

# Yale Law School

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**September 12, 2016**

**To:** Residential College Students  
**From:** John Witt (TD '94), chair of the Committee to Establish Principles on Renaming  
**Re:** Renaming Principles Conversations

This summer, President Salovey created a Committee to Establish Principles on Renaming and charged us to come up with principles to govern building renaming decisions on campus. In the next several weeks, members of the committee are coming to residential colleges for a series of conversations to learn what *you* think would be good principles for renaming.

Our question is a distinctive one: What ought the principles be for deciding whether to rename a historical building? Attached here are materials about recent debates over names and symbols that have happened at Princeton, the University of Oregon, and Harvard Law School. They are the kinds of things the committee is reading as we begin our work.

We hasten to add that there are lots of ways to interact with our committee, even if you do not or cannot attend the conversation in your college.

- You can send us messages at <http://president.yale.edu/advisory-groups/presidents-committees/committee-establish-principles-renaming/email-committee>.
- We will have a public forum on Monday, September 26 from noon to 1:30, in the Law School, room 120, featuring decisionmakers who have dealt with recent questions of naming and symbolism at leading American universities.
- We will be hosting drop-in office hours in early October in which people can come and sit down with members of the committee and share their views on our own naming debate. Stay tuned for details!
- Last, but definitely not least, we are lucky to have an outstanding undergraduate representative on our committee: Dasia Moore (PC '18) is open to all your input as well. Dasia will host an open hour for individual or small group discussion every Friday from 1 to 2:00 p.m. in the Pierson common room. You can also email her at [dasia.moore@yale.edu](mailto:dasia.moore@yale.edu).

I very much look forward to getting the chance to learn what you think about this important question. See you in the colleges!

**jfw**

## **Report of the Trustee Committee on Woodrow Wilson's Legacy at Princeton**

In November 2015, the Princeton University Board of Trustees appointed a special committee to consider the legacy of Woodrow Wilson at Princeton. The committee was appointed in response to heartfelt concerns by students and other members of the campus community about the veneration of Wilson on campus, especially in light of increased awareness of his views about race; of particular concern are the position he took as Princeton's president to prevent the enrollment of black students and the policies he instituted as U.S. president that resulted in the re-segregation of the federal civil service. Because the Board of Trustees has authority over decisions about the naming of University facilities and programs, the special committee was asked to consider whether changes should be made in how the University recognizes Wilson's legacy, and specifically whether the school of public and international affairs and the residential college that bear his name should continue to do so.

In the course of a thorough and wide-ranging review, it became clear that the controversy surrounding Wilson's name was emblematic of larger concerns about the University's commitment to diversity and inclusivity – a commitment that in our view is fundamental to Princeton achieving its mission of teaching, research, and service. It was also emblematic of a failure to acknowledge the pain and sense of exclusion that many people of color have experienced, and in some cases continue to experience, on our campus, partly because of the narrow lens through which the University presents its history.

The committee acknowledges that over the course of Princeton's 270-year history, there have been people connected to the University – influential alumni, generous benefactors, and celebrated professors – who have espoused views that are antithetical to our values today. We recognize that the continuing presence of their names on campus may be discomfiting to many, and offensive to some. Our responsibility as trustees is to ensure that the University remains vigilant in placing these representations into a much fuller context and that these representations do not become barriers to the pursuit of our goal of increased diversity and effective inclusion. It was with this understanding that the committee undertook its deliberations.

For reasons that are presented later in this report, the committee recommends that both the Woodrow Wilson School of Public and International Affairs and Woodrow Wilson College should retain their current names and that the University needs to be honest and forthcoming about its history. This requires transparency in recognizing Wilson's failings and shortcomings as well as the visions and achievements that led to the naming of the school and the college in the first place. Even more important, in the committee's view, is a strong reaffirmation by the Board of Trustees of the University's commitment and determination to be a place that is truly diverse and inclusive, one that embraces, respects, and values all members of its on-campus and alumni communities.

Later in this report we propose some steps to achieve these goals more fully. One of these steps is the designation of a subcommittee of the board's Executive Committee as a Special Committee on Diversity and Inclusion to ensure regular and active trustee attention to these issues. Other steps include establishing a high-profile pipeline program to encourage more students from underrepresented groups to pursue doctoral degrees; modifying Princeton's informal motto; encouraging and supporting a broad range of education and transparency initiatives; and diversifying campus art and iconography.

## **The Committee**

The ten-member special committee was chaired by Brent Henry '69, vice-chair of the Board of Trustees, and included trustees A. Scott Berg '71, Katherine Bradley '86, Denny Chin '75, Angela Groves '12, board chair Kathryn Hall '80, Robert Hugin '76, Robert Murley '72, Margarita Rosa '74, and Ruth Simmons HD 1996 (former president of Brown University). Like the board itself, the committee included members with diverse backgrounds and perspectives.

## **The Process**

The committee created a website (<http://wilsonlegacy.princeton.edu>) to collect observations and opinions about Wilson and his legacy. At the committee's invitation, nine scholars and biographers with relevant expertise posted their understandings of Wilson and his legacy on the website. Committee members met with the Alumni Council Executive Committee and the Council of the Princeton University Community (CPUC), which includes undergraduate students, graduate students, faculty, staff, and alumni, and they conducted a two-hour open forum in Richardson Auditorium on the Friday prior to Alumni Day, which included active participation by a number of the students who had pressed so strongly for this review. The committee also convened a total of 11 on-campus small group discussions in late January and mid-February in which more than 80 students, faculty, staff, alumni, and others participated. These discussions gave members of the committee opportunities to hear directly from people who held a range of views and offered a number of highly constructive suggestions, while also giving participants in the discussions opportunities for dialogue among themselves and with members of the committee.

The committee considered articles and letters about Wilson and his legacy that appeared in a variety of publications, including the *Princeton Alumni Weekly*; kept abreast of similar conversations about naming at other colleges and universities, including Yale, Harvard, Amherst, and Oxford; and engaged in countless conversations outside the formal process. The committee held nine meetings, some in person and some by conference call, between early December and late March, to share information, exchange views, deliberate, and eventually develop its recommendations for the full board.

### *Submissions through the Website*

The committee received more than 635 submissions through its website. They came from undergraduates, graduate students, faculty, staff, alumni of all ages, and members of the general public. Almost without exception, they were thoughtful and appreciative of the opportunity to comment and to learn more about Wilson. They expressed a range of perspectives and suggestions regarding Wilson and his legacy and the naming of the school and the college. Many commented on their own campus experiences or the experiences of others who have not felt truly welcomed at Princeton. A number accepted the committee's invitation to comment on how the University should think about broader questions related to the representation of historical legacy and naming.

Many noted how little they knew about Wilson prior to this set of conversations and how eye-opening it was to learn more about his legacy at Princeton and beyond, especially with regard to issues of race. Some noted that they had long known of Wilson's views and were pleased to see a growing recognition of why some members of the community would object so strongly to the continuation of Wilson's venerated status on campus. Commenters on all sides appreciated the opportunity to participate in an informed, candid, and – many would say – long-overdue conversation about Wilson and his legacy.

A minority of those who commented advocated for changing the name of the school, the college, or both. Even though we eventually came to a different judgment, we acknowledge the passion and thoughtfulness of the arguments they advanced. In most cases, those who advocated change concluded by saying two other things: they emphasized the importance, if the names were retained, of telling Wilson's story more fully and honestly; and they made it clear that the discussion about Wilson's name raised deeper issues about the nature of Princeton as a truly welcoming and inclusive community. Many who advocated for retaining Wilson's name on the school and the college also maintained that Princeton should offer a more honest portrayal of Wilson and express a renewed commitment to diversity and inclusivity. We thank all who took the time to share their views with us through the website.

### *Scholars and Biographers*

This has been a learning experience for the committee and for the University community. We have learned from each other and from the many views that have been presented; and we are especially grateful to the nine expert scholars and biographers who accepted our invitation to inform and shape our conversation. Their comments made it clear that Wilson had a transformative impact on the University, the country, and the world. It is also clear that he held racist views and took or permitted racist actions. In citing and remembering Wilson, Princeton has venerated him in a way that has not been forthcoming or transparent about this harmful aspect of his legacy.

While we encourage all who are interested in Wilson's legacy to read the submissions from the scholars and biographers on our website, we want to recount some of the basic components of his legacy, some of which we admire, but some of which we deplore.

Wilson was an undergraduate in the Princeton Class of 1879 and a faculty member for twelve years before becoming the University's 13<sup>th</sup> president in 1902. His impact on Princeton as president was profound and enduring, as he transformed an intellectually lethargic campus into a renowned institution of higher learning. Many leading colleges and universities of his time adopted his reforms, and many of them flourish to this day: he raised academic standards and established a modern administrative and departmental structure; he revised the undergraduate curriculum around a concept of distribution requirements followed by departmental specialization, while also introducing independent work for seniors; in an effort to stimulate original thought over rote learning he introduced the preceptorial system, for which he garnered trustee approval to hire 50 dynamic young teachers and scholars as preceptors, at a time when the entire faculty numbered just over 100; he promoted the library and art museum as teaching instruments, and he hired the first Jewish and the first Catholic faculty members; and he sought unsuccessfully to replace the socially exclusive eating clubs with a system of residential quadrangles that would have incorporated many of the features of today's residential colleges.

Despite some efforts to make Princeton more inclusive and diverse, Wilson indisputably opposed the idea of admitting black students to the Princeton of his time. He noted on one occasion that "the whole temper and tradition of the place are such that no negro has ever applied for admission." When a black student in 1909 did inquire about attending, he replied "that it is altogether inadvisable for a colored man to enter Princeton."

