that we would meet Harvard volunteers – at different times of the day – in a good number of them.

Or, to put it another way, we estimate that about half a million volunteer public-service hours are contributed every year, mostly in Boston and Cambridge, by our undergraduate students alone. If we add graduate students, faculty, and staff hours, it is likely that the figure would be more in the range of a million hours per year.

All of this is important for the spirit of service that it represents. But it also does add up to something very substantial in purely quantitative and practical terms – a concrete contribution on the part of many committed and trained volunteers, from all parts of Harvard.

A second contribution is much more in line with our traditional educational mission, but the level of our investment is now much higher than ever before, and the potential for positive results is also so much higher. Nearly all the fields of the basic sciences, applied sciences, and health sciences are at a point of unprecedented development, and we are already in the early stages of the greatest era of discovery and socially significant applications that the world has ever known.

The potential importance to our society is incalculable – whether measured in terms of further economic development, international competitiveness, or of gains in human health, in education, and in many aspects of the quality of ordinary daily life.

But these gains cannot be realized without very substantial investments – in laboratory space, equipment, research funds, faculty, students, staff, and in the whole process of how we teach and how we learn. For Harvard, such investments will include (in the next four to six years) full operation and staffing of our computer science building; more faculty and growth in other applied areas such as materials science and bioengineering; new major interdisciplinary science centers in genomics, neuroscience, and other important areas; major investments in a new research

building at the Medical School; coordinated cancer research at the Medical School in collaboration with the Dana-Farber Cancer Institute and the major teaching hospitals; and major new initiatives in infectious diseases (among other areas) at our School of Public Health. And this is only a partial list.

These are investments that the University needs to make in expanding knowledge, in the cure of disease, and in the discovery of devices and technologies that can lead to the creation of new industries – and finally to the education of exceptional individuals and leaders who can help to forge our future.

We know that a very large portion of the total dollars invested will be spent here, and that will be good for the local economy. We hope, in addition, that the total effort will also add to Boston's already great strength as a leader in research in many fields: in health care, financial services, and technology, among others.

Harvard recently commissioned a study by an outside agency to examine the University's relationship to the Boston-area economy: it is clear that higher education is an economic colossus in Boston – and Harvard plays a large role.

First, we are the area's second largest private employer. We have about 15,000 permanent employees, and just over 80 percent of them live in the Boston metropolitan area. These are talented people; they contribute in many ways to the life of our community; and they tend to spend their earnings, and pay their taxes, right here.

Second, we estimate that the University itself spent about $1.15 billion on payroll, goods, and services in the metropolitan area over the last year – a considerable help to many local businesses, companies, and suppliers of all kinds.

Third, most of the University's annual revenue – about $1 billion of our total operating budget of about $1.8 billion – comes into the state from outside. In other words, we import significant capital in the form of government and other research grants, annual gifts, and student fees, among other things. And that $1 bil-

lion is of course spent here, and helps the economy in any number of ways. Harvard is certainly not alone in this respect, but the level of net inflow is simply very high compared to other institutions.

So this is important "business" for Boston. Even more interesting, however, are the dynamic connections between Harvard, higher education, and the rest of the economy – the "knowledge economy" that we are building together.

A recent study by the Progressive Policy Institute finds that among the nation's fifty states, Massachusetts is the "farthest along the path to the new economy": first in percentage of workforce employed in "knowledge jobs," and also first in "capacity for innovation." The dense concentration of colleges and universities we possess is in this sense our premier regional asset. We should be doing all we can to leverage it further. That will require broad conversations across all sectors: education, business, government, and community.

We will also need to work in partnership to meet serious threats as they present themselves, and there are several.

Boston's major teaching hospitals are facing deficits of truly critical proportions, largely because of the steep and progressive federal cuts in Medicare reimbursements. These cuts were mandated by the Balanced Budget Act of 1997, and they are continuing, deeper and deeper every year, in spite of the fact that the federal budget has long since been balanced. Altogether, these cuts are estimated to cost Massachusetts hospitals an estimated $2 billion cumulatively, and they are already producing critical financial situations in several of Boston's major hospitals. We have to turn this situation around. Many are helping. But there is a long way still to go.

Dr. Joseph Martin, Dean of the Harvard Medical School, has been working hard on this issue, and Harvard recently made a special increase in endowment spending to help cover the costs of teaching at the Harvard-affiliated hospitals. This predicament has placed several of our major public institutions – irreplace-

able, and unsurpassed in quality – at serious risk. They need all the help that we can collectively give them.

Finally, the affordable housing issue also needs more (and continuing) attention. Just yesterday, at a ceremony Mayor Menino and I attended, Harvard transferred ownership of 775 units of high-quality, affordable housing to the non-profit Roxbury Tenants of Harvard association in Mission Park. And we have recently committed to build an additional large graduate-student housing complex, in order to increase the already large proportion of Harvard students whom we ourselves house. More joint efforts and initiatives can and will be undertaken, here and in other areas.

So let me say that I believe stronger and better partnerships can and must be created among the private sector, government, and our not-for-profits, including Harvard. Each of us may be involved with just one institution, or perhaps a few. But we all know that, fundamentally, communities do not work, cities do not work, and each of our own separate institutions will not work, unless we have a large shared vision and design, and a commitment to doing what each of us can appropriately do, working together. I think there is a genuine opportunity at the moment for us to step back, think more strategically about the future, take a long view, and do even better than we are already doing.

Let me conclude by thanking all of you – and the City of Boston – for the many ways in which you help and support Harvard. I want to say again how much the University is committed to continuing the kinds of contributions it is already making, while also finding ways to do more.