As U.S. President, Wilson created the Federal Reserve System and the Federal Trade Commission; instituted tariff reform and the modern income tax; enacted the first federal laws to establish the eight-hour workday and restrict child labor; appointed the first Jewish justice, Louis Brandeis, to the Supreme Court; and fought for and won passage of the nineteenth amendment, which granted suffrage to women. He reshaped governmental processes and recalibrated relationships between the President and the Congress in ways that continue to this day. He led the nation during World War I and sought through his proposed League of Nations to set in motion what was described as "the one great idea of the [twentieth] century in the field of international relations, the idea of an international organization with permanent processes for the peaceful settlement of international disputes." In 1919 he received the Nobel Peace Prize.

At the same time he presided over an expanded and formalized segregation in the federal workplace that went well beyond what it had been when he entered office, especially in the two departments with significant numbers of black employees (the Treasury and the Post Office), an action that one historian said "devastated not only careers but also the very foundation of full citizenship for African Americans." Some historians fault him for his curtailment of civil

liberties during World War I, for sending troops to a number of Caribbean and Latin American countries, and for bringing his racial views to issues of foreign policy.

## **The Wilson Name on Campus**

### *Woodrow Wilson School of Public and International Affairs*

Princeton established an interdisciplinary undergraduate school of public and international affairs in 1930. While there is evidence from the beginning that those who donated funds and developed the school's academic program intended that it be named for Wilson, formal trustee action did not occur until January 1935, when the trustees adopted a resolution calling for the school to bear Wilson's name in recognition of his service to the University, the country, and the world. The resolution called for constructing a building to house the school and authorized fundraising for an endowment. After adopting the resolution, the trustees agreed that this action "should not be given any publicity whatever" to allow fundraising and other planning prior to any public announcement. Progress was slowed by the dislocations on campus during World War II, so the formal announcement of the naming of the school was not made until 1948, when the school's graduate program was established. President Harold Dodds called the naming of the school "a natural and fitting memorial" to Wilson, saying that Wilson "expressed in one sentence ... the central truth to which instruction in this school is dedicated: 'We are not put into this world to sit still and know; we are put here to act.'"

After being located at various times in Dickinson Hall, Whig Hall, and the former Arbor Inn eating club (now 5 Ivy Lane), the school moved into its first permanent location in 1952, a red brick building at the corner of Prospect Avenue and Washington Road that was known as Woodrow Wilson Hall. In the late 1960s that building was relocated and renamed Corwin Hall, and a new building, Robertson Hall, was constructed to house the Wilson School. While the school is named for Wilson, there is no longer a building named for Wilson in connection with the school or in connection with Wilson College.

### *Woodrow Wilson College*

The origins of the naming of Wilson College are well recounted on the Wilson College website: <http://www.princeton.edu/wilsoncollege/wilsonia/wilson-college-origins-ti/>. The account begins with Wilson's revision of the academic structure of the University by introducing departmental concentrations and precepts and his proposal to reorganize undergraduate social and intellectual life by replacing the eating clubs with residential colleges, each with its own dining hall, common room, resident faculty leader, and resident preceptors. In December 1956, President Dodds approved the opening of a small facility adjoining Madison Hall (now part of Rockefeller College) for use by a dozen members of the Class of 1959 who wanted to create an alternative to the eating clubs. The students came to refer to this alternative as Woodrow Wilson Lodge. In 1959, ten percent of the Class of 1961 joined Wilson Lodge. When the dorms known as the "New Quad" (now associated with Wilson College) opened in 1961, the students in

Wilson Lodge moved there and renamed themselves the Woodrow Wilson Society. In 1967, a faculty member, Julian Jaynes, then serving as master-in-residence of the Wilson Society, proposed the transformation of the Society into Wilson College, with membership open to students in all four classes.

At a trustee meeting in January 1968, President Robert Goheen reported that a group of some seventy sophomore independents, along with about 50 members of the Wilson Society, were interested in establishing a residential college in and around Wilcox Hall. According to the minutes: “This would be moving toward the college or house pattern, using one or more of the quadrangles near Wilcox Hall with the name, ‘Wilson College.’ ... Such a recasting and rejuvenation of the Wilson Society effort is much to be desired.”

#### *Woodrow Wilson Award*

One other prominent use of Wilson’s name at Princeton is the Woodrow Wilson Award, presented each year on Alumni Day as the highest distinction the University can confer on an undergraduate alumnus or alumna. The award was established in 1956 when the trustees accepted an endowment gift from an anonymous donor, resolving that they intended it to be an “ever-living recognition of Woodrow Wilson’s conviction that education is for ‘use’ and as a continuing confirmation by Princeton University of the high aims expressed in his memorable phrase, ‘Princeton in the Nation’s Service.’” That phrase is preserved today as part of Princeton’s informal motto, which was amended in 1996 to “Princeton in the Nation’s Service and the Service of All Nations.”

#### *Other Uses of the Wilson Name*

The committee requested an inventory of other uses of the Wilson name at Princeton and found the following: a Woodrow Wilson Professorship of English (established by a donor in 1926); a Fellowship of Woodrow Wilson Scholars program in the Graduate School that was established in 1994 upon the dissolution of the free-standing Woodrow Wilson Foundation; a Woodrow Wilson Foundation Book Award Fund (also created upon the dissolution of the Woodrow Wilson Foundation) that the University administers for a prize that is awarded by the American Political Science Association; and the Woodrow Wilson Honorary Debate Panel at Whig-Clio that administers yearly debates.

### **Findings and Recommendations**

For Princeton’s first 200 years, its student body was almost entirely white and male, as was its faculty and staff. There was intentional discrimination against Jewish applicants and very little presence of international students. Princeton began to take modest steps toward diversification after World War II; in 1947 and 1948, it presented its first undergraduate degrees to black students who had initially arrived on campus through a program sponsored by the U.S. Navy. It began to admit a small number of black and other minority students; adopted a need-

based financial aid program; and enrolled returning veterans under the GI Bill. But it was not until the 1960s, under the leadership of President Goheen, that Princeton finally became coeducational (first at the graduate level and then at the undergraduate level) and began to make a determined effort to become more diverse and inclusive.

Fifty years later there is evidence of progress. The undergraduate student body this year includes 48% women; 11.8% international students; and 42.5% American minorities (7.6% African American, 0.1% American Indian, 21.5% Asian American, 9.2% Latino/Hispanic, 4.0% multiracial non-Hispanic, and 0.2% Pacific Islander). Princeton has a thriving LGBT center and a highly regarded Center for Jewish Life. There are many curricular and extracurricular offerings that reflect this increased diversity; for example, last year the trustees approved the creation of a department of African American Studies, and in our recently adopted strategic framework we recognize the need for the University to add to its scholarly strength in the study of key regions and cultures in the contemporary world. In recent years the Alumni Association has sponsored a number of very successful conferences on campus for black, Asian and Asian American, LGBT, women, and graduate alumni, and there are conferences planned for Jewish alumni this spring and for Latino/Latina alumni next year. These conferences have helped to connect and engage alumni who in many cases did not experience Princeton as fully welcoming to them.

Despite the progress that has been made, much remains to be done. Two years ago the trustees adopted a report from a committee on diversity that was chaired by trustee Brent Henry and then-psychology professor and now dean of the faculty Deborah Prentice that identified the need to make much greater progress in diversifying the faculty, our graduate student population, and the senior administrative staff (<http://www.princeton.edu/reports/2013/diversity/>). Last year, a Special Task Force on Diversity, Equity and Inclusion, under the auspices of the CPUC, made recommendations to improve policies, practices, and programs in six key areas: the student experience; addressing bias, discrimination, and harassment; academic and curricular offerings; learning about diversity and equity outside the classroom; access to and use of data; and public programming (<http://www.princeton.edu/vpsec/cpuc/inclusion/>). The University began implementing some of the recommendations immediately and continues to monitor all of them. Other initiatives were undertaken beginning this past fall. There is central coordination of all of these efforts through the provost's office, and progress is reported through that office's "Inclusive Princeton" website (<http://inclusive.princeton.edu>). We urge the administration to continue to implement these and other measures, and to monitor progress toward achieving greater diversity and inclusivity in every aspect of the life of the University.

### An Unwavering Commitment to Diversity and Inclusion

Included in the strategic framework that the trustees adopted in January 2016 is a mission statement that expresses "a commitment to welcome, support, and engage students, faculty, and

staff with a broad range of backgrounds and experiences, and to encourage all members of the University community to learn from the robust expression of diverse perspectives.”

In view of this, the most important recommendation we make is for a renewed and expanded commitment to diversity and inclusion at Princeton. What is needed is nothing less than a change in campus climate that elevates Princeton’s commitment to diversity and inclusion to a higher priority. We recognize that this will require multiple initiatives on many levels, and it will require the support and active engagement of all members of the Princeton community. Princeton aspires to be a university where people of all backgrounds and perspectives are welcomed, valued, and respected; where they learn with and from each other; and where all feel that the Princeton they attend is their Princeton.

The committee recommends that the board re-commit to making Princeton a more diverse, inclusive, and welcoming community through regular and persistent oversight of policies, programs, and other initiatives that help to achieve these goals. We encourage members of the University community to think creatively and expansively about ways we can make further progress; and we urge the board to recognize the importance of providing the resources necessary to achieve meaningful changes in campus climate and culture.

#### A Special Trustee Committee on Diversity and Inclusion

Given the strong trustee interest in these areas, we call upon the board’s Executive Committee to establish a subcommittee designated as the board’s Special Committee on Diversity and Inclusion to monitor progress in these areas on a regular basis and bring issues to the full board for its consideration as needed. Many of the most important initiatives fall within the purview of the committee on Student Life, Health, and Athletics and the committee on Academic Affairs, and we propose that the Special Committee include the chairs of those committees. Other initiatives are more cross-cutting or fall outside the jurisdiction of existing committees. The establishment of this special committee will help to ensure that the board continues to focus on the University’s overall progress as well as on progress in specific areas of concern.

#### Further Actions

In addition to encouraging redoubled efforts and more regular accountability to achieve greater progress in reaching higher levels of diversity and inclusion, our committee recommends further steps in four areas.

#### *Establish a High-Profile Pipeline Program to Encourage More Students from Underrepresented Groups to Pursue Doctoral Degrees*

Dean of the Faculty Deborah Prentice recently described for the CPUC and the trustees the frustratingly slow progress that has been made at Princeton and its peer universities in

diversifying the ranks of faculty, graduate students, and post-docs, despite significant and sustained efforts and the commitment of substantial resources. Efforts to increase diversity in all these ranks must begin at the graduate student level, as today's graduate students will become tomorrow's post-docs and faculty. When we asked where Princeton could play a transformative leadership role in addressing this issue, President Eisgruber proposed that the University create a new, high-profile, graduate pipeline program to encourage and equip more students from underrepresented groups to pursue doctoral degrees at Princeton and at other leading universities. The program would draw inspiration from successful existing programs at the undergraduate level, including our Princeton University Preparatory Program and our Freshman Scholars Institute, as well as the external Leadership Enterprise for a Diverse America (LEDA) program, which identify exceptional high school students and provide the mentoring and educational experiences (including a summer on the Princeton campus) they need to aspire to and succeed at many of the nation's leading colleges and universities. The new pipeline program would identify highly qualified undergraduates from a broad range of colleges and universities and encourage and prepare them to pursue doctoral degrees. This program would complement other expanded initiatives at Princeton – such as the Princeton Summer Undergraduate Research Experience (PSURE) and ReMatch (Research Matching) – to provide opportunities for students from diverse backgrounds to gain research experience, mentorship opportunities, and an understanding of how graduate school works: all extremely valuable when applying to Ph.D. programs.

We believe such a program would address crucial needs at Princeton and nationally, and that it would represent a meaningful step toward diversification at the graduate school, post-doc, and faculty levels. We encourage the president and his colleagues in the administration and the faculty to proceed with the planning necessary to allow Princeton to implement a program of this kind as soon as feasible.

### *Modify Princeton's Informal Motto*

One of the ways in which Woodrow Wilson is associated with Princeton is through the University's informal motto, which originated with Wilson's address at Princeton's sesquicentennial in 1896. Every time the motto is used, it evokes Princeton's association with Wilson, but it also evokes an aspiration to service that is a fundamental component of Princeton's mission. In 1996, at the celebration of Princeton's 250<sup>th</sup> anniversary, President Harold Shapiro proposed that the motto be updated to reflect Princeton's growing international presence; and the expanded motto – Princeton in the Nation's Service and the Service of All Nations – was engraved in a plaque that is prominently situated on the front campus.

Upon receiving the Woodrow Wilson award in 2014, Supreme Court Justice Sonia Sotomayor '76 suggested revising the motto so that it focused less on service to nations and more on service to humanity. Her proposal echoed the comments of others over the years who have objected to the limitation of aspiring only to the service of nations, and who have asked whether the University's aspiration was truly to be in the service of *all* nations.

We propose modifying Princeton's informal motto to "Princeton in the Nation's Service and the Service of Humanity." We do so for two compelling reasons. One is that it captures Princeton's mission to serve the public good through teaching, research, and service that make a positive difference in the lives of people in this country and throughout the world. But it also permits the University to recast the front campus plaque, allowing it to reflect both the time-honored aspiration stated by Woodrow Wilson and the forward-looking aspiration stated by Justice Sotomayor. The new plaque would contextualize the legacy of Woodrow Wilson; it would allow us to contemporize his expression of Princeton's commitment to service by linking it to our embrace of the coeducational, multi-racial, multi-ethnic, diverse and inclusive composition and ideals of our community today.

We encourage the board to approve this change in the University's informal motto and to authorize the administration to proceed with the replacement of the plaque on the front campus.

#### *Education and Transparency Initiatives*

In citing and remembering Wilson, Princeton has venerated him in a way that has not been forthcoming or transparent about his failings, and especially about his views about race. If the stature and character of Princeton today result partly from reforms that Wilson launched, they likewise benefit from efforts by subsequent generations to repudiate the exclusionary views he espoused. It is critical that one outcome of this process be a much more multi-faceted understanding and representation of Wilson on our campus, especially at the school and the college where his name is commemorated.

The discussion about Woodrow Wilson's legacy has revealed a compelling need for Princeton to provide more opportunities for members of the campus community and others to learn – in courses, lecture series, exhibitions, campus markings, and other ways – about aspects of Princeton's history that have been forgotten, overlooked, subordinated, or suppressed. The University must be more transparent about its historical legacy, especially as it relates to Wilson and especially as it relates to race. We need to acknowledge that Wilson held and acted on racist views and that pernicious racial attitudes and racist actions are part of our institutional history. We also need to focus renewed attention on those who have helped make Princeton a more diverse and inclusive place.

We are pleased that the Wilson School is planning an exhibition and panel discussion this spring about Wilson's legacy; the exhibit, co-sponsored with the Seeley G. Mudd Manuscript Library, will draw on modern scholarship, newly digitized resources, and Princeton's special collections. We encourage additional efforts along these lines, drawing on scholarly resources at Princeton and elsewhere. We encourage the school to install a permanent marker on-site that educates the campus community and others about both the positive and negative dimensions of Wilson's legacy.

Finally, we have greatly appreciated the opportunity over these past few months to think deeply and expansively about issues related to historical legacy, and we encourage the administration and faculty to consider ways in which Princeton could play a leadership role in encouraging similarly expansive thinking about national and international issues related to race, inclusivity, and cross-cultural understanding – perhaps through some kind of global symposium that seeks to shed new light on these persistent and vexing issues. As many have pointed out, the issues that have been raised at Princeton reflect deep currents in this and other countries.

### *Campus Iconography*

Many who shared views with us pointed to the absence of iconography on campus that speaks to Princeton’s aspiration to be diverse and inclusive, which perpetuates (through names on buildings, hangings on walls, campus artwork) a representation of Princeton that is not welcoming to members of the community who come from diverse backgrounds. We encourage the administration to make a concerted effort to diversify campus art and iconography, and to consider the possibility of commissioning artwork that honors those who helped to make Princeton a more diverse and inclusive place, or expresses the University’s aspiration to be more diverse, inclusive, and welcoming to all members of its community.

We also encourage the administration to develop a process to solicit ideas from the University community for naming buildings or other spaces not already named for historical figures or donors to recognize individuals who would bring a more diverse presence to the campus. One specific space on campus that we encourage the Board to consider naming in this way is the atrium in Robertson Hall, which serves as the principal entryway into the Woodrow Wilson School. As trustees, we would welcome opportunities to consider this and other proposals along these lines.

### **The School and the College**

We want to express again our appreciation for the views of those who recommended changing, removing, or in some cases hyphenating the names of the Woodrow Wilson School and/or Wilson College. We considered these views at length, along with the views of others who felt equally strongly about preserving the names. As we said earlier, in many cases those who felt strongly about keeping the names recommended that we be honest and transparent about the ways in which some of Wilson’s views and actions conflict with the University’s aspirations and core values. While there was not unanimity among the members of the committee as to whether the names should remain, in the end our collective judgment was that the names should not be changed, but that proper and transparent contextualization is imperative, and we have called for that contextualization in this report.

Universities must always remain open to change and to evolving articulations of their values and aspirations. The challenge presented by Wilson’s legacy is that some of his views and actions clearly contradict the values we hold today about fair treatment for all individuals,

and our aspirations for Princeton to be a diverse, inclusive, and welcoming community. On the other hand, many of his views and actions – as faculty member and president of this University, as governor of New Jersey and a two-term President of the United States, and as an international leader whose name and legacy are still revered in many parts of the world – speak directly to our values and aspirations for our school of public and international affairs and for the first of our residential colleges.

We believe there is and should be a presumption that names adopted by the trustees after full and thoughtful deliberation, as happened in both of these cases and in the naming of the Woodrow Wilson Award, will remain in place, especially when the original reasons for adopting the names remain valid. There is considerable consensus that Wilson was a transformative and visionary figure in the area of public and international affairs; that he did press for the kinds of living and learning arrangements that are represented today in Princeton’s residential colleges; and that as a strong proponent of education for use, he believed Princeton should prepare its students for lives in the nation’s service. These were the reasons Wilson’s name was associated with the school, the college, and the award.

Contextualization is imperative. Princeton must openly and candidly recognize that Wilson, like other historical figures, leaves behind a complex legacy with both positive and negative repercussions, and that the use of his name implies no endorsement of views and actions that conflict with the values and aspirations of our times. We have said that in this report, and the University must say it in the settings that bear his name.

Finally, we take pride in the diversity of the students and programs that today fill the school and college that bear Wilson’s name. The presence of students, faculty, and staff on our campus today – many of them – who could not have attended when Wilson was president speaks to our commitment to diversity and inclusivity. It is our responsibility, in this age, to expand even further Princeton’s determination to achieve true diversity and inclusivity as core values of this University.

## **Conclusion**

We end this report where we began, by reaffirming our insistence that Princeton be a diverse, inclusive, and welcoming community for students, faculty, staff, alumni, and visitors from all backgrounds and perspectives. We recognize that much work needs to be done to achieve this aspiration, and we encourage the board to provide the oversight, accountability, and resources necessary to make significant progress. We call on all members of the University community to recognize and respect the concerns that led to this re-examination of Wilson’s legacy – concerns that reflect the experiences of members of our community on campus and beyond – and to join in a concerted effort to help the University live up to higher standards of inclusivity and mutual respect. One of the enduring lessons of this reexamination of Woodrow Wilson’s legacy is how much we can learn when we listen deeply to one another, as we have,

and as we need to continue to do. We need to acknowledge both the challenges that confront us today and the shortcomings of our past as we focus together on the Princeton we want to become and the steps we all must take to get there.

Adopted by The Trustees of Princeton University, April 2, 2016

# University of Oregon, Office of the President

## Deady and Dunn Halls - next steps

September 1, 2016

Dear University of Oregon Community,

This letter concerns my recommendation to the University of Oregon Board of Trustees in connection with a demand by some of our students to remove the names from two buildings at the University of Oregon—Deady Hall and Dunn Hall. Prior to announcing my decision, I would like to discuss some of the events that led up to where we are now.

### Introduction

Increasing diversity and inclusion at the University of Oregon are among our most important objectives for achieving excellence in academics, access, and student experience. It is central to our mission and embedded in our [strategic framework](#). As I have repeatedly said and written, we must improve our efforts to recruit and retain faculty members and students from underrepresented groups, especially with respect to African Americans, who have been historically underrepresented on our campus. Only 2 percent of our students are Black or African American; among the members of our tenure-track faculty, the proportion is only 1.6 percent. Neither statistic is acceptable. We cannot and should not hide behind the defense that the state of Oregon has a comparatively small population of African American residents. Instead, this fact should cause us to work harder to recruit African American students and faculty members to the university and then, once here, make them feel included and part of our community.

In November of last year, after the racial unrest at the University of Missouri sparked protests throughout the nation, a group called the Black Student Task Force (BSTF) conducted a march on the UO campus and submitted a [list of 12 demands](#) that focused on how the university could increase diversity and inclusiveness for African American students. Many of the demands are quite reasonable—consistent with our institutional priorities and the [IDEAL diversity framework](#)—and, if implemented, would make our university a better place. Members of our faculty and administration promptly met with members of the BSTF and established 13 separate task forces composed of administrators, faculty members, and students to work on the demands.

In an [April 26 letter to the campus community](#), I stated our commitment to immediately implement six of the demands including (1) expanding efforts to attract and recruit Black students through an African American Opportunities Program, (2) inviting six Black Greek letter organizations to the UO, (3) creating an African American residential student community, (4) creating new African American advisory boards for retention and advising, (5) creating an African American lecture series, and (6) publishing diversity data. We continue to work on remaining demands including committee recommendations to fundraise for a Black cultural center and student scholarships, hire a retention specialist, attract more Black faculty members,

and expand or require curriculum offerings that explore the experience of racial and ethnic minorities in the United States. I expect to make an announcement detailing our progress with respect to these requests in the early fall.

### **The Backdrop to This Recommendation**

This letter concerns the demand by the BSTF to “change the names of all of the KKK related buildings on campus. Deady Hall will be the first building to be renamed.” On December 1, 2015, I convened a committee chaired by Charise Cheney, associate professor of ethnic studies, to seek input from a variety of stakeholders and provide advice concerning the criteria the university might use in deciding whether Deady and Dunn Halls should be denamed. I received the committee report on March 14. I then used the advice of the committee to write a [set of criteria](#) for denaming Deady and Dunn Halls. On May 6, I empaneled a group of [three distinguished historians](#)—David Alan Johnson, professor at Portland State University; Quintard Taylor, professor emeritus and Scott and Dorothy Bullitt Professor of American History at the University of Washington; and Marsha Weisiger, the UO’s Julie and Rocky Dixon Chair in US Western History—to examine the historical record of Matthew Deady and Frederic Dunn and address each of the criteria. The [historians report](#) was delivered August 9 and posted on the president’s website. In an [all-campus message](#), I requested that interested students, faculty members, staff, alumni, and members of our broader community submit their comments and suggestions by August 24 so I could take them into account in making a recommendation to our UO Board of Trustees. Outreach efforts included multiple e-mails to all of our students, faculty members, staff, and alumni; articles on the *Around the O* news website; and contact with members of the news media that resulted in multiple stories about the request for input. In addition, I also sent direct requests for input to members of the BSTF, the Black Student Union, Black Male Alliance, and Black Women of Achievement.

Since August 9, 969 individuals submitted electronic forms voicing their opinions on the denaming issue. Of these submissions, 434 were from students, 186 were from alumni, 143 were from faculty members, 158 were from officers of administration and members of classified staff, and 48 were from other individuals. The participation rate in the comment period by our campus community was much higher than on any other input opportunity at the university in recent history (e.g., tuition, strategic framework, IDEAL). I also received several letters. In addition to these submissions and letters, at least 18 editorials, op-eds, and letters-to-the-editor have appeared in Oregon media on the question of the denaming. I have read each of these submissions and commentaries as well as engaged in conversations with scores of members of the university community.

### **First Principles**

The question of whether to recommend that the Board of Trustees rename Deady and Dunn Halls is one of the most difficult matters I have encountered in my first 15 months as president of the University of Oregon. This is because many of the factors and principles I weighed when applied to the facts were in tension with one another, including (in no particular order):

- Bigotry and racism have no place in our society or our university. Each of us must value each other based upon individual merit and not the color of our skin, the social status of our parents, our gender, sexual orientation, gender identity, religion, or physical or mental ability.
- It is vital that all students at the University of Oregon feel valued and included as part of this institution. This is true for every member of our community, but particular attention needs to be paid to members of groups who often feel isolated and alienated as a result of their chronic underrepresentation on campus and the legacy of racism in this state and nation.
- We must be careful not to obscure our history regardless of whether we like what we find when we study it. The only way we can understand our present and prevent injustice from repeating itself is to study our history and learn from our past.
- The process of naming or denaming a building has symbolic value. But symbols are less important than actions that affect the material circumstances of members of our community.
- Naming a building and denaming a building are not identical actions and should be governed by separate decision-making processes and considerations.
  - Naming a building honors an individual either for exceptional contributions to the university and our society or for exceptional generosity. While extremely meaningful, naming a building occurs regularly and is usually done contemporaneously with, or shortly after, the life of the person for whom a building is named. The very purpose of naming is to establish a durable honor that stands the test of time.
  - Denaming a building, on the other hand, is an extraordinary event and should only occur in very limited circumstances. Many decades may have passed since the person whose name is on a building was alive, and information will typically be less complete than in a naming decision. Contemporary decision-makers will often be limited in their ability to evaluate the behavior of people who lived in circumstances and with cultural mores very different from our own. Denaming is also an act associated with ignominy and the destruction of reputation. We should normally be careful when we do this, particularly because the person involved will seldom be available to defend himself or herself.
  - Finally, denaming threatens to obscure history and hide the ugliness of our past, which is contrary to our institution's values of promoting lifelong learning and sharing knowledge. Therefore, the presumption should be against denaming a building except in extraordinarily egregious circumstances.

## **Dunn Hall**

Frederic S. Dunn was born in Eugene in 1872. He received his AB from the University of Oregon in 1892, a second AB from Harvard University in 1894, and an AM degree from the University of Oregon. He served as professor of Latin until he retired in 1935. For many of those years he was head of the Department of Classics. According to the historians report (pp. 25–26), he was one of the best-known university professors of classics on the Pacific Coast and an active member of the community.

While little is known of Dunn's personal views, it is clear that he was a member of the Ku Klux Klan and served as the "Exalted Cyclops (leader) of Eugene Klan No. 3 in the 1920s. At its peak (1923), the Eugene Klan had an estimated 450 members" (p. 28). While the national Ku Klux Klan had a notorious record of terrorizing African Americans, in Oregon the primary target of the Klan was the Catholic population. During Dunn's period of leadership, the Klan attempted to remove all Catholic officeholders and teachers from their positions. They also campaigned against giving Catholic-run Mercy Hospital a tax exemption as a charitable institution and tried to restrict the activities of the Newman Center, a Catholic student organization located near the University of Oregon campus.

According to the historians report, Dunn "made no secret of his dual role as college professor and Klansman. As the leader of the Klan in Lane County, he would have presided over initiation ceremonies for new Klansmen and participated in numerous Klan parades and rallies in the area" (p. 31). During its existence in the state, the Ku Klux Klan was publicly known for at least five physical attacks on Oregon citizens, including threatened lynchings and a probable murder of an African American, though it is not known whether Dunn participated in these attacks (p. 33). The historians conclude that "[w]hile we will never know how Dunn felt about the violence associated with the Invisible Empire, it is certain that he was aware of it and yet continued to lead Eugene Klan No. 3" (p. 33). No evidence was found that Dunn ever repudiated his role in the Klan. The historians conclude, "Thus, we are forced to surmise from the known activities of the organization he led during its heyday in Eugene that Dunn knowingly embraced an organization that, by today's standards (but also in the view of most of his colleagues and students at the time), violated the core values of the University of Oregon" (p. 33).

In my reading of the almost 1,000 responses to the historians report by members of our community, a strong consensus supported denaming Dunn Hall.

Given the findings of the historians report, I agree with the conclusion of the majority of the comments made by members of our community: Dunn, as the head of an organization that supported racism and violence against African Americans, Catholics, and Jews, is not a man for whom a building should be named on the University of Oregon campus. While Dunn no doubt was a dedicated teacher and scholar, neither of these activities outweigh the harm he did by lending his name to one of the most despicable organizations in American history. Even though I begin with a presumption against denaming university buildings, Dunn's case is an egregious one. Therefore, I am recommending that the Board of Trustees remove Dunn's name from the building currently called Dunn Hall as soon as possible.

If the trustees accept my recommendation, I will take two further actions. First, a plaque will be erected in a conspicuous place in the building that indicates that it used to be Dunn Hall and explains why it was denamed. Second, I will recommend to the Board of Trustees that we start a renaming process with the goal of naming the resident hall for a man or woman whose life exemplifies the characteristics of racial diversity and inclusion that Dunn despised. This renaming process will include the views of students, alumni, and the faculty and staff.

## **Deady Hall**

Matthew Paul Deady was born in Talbot County, Maryland, in 1824. He studied law in Ohio and was admitted to the Ohio Bar in 1847. In 1849 he moved to Lafayette, Oregon, and taught school. In 1850, Deady ran for and won a seat in the territorial legislature and quickly became the presiding officer of its upper house. He became active in the Democratic Party and was appointed by President Franklin Pierce to the territorial Supreme Court for Oregon's southern counties. In 1860, President Buchanan appointed Deady to the US District Court for Oregon, making him Oregon's first federal judge.

During the course of his life, Deady was deeply engaged with the University of Oregon. He is, in fact, widely regarded as one of the most important figures in the university's history. In 1873, he was appointed regent by the governor, elected as president, and served in that role until 1892. He participated in selecting the university's first president, served as commencement speaker at its first graduation, designed its first seal, and founded the university's law school, where he served as a part-time faculty member. In the 1880s, he famously persuaded Northern Pacific Railroad president Henry Villard to donate \$50,000 in railroad bonds to ensure that the university did not close for financial reasons. In recognition of his career and association with the University of Oregon, his name was affixed to Deady Hall in 1893.

The historians report concludes that Deady had a "very complicated intellect" that defies easy summary (p. 22). Deady ran for office as a proslavery delegate to the Oregon Constitutional Convention. The historians report provides a quotation from a letter he wrote to Marion County legislator Benjamin Simpson one month prior to the convention that provides an insight into his motivation: "There are some millions of Africans owned as property in the United States, and whatever shallow-brains or Smatter-much may say about 'property in man,' they are just as much property as horses, cattle, or land, because the law which creates all property makes them such." The historians suggest that at least part of Deady's support for slavery was tied to his view that the law compelled that result based upon the Constitution's protection of private property rights. Indeed, this view of slaves as property is behind what many believe is the most calamitous Supreme Court decision of all time—Dred Scott v. Sanford.<sup>[1]</sup> According to the historians, Deady "did not press the slavery issue in Salem. . . ." (p. 7). Ultimately, the proposal failed with 75 percent of the voters voting against it.

It is questionable that Deady's support for slavery was solely compelled by his interpretation of precedent and the Constitution. Instead, Deady was a man who had views that were racist and proslavery. Deady supported a constitutional provision that excluded African Americans from the State of Oregon, a provision that won the approval of 89 percent of Oregon voters. Further, in a speech reported in the *Sacramento Daily Union*, Deady was paraphrased as approving the Dred Scott decision and perhaps went further: "Deady said in Jacksonville that 'he should vote for slavery in Oregon' and argued that any constitutional effort to prevent free blacks from immigrating and settling in Oregon would prove to be 'a dead letter,' adding 'If we are compelled to have the colored race amongst us, they should be slaves'" (p. 6).

After secession, however, Deady denounced the Confederacy, left the Democratic Party, joined the Union, became a Republican, and ultimately served as an honorary pallbearer at President Lincoln's funeral. The historians characterized the change in Deady as a "metamorphosis" rooted in his "allegiance to the rule of law" (p. 9). Deady also embraced the Fourteenth and Fifteenth

Amendments, initially designed to uplift and empower Black people, which went on to become the cornerstones of American antidiscrimination law.

In his role as a judge, Deady never ruled on an issue involving discrimination against African Americans. He did decide several cases involving Chinese immigrants and Native Americans. In his rulings, Deady demonstrated an acceptance of the principles embodied in the Fourteenth and Fifteenth Amendments. He opposed the legal or extralegal harassment of Chinese immigrants and interpreted immigration laws in such a way as to protect them (p. 3). He never promoted a policy of internment. With respect to Native Americans, he ruled against citizenship, but also believed that at least one tribe had been unfairly dispossessed of their land (p. 3). These facts do not atone for his views on African Americans, but do establish his contribution to interpreting the Fourteenth and Fifteenth Amendments in ways that led to future antidiscrimination laws, and which show a measure of change in attitude and behavior.

Thus in Matthew Deady we have a complicated man. Like many white men of his generation he had racist views. The exclusion provision he championed was ultimately supported by 89 percent of Oregon voters at a time when only white men were allowed to vote. Yet Deady also supported slavery, which was opposed by 75 percent of white male Oregonians. Was Deady's willingness to support slavery despite a lack of support among the voting public attributable to racism, or to his legal views about property rights? We will never know for sure, but my reading of the historians report and some of the primary documents cited therein suggest both motivations were at play.

Returning to my first principles, does the evidence amassed in the historians report overcome a presumption against denaming a building?

Deady was a man of great achievement, not the least of which was his pivotal role in the founding and sustaining of the University of Oregon. He was also a deeply flawed man. As stated before, like many men of his generation he held racist views. Regardless of whether his support for slavery and exclusion was attributable to racism or a legalistic interpretation of property rights, in the end he was on the wrong side of history. On the other side of the ledger, following the Civil War, Deady embraced the Fourteenth and Fifteenth Amendments and their principles of equal protection under the law.

The input I received clearly shows our community remains divided on the question of whether Deady Hall should be renamed. Many feel that Matthew Deady's name on our landmark building is a daily affront and sends the wrong message to prospective and current students. A large number feel that Deady should continue to be honored as one of the university's founders and not judged by the standards of today. Despite this division, I believe that our community has greatly benefited by confronting some very ugly historical truths about our state and some of the figures who played an important role in the creation of the University of Oregon that we know today. While I have no desire to needlessly prolong the uncertainty over the future of Deady Hall, I also believe that we would miss an important educational opportunity by deciding the matter prior to the return to campus of our students and faculty later this month. Therefore, I have decided that I will refrain from making a decision on Deady Hall until the campus can engage further in a discussion of Matthew Deady and the future of Deady Hall.

To facilitate that discussion, I will reopen the [comment period until Friday, October 14](#). In addition, I plan to work with our Division of Equity and Inclusion; and our students, faculty, and staff to plan a campus conversation on the subject in October. Following the comment period and campus conversation, I will make my decision regarding whether to dename Deady Hall.

Regardless of what is ultimately decided concerning the naming of Deady Hall, we will not let this educational opportunity be lost in the debate over what we call a specific edifice. We will immediately begin planning a historical exhibition in the building that will educate all who enter on the mixed legacy of its namesake. This exhibit will be created in consultation with students, the faculty and staff, and the Presidential Diversity Advisory Community Council. We will also explore partnerships with the Oregon Historical Society and other entities to create an exhibit in Portland that will examine racism in Oregon. It is my hope that future generations of school children will view this exhibit and link the University of Oregon with fearless exploration of racism and truth, even though that exploration might be painful.

### **Conclusion**

My decision will not be unanimously approved of by all members of our community, and I concede that there is still an important decision to be made. Nevertheless, there must be no doubt that we are unified in our commitment to diversity and inclusion, and we will continue to make progress toward those important ends. In particular, we are grateful to the members of the BSTF for bringing this issue to the fore. Regardless of what names we use to refer to these two buildings, the BSTF's transformative leadership has already changed our university forever. This debate, along with the initiatives that will arise from their demands, will make our university stronger, better, and more enlightened.

Sincerely,

Michael H. Schill  
President and Professor of Law

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[1] 60 U.S. 393 (1857). The historians report finds that Deady never accepted the view that slavery was wrong. The report quotes a couple passages from Deady's diary dating from 1884 and 1890, respectively: "Fifty years will have to roll by before the popular mind recovers its equilibrium on this [slavery] question. The war and the results of it have made a man who owned Negroes or obeyed and respected the injunctions and limitation of the Constitution on this subject, look like a criminal by this generation" (p. 20). "He takes my ground that the slave trade and Negro slavery were the means providential or otherwise by which the negro was educated and prepared for his present career of self-dependence" (p. 20).

(Source: <https://president.uoregon.edu/content/deady-and-dunn-halls-next-steps>)

## **Recommendation to the President and Fellows of Harvard College on the Shield Approved for the Law School**

The heraldic blazon or shield authorized for use by the Law School by the President and Fellows of Harvard College in 1937 derived from the family crest of Isaac Royall, Jr., whose bequest to the College in 1781 was used to create the first endowed professorship of law in the College in 1815. Royall derived his wealth from the labor of enslaved persons on a plantation he owned on the island of Antigua and on farms he owned in Massachusetts. The Law School has been aware of this association since about 2000, when Professor Daniel R. Coquillette began disseminating the results of his research discussed below. Students of the Law School, affiliating under the name Royall Must Fall, protested use of the shield last fall. After a racially-charged incident in Wasserstein Hall on November 18, 2015, Dean Martha L. Minow, as part of her response, created this Committee to study the shield and to recommend to the President and Fellows whether or not to retain it for use by the Law School.

### *1. The Committee's Charge*

Dean Minow's charge to the Committee was that it recommend to the President and Fellows whether or not to retain the shield. The Committee has interpreted this as whether a shield that draws on one part of our past should remain the official symbol of Harvard Law School now and in the future. We have not taken our charge to include whether to recommend a new shield, let alone designs for one. Nor have we understood it to be whether the Law School should acknowledge or engage with the legacy of Isaac Royall in specific ways. Those all are worthy questions, but they are questions for the Law School to consider, not the President and Fellows.

### *2. The Committee Process*

On November 30, Dean Minow announced that she had appointed as the faculty members of the Committee Professors Tomiko Brown-Nagin, Annette Gordon-Reed '84, Janet Halley, Bruce H. Mann (Chair), and Samuel Moyn '01. She also appointed two other alumni to the Committee, James E. Bowers '70 and Robert J. Katz '72. She asked the student government of the Law School to appoint the student members of the Committee, which it did on January 8, 2016. They are Rena Karefa-Johnson '16, Annie Rittgers '17, and Mawuse Oliver Barker-Vormawor LL.M. '16. She also asked the staff joint council of the Law School to appoint the staff members of the Committee, which it did on January 22. They are S. Darrick Northington and Yih-hsien Shen '95.

By e-mail circulation on November 30, Professor Mann, as Chair of the Committee, informed the faculty, staff, and students of the Law School that the Committee would schedule community meetings when classes resumed for the spring semester for students, faculty, and staff to make their views known. He also announced that the Committee had created a dedicated e-mail account and invited members of the Law School community to submit their opinions and concerns while awaiting appointment of the remainder of the Committee. By the time the Committee held its first meeting on January 25, approximately 150 students, staff, alumni, and faculty had taken the Committee up on this invitation.

As announced, the Committee convened two open discussion meetings—one on February 4 and the second on February 12—which together were attended by approximately 180 people—mostly students, but also a fair number of staff and a handful of faculty. The Committee solicited additional comment from the faculty through the faculty listserv and from the alumni through a separate e-mail invitation distributed through the Alumni Office. Individual members of the Committee also engaged their fellow members of the Law School community in informal one-on-one conversations and small-group discussions.

The upshot of these efforts is that the Committee heard directly from well over 1,000 members of the larger Law School community—students, staff, faculty, and alumni. The Committee met on February 26 to discuss what it had learned.

### 3. *The Royall Family*

The Royall family wealth was amassed through the labor of enslaved persons. Isaac Royall, Sr. (1677-1739), owned a sugar plantation on the island of Antigua and farms in Massachusetts, all of which were worked by enslaved persons he bought, sold, owned, and transferred from one location to another.<sup>1</sup> Isaac Royall, Jr. (1719-1781), inherited these estates upon his father's death in 1739 and owned them until his death in 1781. There have been present claims of Isaac Royall, Sr.'s particular brutality and historical reports of Isaac Royall, Jr.'s supposed kindness as a master, but they are beside the point. Every modern historian who has studied the institution of slavery agrees that slavery in the Americas was inherently brutal, violent, oppressive, and dehumanizing. Its evil and immorality are neither magnified nor diminished by individual instances of exceptional brutality or kindness. Thus, if the Law School is to assess its relationship to Isaac Royall, Jr., it is sufficient that his wealth came from slave labor. We need not charge him with the alleged brutality of his father or credit him with his own alleged kindness.

That said, it is important to correct certain misconceptions that have inflamed discussion so that we may address the matter clearly. Some people at the Law School have read a recent, brief account of the Royalls and the punishments meted out to suppress the planned slave revolt

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<sup>1</sup> See Alexandra A. Chan, *Slavery in the Age of Reason: Archaeology at a New England Farm* (University of Tennessee Press, 2007), 47-53.

on Antigua in 1736 as implying that one or both Royalls were primarily responsible for the execution of 88 enslaved persons by gibbeting, burning at the stake, or being broken on the wheel.<sup>2</sup> This is mistaken. Putting aside the fact that “our” Isaac Royall–Junior–was 17 at the time and that it was his father who owned the slaves, there is no evidence of the role–whether prominent or otherwise–that either Isaac Royall played in suppressing the revolt, nor is there any evidence that would let us determine whether either one was any more or less brutal than his fellow slave-owners on Antigua, although historians have long recognized that conditions of slavery in the Caribbean were markedly harsher than they were in the mainland colonies.

The most comprehensive and authoritative study of the 1736 revolt is by David Barry Gaspar, a professor history at Duke University.<sup>3</sup> Gaspar’s only mention of Isaac Royall (this would be Senior) is in his tabulation of slaves executed, the date and manner of execution, and their owners.<sup>4</sup> This table is copied from the report submitted on May 26, 1737, to the Board of Trade in London by William Mathew, lieutenant governor and captain-general of the Leeward Islands, which is in the Colonial Office papers in the National Archives (formerly the Public Record Office) in London at Kew, captioned “A List of the Names of Negroes that were Executed for the late Conspiracy, Their Trades, To whom they belonged, the day and Manner of their Respective Execution.” The executions spanned a period of four-and-a-half months, from October 20, 1736 to March 8, 1737. Isaac Royall, Sr., owned one of the 88 enslaved persons executed–Hector, who is listed as “driver,” which would have made him the enslaved equivalent of an overseer of the plantation. The other 87 persons executed were owned by 59 other individuals and estates. To give a sense of scale, the white population of Antigua in 1734 (the closest year for which Board of Trade figures exist) was 3,772, and the enslaved population was 24,408.<sup>5</sup> Thus, 86.6% of the total population of the island was enslaved–a ratio of 6.5:1.

Isaac Royall, Sr., moved his family and a number of his slaves back to Massachusetts in 1737, shortly after the revolt on Antigua was suppressed. He died there in 1739. His son, Isaac Royall, Jr., inherited the sugar plantation on Antigua as well as the farms in Massachusetts and owned both until he died in 1781. Thus, Isaac Royall, Jr., lived and died an owner of slaves, from whose labor he accumulated significant wealth, a portion of which he gave to Harvard. That is the relevant connection.

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<sup>2</sup> Daniel R. Coquillette and Bruce A. Kimball, *On the Battlefield of Merit: Harvard Law School, the First Century* (Harvard University Press, 2015), 81-82.

<sup>3</sup> *Bondmen and Rebels: A Study of Master-Slave Relations in Antigua* (Johns Hopkins University Press, 1985; paperback printing by Duke University Press, 1993).

<sup>4</sup> *Ibid.*, 30-35 (Table 2.1 [“Slaves Executed, 1736-1737”]).

<sup>5</sup> *Ibid.*, 83 (Table 4.8 [“Population of Antigua, 1672-1774”]).

#### 4. *Isaac Royall, Jr. 's Bequest*

Isaac Royall, Jr., remained behind British lines in Boston after war broke out in April 1775. From there he fled to Halifax with other loyalist refugees and then on to London, where he remained in exile until he died in 1781. By his will of May 26, 1778, and a codicil of November 1779, both written and executed in England, he bequeathed land in Massachusetts totaling approximately 900-1000 acres to Harvard College, “to be appropriated towards the endowing a Professor of Laws . . . or a Professor of Physick and Anatomy, whichever the said overseers and Corporation [of the college] shall judge to be best.”<sup>6</sup> As Coquillette and Kimball note, none of the land was sold until 1796, and the remainder not until 1805 and 1809. The total sum realized from the sales was \$2,938. Investment by Harvard increased this amount to \$7,593 by 1815, which under the pay-out practices used by the college treasurer at the time would have yielded about \$340 annually for the professorship. When the Harvard Corporation voted to establish the Royall Professorship of Law in 1815, it agreed to commit \$400 of the income from Royall’s legacy as compensation for the services of the Royall Professor. It merits noting that full professors in the college at this time were paid about \$1700 annually.<sup>7</sup>

The Corporation appointed Isaac Parker as the first Royall Professor on September 4, 1815, at an annual salary of \$400 “to give lectures on jurisprudence at the University.”<sup>8</sup> The Royall Professorship was not a full-time position. Parker’s only instruction in his first year was a series of seventeen or eighteen broad survey lectures he delivered to members of the senior class in the college in June and July 1816. Moreover, Parker was chief justice of the Supreme Judicial Court of Massachusetts at the time of his appointment and remained chief justice until he died in 1830. However, during his first year as Royall Professor, Parker did formulate a plan for a tuition-dependent residential law department within the university, which he persuaded the Overseers and Corporation to approve on June 12, 1817. Parker knew that such an undertaking could not succeed with a part-time Royall Professor alone, so he persuaded the Corporation to appoint Asahel Stearns as a full-time University Professor of Law, to be paid by the university from tuition, not from an endowment (as Parker was). It was Stearns who did most of the instruction in the new Law Department.<sup>9</sup>

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<sup>6</sup> Quoted in Coquillette and Kimball, *On the Battlefield of Merit*, 86. A copy of the will is in the Harvard Law School Library Special Collections.

<sup>7</sup> *Ibid.*, 87.

<sup>8</sup> Harvard University Corporation, Meeting Minutes (Sept. 4, 1815), Corporation Records, Harvard University Archives. For convenience, we cite to the minutes as quoted in Coquillette and Kimball, *On the Battlefield of Merit*, 90. The Corporation adopted the Statutes of the Royall Professorship five weeks later, on October 11. They are printed in *ibid.*, 618-20 (App. C).

<sup>9</sup> This account relies on the exhaustive research of Coquillette and Kimball in *ibid.*, 91-109.

Many members of the Law School community from whom we heard asserted that Isaac Royall, Jr.'s bequest established the Law School. As should be clear from Coquillette's and Kimball's research and discussion, the sequence of events was more complex than that. Isaac Royall's bequest did not by itself fund or create what became Harvard Law School. Nor did it provide the occasion for creating what became Harvard Law School. It would be more accurate to say that, when the College decided to offer lectures in law, Isaac Royall's bequest, which had lain dormant for many years in part because of its insufficiency, was available to help support the lectures, and that it was Isaac Parker, the Royall Professor, who created a Law Department at Harvard with additional resources drawn from tuition, monies allocated by the Corporation to purchase books, gifts of books, and outright donations.<sup>10</sup> That said, the endowment that supported the part-time Royall Professor who then created the Law Department derived from the sale of land that had been purchased by a slave-owner from wealth accumulated from slave labor.

### 5. *The Law School Shield*

The shield currently used by the Law School was designed in 1936 by Pierre de Chaignon la Rose (Harvard College, 1895) as part of Harvard University's tercentenary celebrations. La Rose was an expert in heraldry who designed the arms for the university, the College, the eleven graduate schools, and seven houses that were used on the tercentenary banners for the closing ceremonies of the celebration.<sup>11</sup> The following year, 1937, la Rose asked the university's Committee on Seals, Arms, and Diplomas to move that the Harvard Corporation approve the formal heraldic descriptions of the arms he had designed. The Corporation did so on December 6, 1937, in what Mason Hammond describes as "curiously guarded terms"—"the Corporation, while having no objection to the use for decorative purposes on the occasions of ceremony or festivity of the blazons proposed for the several departments or faculties, do not approve their use for other purposes."<sup>12</sup> Whether this makes the Law School shield "official" or merely "authorized" is open to interpretation. Two schools—the Graduate School of Arts and Sciences and the Dental School—have treated the "authorized" arms as a matter of choice and do not use the ones designed for them by la Rose. Instead, they use the shield la Rose designed for the university—the "*Veritas*" shield still used, with which we are all familiar.

La Rose did what heralds do—he adapted design elements and symbols associated with the origins or history of a family or institution. For the Law School, he based his design on a bookplate used by Isaac Royall, Sr., on Antigua in the 1730s. The crest on the bookplate depicts

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<sup>10</sup> See *ibid.*, 103-105.

<sup>11</sup> The most authoritative source for the design and adoption of the Law School shield is Mason Hammond, "A Harvard Armory: Part I," *Harvard Library Bulletin*, 29 (1981), 261-97. Hammond was Pope Professor of the Latin Language and Literature *emeritus* at Harvard University. He served for many years on the university's Committee on Seals, Arms, and Diplomas.

<sup>12</sup> *Ibid.*, 265.

three sheaves of wheat.<sup>13</sup> It is not known who designed the crest on the bookplate or whether Isaac Royall, Sr., was entitled to use the crest as his family's coat of arms. Sheaves of wheat have long been a common element of heraldic devices—signifying such agricultural virtues as abundance, fertility, and a good harvest—and are by no means unique to the Royalls.<sup>14</sup> There is no evidence that la Rose or the Corporation were aware of or even thought to ask how the Royall family amassed its fortune. They would hardly have been alone in this. Few people in 1936 asked such questions, particularly about bequests made 150 years earlier. Even in 1981, Hammond in his brief description of the Royall crest makes no mention of slaves or slavery and says of Isaac Royall, Sr., on Antigua simply that “[t]here he prospered.”<sup>15</sup> As historians well know, this reflects both the historical invisibility of African-Americans and the long-standing inability of modern Americans to acknowledge the centrality of slavery and its legacy in American history.

La Rose's design did not gain wide usage at the Law School until many years later. Karen S. Beck, manager of Historical and Special Collections of the Harvard Law School Library, reported to the Committee that its use has been inconsistent over the years. For example, the *Harvard Law Record* first used the shield on its masthead on April 1, 1950. Law School class reports began using the shield in the early 1960s and have used it since. The alumni directory first used it in 1973. The Law School *Bulletin* first offered shield-branded shot glasses, neckties, and the like for sale in October 1969. Until the mid-1990s, when they began using the crest, Law School yearbooks used the university shield or no shield at all. The student directory has never used it. The graduate student handbook began using it in the mid-1990s. Ms. Beck believes that the la Rose shield came into wider use in the mid-1990s as part of an apparent effort to give Law School publications a more consistent “brand,” part of which was a more liberal use of crimson-colored covers, as well as use of the shield.<sup>16</sup> From this the Committee concludes that consistent use of the la Rose shield by the Law School as its symbol is of relatively recent vintage, although its use before it became ubiquitous was prominent enough for it to represent the Law School to members of the larger Law School community.<sup>17</sup>

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<sup>13</sup> See the illustration at Coquillette and Kimball, *On the Battlefield of Merit*, 76.

<sup>14</sup> See, for example, W. Sloane Sloane-Evans, *A Grammar of British Heraldry, consisting of Blazon and Marshalling* (2d ed., London, 1854), 140.

<sup>15</sup> Hammond, “A Harvard Armory,” 284.

<sup>16</sup> E-mail communications from Karen S. Beck to Bruce H. Mann.

<sup>17</sup> As an aside, it is worth noting that the Law School shield does not appear on the diplomas graduates receive at Commencement. The university shield does. This is because degrees are granted by the university, not by its component schools.

## 6. *Survey of the Arguments Offered by Members of the Law School Community*

This section attempts to summarize the variety of arguments and opinions offered by the one thousand or so members of the larger Law School community who communicated them to the Committee. The Committee has made no effort to tabulate them, nor did it count comments as one would votes. Many alumni reported that they had not known of the association of the shield with slavery. This is not surprising, since it has been only recently, because of Professor Coquillette's research, that Dean Minow began telling incoming students of the association as a reminder that lawyers must do more than merely know and follow the law and must strive to ensure that the law itself is just. What made the responses so useful to the Committee was their analysis of what the Law School should do now, with our new awareness of the shield's connection to slavery. For many alumni, their new knowledge of the association taints the shield irreversibly. Also for many, their new knowledge does not change the fact that for them the shield represents their Harvard Law School—its role in their lives and the good they associate with it. For both, the question is one of history, or rather several questions of history.

The first question of history is the history of a symbol and its meaning. The shield did not become seen as a symbol of slavery until very recently. Its previous history, from 1936 until the near present, was simply as a symbol of Harvard Law School—no more, no less. During that time, the associations it had as a symbol were those given it by people to whom it represented “their” Harvard Law School—associations that could be fond and good or painful and bad, none of which rested on knowledge of Isaac Royall or slavery. Many older African-American alumni reported their attachment to the shield as a proud, even defiant, symbol of their accomplishment at a time when the larger world often refused to recognize their merit. It is hardly surprising that symbols can mean different things to different people at different times. The difficulty arises in the present when the symbol means different things to different members of the same community. Can the symbol retain its former meaning in the face of knowledge that has added a new, unsavory meaning to it? Can symbols accommodate multiple meanings?

A second question of history is how we engage the past—in this instance, our past as an institution. Historians engage the past to help us understand who we once were, how we became who we are now, and, for some, how we can strive toward better versions of our collective selves in the future. For historians, it is both a professional and a moral imperative to confront the past clearly and unflinchingly and to teach that past to the present and for the future. What role should the shield play in that engagement? Should it remain as a constantly-visible reminder of past injustices within our own institutional DNA, a spur to work to bend the arc of history toward justice? Would it serve as such a spur if it remains, or would its lessons fade without continual effort to teach them? Would changing the shield be an act of erasure? Would doing so allow us to forget history rather than engage it?

A third question of history is what to do when symbolic representations of history offend present members of a community. We have heard that the shield offends many persons of color—current students in particular—and reminds them of past oppressions and present

discriminations. Some say that it leads them to question whether they are accepted as equal members of the Law School community, particularly in the face of what they experience as other slights. People understand that the shield is not the Confederate battle flag—it was not adopted as the rallying symbol for an unjust cause and has not been used throughout its history in the service of injustice. Nonetheless, many—although by no means all—people of all races and ethnicities see it as a symbol of exclusion—a reminder of an exclusionary past that should have no place in an inclusive present.

A fourth question of history is what the Law School is recognizing now by having an adaptation of the Royall family crest as the official symbol of the institution. Are we honoring Isaac Royall himself for his personal qualities and accomplishments? Or are we honoring him for donating land to Harvard? This is where the slippery-slope arguments offered by many respondents—that if we abandon the shield we should also jettison all things Washington and Jefferson—fail. All three men had moral feet of clay as slave-owners, but only George Washington and Thomas Jefferson have independent claims on history, for which they are rightly honored while we also acknowledge their slave-holding. In addressing these questions, it is important to make clear that we are not judging Isaac Royall, a man of the eighteenth century, by standards of the twenty-first century. Instead, we are asking whether an institution in the twenty-first century should be represented by a man of the eighteenth century whose only legacy was his money.

Not surprisingly in a sample of one thousand comments, there is significant disagreement on what should be done with the shield. It is important to note that the differences of opinion do not line up along standard divisions of age, race, or political identification. Older alumni and younger alumni alike support and oppose the shield. Minority alumni of all backgrounds—African-American, Latino, Asian-American, and others—also support and oppose the shield. Current students—minority and otherwise—support and oppose the shield. Political liberals and conservatives similarly both support and oppose the shield. The comments the Committee received demonstrate that people of good faith can and do hold considered, if different, views of the matter. If there is a common thread, it is in the many professions of respect for and attachment to the Law School. And that is where the Committee began its discussion at its last meeting.

### *7. Committee Discussion*

The Committee recognizes that on an issue that elicits such strong feelings, we can and should acknowledge those feelings, but we cannot and should not presume to judge which feelings are valid and which are not. Instead, we must do what so many members of the Law School community who commented did and what is incumbent upon us as members of an academic community to do, which is to decide in a reasoned and principled manner.

Like the larger Law School community, the Committee was not of one mind. We endeavored to arrive at a consensus. And we did reach consensus, if not quite unanimity.<sup>18</sup>

The Committee was unanimous in recognizing 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. For the Law School, this means reminding ourselves and others of the role of wealth derived from slave labor in its founding and using that knowledge as a spur to promote racial justice within the broader mission of striving to ensure that the law itself is just through the students we educate. Where the Committee was not unanimous was on the question of whether retaining the current shield as the official symbol of the Law School helps or hinders attaining that goal. Professor Gordon-Reed argues powerfully that the inescapable presence of an official shield that displays on its face its association with a slave-owning benefactor is essential to ensuring that members of the Law School community cannot ignore its lessons. Set against this is the belief that the now-visible associations of the shield divide the Law School community and hinder engaging that portion of the institution's past; that many who become aware of its origins are more likely to see the shield as a distasteful symbol of the past rather than as an opportunity to learn from that past. At bottom, this latter view rests on the conviction that there are better ways to engage the past and its legacy in the present than by retaining a symbol that so many members of the community reject. It is this conviction that represents the consensus of the Committee. In reaching that consensus, the Committee understands that removing the current shield courts the risk of self-congratulation, which we do not intend. The Committee also understands that neither retaining nor removing the shield, without more, will assure that the Law School and the Law School community continue to engage with this part of the institution's past.

### *8. Recommendation*

The Committee respectfully recommends that the President and Fellows of Harvard College declare that the shield designed by Pierre de Chaignon la Rose in 1936 based on the Royall family crest is no longer the official or authorized shield of the Law School. The Committee makes this recommendation to the President and Fellows rather than simply asking the Law School to cease use of the shield because we believe that if the Law School is to have an official symbol, it must more closely represent the values of the Law School, which the current shield does not.

In making this recommendation, the Committee understands and regrets the disappointment it will cause fellow members of the Law School community for whom the shield invokes not Isaac Royall and his slaves but rather the institution they are proud to be part of. The Committee also understands and regrets the disappointment it will cause other fellow members

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<sup>18</sup> Professor Gordon-Reed, who does not join the Committee's recommendation, has written her own submission, which is forwarded to the President and Fellows alongside the recommendation of the Committee. Mr. Barker-Vormawor concurs in the Committee's recommendation.

of the Law School community who believe the shield should remain as an unblinking reminder of past injustice, urging us by its presence to do better. Moreover, the Committee recognizes, indeed celebrates, that Harvard Law School is a large and diverse place populated by people who are both inclined and whom we train to express their views vigorously. Perhaps no one symbol can adequately represent all of them, and certainly not all of them would choose to be represented by the same symbol. Nonetheless, it is undeniable that the Law School of the present is very different from the Law School of 1937 for which the family crest of a slave-owner could be chosen as its official symbol without anyone seeing the association with slavery. We cannot un-see what we now know, nor should we. The Law School would not today honor Isaac Royall and his bequest by taking his crest as its official symbol.

The Committee recognizes that names from the past associated with now-rejected beliefs and practices litter the present, often in places of apparent honor. We take no position on what, if anything, should be done with them, other than to note that titles and buildings are individual pieces of an institution and are not presented as the official symbol of the institution itself. Our recommendation is limited to the symbol that officially represents Harvard Law School to the Law School community and to the larger world. It is that symbol that we request the President and Fellows to release us from.

Respectfully submitted,

Bruce H. Mann, *Chair*  
Carl F. Schipper, Jr. Professor of Law

James E. Bowers '70

Tomiko Brown-Nagin  
Daniel P.S. Paul Professor of Constitutional Law & Professor of History

Janet Halley  
Royall Professor of Law

Rena Karefa-Johnson '16

Robert J. Katz '72

Samuel Moyn '01  
Professor of Law and History

S. Darrick Northington

Yih-hsien Shen '95

Mawuse Oliver Barker-Vormawor, LL.M. '16 concurs in the recommendation

*March 3, 2016*

## A Different View

I write to express a different view about whether the Law School should change its shield, mindful of the heartfelt sentiments expressed on the other side and cognizant that mine is the minority view. To state upfront, from the moment I learned, some years ago, about the wheat sheaves' connection to the Royall Plantation and the plantation's connection to the Law School, the burning question for me has been, "What would be the best and easiest way to keep alive the memory of the people whose labor gave Isaac Royall the resources to purchase the land whose sale helped found Harvard Law School?" And when I say, "keep alive," I do not mean keep the Royall connection as a story that we tell just amongst ourselves when students first enter the Law School—although we should obviously continue to do that. "Keep alive" means to be *unrelentingly frank and open with the whole world, now and into the future, about an important thing that went into making this institution*. Maintaining the current shield, and tying it to a historically sound interpretive narrative about it, would be the most honest and forthright way to insure that the true story of our origins, and connection to the people whom we should see as our progenitors (the enslaved people at Royall's plantations, not Isaac Royall), is not lost.

Why do I think the current shield can—and should—be made to carry forward the story of, and our connection to, those enslaved at the Royall Plantation? For nearly its entire existence, the shield has sent no singular public message or had any function besides announcing the "arrival" of the Harvard Law School, generally viewed positively as one of the premier educational institutions in the world. Therefore, the shield is not, as I have heard it said in formal conversations about this issue and in informal ones, in any way akin to the Confederate flag or the Nazi flag. Individuals can say they feel it is, but if they do they ought to think seriously about, and associate themselves with, the problematic implications of that position.

The Confederate Flag came into existence as part of a clear and unambiguous project: it was a battle standard flown against the United States of America in order to protect African-American chattel slavery by means of a war that took half a million lives. In the years since the Civil War, that flag has been hauled out to intimidate black people and to serve, at key moments, as a symbol of opposition to racial equality. By this point in our history, these associations are too strong to totally divest that flag of its original meaning, and the very public meaning it has been given in the decades after the war. On the Nazi flag, I should not have to belabor why an image of wheat, an image that has appeared on many shields and crests for centuries, and was even on America's penny, cannot be equated with a flag that sent armies marching across Europe, provoking a conflagration that killed over 60 million people worldwide.

The shield, it should be added, contains no physical representation of Royall, which would be an unambiguous celebration of the man himself. It is, thus, not like the statue of Cecil Rhodes that has roiled Oriel College, Oxford and sparked the movement copied here at HLS. As lawyers, we are trained to distinguish situations—to notice how this particular thing is not like that other particular thing—and to find the reasoning about them that should flow from those differences. We can apply that here. Until Dan Coquillette’s excellent work on the history of HLS, most people did not know of the connection between the Royalls, the sheaves, and the Law School. Since the shield’s adoption in the 1930s, any HLS graduates who have paid attention to the shield (and I am one) have been forced, by the obscurity of the shield’s origins, to make their own internal meaning of the image. It has carried no *one* specific and dominant association. This is nothing like the situation with the more famous symbols mentioned above.

Whatever the shield has (or has not) meant personally to thousands of HLS students and graduates, those students and alums have made the school’s modern public reputation in the decades since the shield was adopted. Current students and faculty benefit from what the Law School’s graduates have done in the 20<sup>th</sup> and 21<sup>st</sup> centuries. Many of our graduates have been at the forefront of movements for justice and equality, and have exhibited a profound commitment to public service. They did this without any knowledge of the sheaves’ provenance or any intent to countenance Isaac Royall’s way of life. What they have done over the past 80 years, particularly in very recent decades when the shield has been the most visible symbol of HLS, certainly creates a stronger source for defining what the shield means than whatever the Royall family may have been thinking about the sheaves centuries ago. By their accomplishments, actions, and work, HLS students and alums have made a new thing of the shield, and their efforts should not come second place to Royall and his family.

The enslaved at the Royall Plantation and the graduates of Harvard Law School should be tied together as they have been without our knowledge for so many years, and as they always will be whether we choose to hide that connection from the world or not. Disaggregating the benefit achieved from the labor of the enslaved—the money accrued from the sale of Royall land—from the “burdens” of being constantly reminded of from whence that money came, and of letting people outside the community know from whence it came, would be an abdication of our responsibility to the enslaved and a missed opportunity to educate. We have been told that a number of the inhabitants of Antigua (the site of the Royall Plantation) are enthusiastic about the association with the Harvard Law School. I have not talked to them myself, but I am almost certain that any enthusiasm expressed, by however large or small a number, was not born of reverence for Isaac Royall. It is far more likely that these descendants of enslaved people understand what 60 years of slavery historiography have taught us: the Royall Plantation was not about Isaac Royall. It was primarily about the enslaved men, woman, and children whose forced labor enriched people like the Royalls and helped fuel the wealth of Western nations.

So, what is to be done? I understand that getting rid of the shield altogether may seem less confrontational and the more conservative option. But this is a moment for

daring and creativity. We are in the midst of an explosion of interest in and scholarship about slavery in New England. As an educational institution, HLS should be among the leaders of the effort to explicate this history. We should be at the forefront of this, using our own history as a guide. We are coming upon our 200<sup>th</sup> anniversary. This would be a perfect time to re-dedicate the Law School and the shield—making explicit our debt to the enslaved and our commitment, in their memory, to the cause of justice. Though this could be accomplished without changing the shield, if it is to be changed, perhaps the word “*iustitia*” (justice) could be placed directly beneath the tablets spelling out “Veritas”, and the sheaves made slightly smaller to accommodate the added word. This would tie the past to the present and to the future. Referencing how the law school began would be combined with the spirit that has motivated HLS since the adoption of the shield.

This matter should not end with a ceremony. Brown University has moved forthrightly in the wake of the uncovered history of the Brown family’s slave trading activities. Perhaps we might study their model, taking only the things that are most useful to our particular circumstances. We might actually do some research, and acquaint ourselves with what is going on with slavery studies and how other public institutions memorialize it. Believe me, there is a lot out there. Of course, it would be near impossible for Brown to disassociate itself from the Brown brothers, and we are not in so stark a position with our shield. But a measure of character is when we do the right (as outlined above) and difficult thing when we do not have to. I say “difficult” because it is clear that, for many, there is great discomfort—disgust even—at the thought of looking at the Harvard shield and having to think of slavery. A number of people have expressed this sentiment to me face-to-face and in written comments. Of course, I think differently about this: people *should* have think about slavery when they think of the Harvard shield; but, from now on, with a narrative that emphasizes the enslaved, not the Royall family. I am aware that being required to do that will provoke strong and unpleasant feelings. But it is vital to learn how to govern strong and unpleasant feelings so that one can be ready to be of service to other people and to purposes outside of (and even more important than) one’s personal feelings.

When he became Dean of Harvard Law School, Erwin Griswold wanted to have a motto for the school – some admired lines from Chaucer. Though the motto was never formally adopted, the words are apt:

*“For out of old fields, as people say,  
Comes all this new grain from year to year;  
And out of old books, in good faith,  
Comes all this new knowledge that people learn”*

Thanks to historians, we have “new knowledge” that we are joined in history to a group of people entrapped in the tragedy of the Atlantic slave trade. This also joins us to the larger American story of slavery. We should take this knowledge and run with it, not away from it. I end where I began: the larger purpose outside of our own personal feelings is to marry the memory of the injustice done to the people enslaved on the Royall

plantation to Harvard Law School's modern commitment to justice and equality through a well-known symbol that connects both.

Annette Gordon-Reed '84

Charles Warren Professor of American Legal History, Carol K.  
Pforzheimer Professor (Radcliffe Institute for Advanced Study), &  
Professor of History

Annie Rittgers '17 joins in Professor Gordon-Reed's view