

FOREWORD

President Derek C. Bok, Harvard University

[Ed. Note: Here follows the edited text of a speech delivered by President Bok at the NAACP Legal Defense and Educational Fund dinner held at the New York Hilton Hotel on November 11, 1974 in honor of 86-year-old Dr. John W. Davis, the former president of West Virginia State College, former director of this country's Technical Cooperation Administration in Liberia, and lifelong advocate of equal access to education for all persons.]

We have the privilege tonight to honor a man who has dedicated his life to creating equal opportunities for all people to gain an education. Many of us share this goal with John W. Davis. But there are important differences. He saw the need from his earliest days while we came to understand the problem only in recent years after the need had become glaringly obvious. He has succeeded handsomely in what he set out to do, while we are still groping and struggling to reach our goal. It is this process of groping and struggling which I would like to describe to you tonight in order to render an accounting to Dr. Davis of what we have been able to achieve and the obstacles we have still to overcome.

My own involvement in this effort began in 1965 at Harvard Law School where I was serving as a professor. We had admitted our first Black law student in 1867 and the records even suggest that he was the first of his race in America to graduate with a law degree. But we did very little to build on this brave beginning. At best, only one or two Blacks enrolled in each class over the intervening decades. In 1964, however, our Dean, Erwin Griswold, was serving on the Civil Rights Commission, and as he toured the country to document the failures of society to provide equal opportunities for Blacks, he recognized the gap between the ideals he preached and the performance within his own school.

At that time, few Black students applied to law school and almost none applied to the leading white institutions. To them, these schools must have seemed forbidding, expensive and remote. As a result, it was not enough simply to urge the admissions office to be alert to applications from promising Black students. A much larger effort was required. Accordingly, we began by creating a special summer program for Black sophomores and juniors in Southern Black colleges—to bring them to Harvard, offer them sample law classes, explain our financial aid program, and expose them to successful lawyers and judges who could discuss with them the varied opportunities of a career in the law.

Our hope was that these students would return to their campuses and encourage their friends to apply to Harvard. At first, a few applied, and then the numbers slowly grew. Summer programs began to spring up at other law schools across the country. Eventually, Harvard could admit approximately fifty Black students each year, and in the country as a whole the number of Black law students rose from less than 700 in 1964 to 5000 a decade later.

During the same period, similar recruitment efforts began to be made in

other faculties. In our colleges and professional schools across the country, Black students grew more and more numerous so that the total number enrolled in higher education increased several times over.

When this period of growth began, we all believed that our only problem was to recruit larger numbers of Black and other minority students. In our ignorance, we failed to realize that recruitment would be only the first of many problems to be overcome before we could adapt our institutions to provide a learning environment that offered adequate educational opportunities for all races. But we were quickly awakened. As Black students grew more numerous, they began to examine their universities to determine whether their behavior matched their ideals. Their findings were scarcely flattering.

At Harvard, they discovered that virtually no Blacks were employed, particularly at faculty and administrative levels. They found virtually no Blacks working on our construction projects. They perceived little or no effort to seek out Black businesses and suppliers who might qualify to do business with the University.

In the classroom, they found very few courses that dealt with the traditions, the culture, or the contemporary problems of Black people, even though these traditions and problems belonged to more than a tenth of the nation and affected every corner of contemporary society. The degree of scholarly neglect was profound. According to one Black historian, 7635 history dissertations were completed from 1873-1960 but only 171 were related to Black people. Of these, only 47 dealt with Negro life, institutions or culture. The rest were devoted to the activities of white slave-owners, politicians and civic leaders who were somehow involved with the lives of Black people.

These revelations gradually demonstrated the subtle, pervasive flaws in our attitudes toward minority groups—the vast capacity for benign neglect, the easy rationalizations for inaction, and the myriad forms of subtle discrimination that infected many levels of administration throughout our complex institutions. Much of our attention in recent years has been directed to overcoming these problems. The sudden appearances of affirmative action programs, minority recruiters, and Afro-American Studies departments all bear witness to this effort.

As our colleges and universities have gone forward with these new programs, hostile voices have begun to be heard. Some of these critics have been understandably impatient with the rate of progress and have questioned the sincerity of university authorities. But we have also heard a new chorus of complaints expressing a growing fear that in the effort to remedy past defects, universities have gone too far and have sacrificed standards of quality and behaved unfairly toward other segments of society.

In the area of employment, for example, the federal government has joined the fray by requiring universities to submit action plans to insure a vigorous effort to seek out women and minority candidates. These plans customarily include numerical targets and goals for the hiring of women and minorities in each category of employment. To many critics, the requirement to establish numerical goals suggests the imposition of quotas and evokes

concern that members of under-represented groups will be hired even if they are less qualified for their jobs. Fears of this kind have created a political backlash which already threatens to cripple the affirmative action program.

I understand these concerns. No university president can fail to resist any effort to force the hiring of less qualified persons. Such action would undermine the quality of educational institutions and unjuustly prejudice better qualified applicants from other groups. For these reasons, it is plainly necessary that the government exercise great restraint in making sure that targets do not turn into quotas just as the government must take care not to transform affirmative action into a morass of red tape and bureaucratic regulation that will impose unnecessary burdens and rigidities on our institutions of higher education.

But it is one thing to express concern over problems that *might* arise and quite another to use these fears to justify an effort to undermine the entire affirmative action program. There is no necessity that targets become quotas. Many individuals and institutions set goals for themselves in order to focus their efforts and measure their progress without committing themselves to achieve these targets regardless of the means employed. With appropriate restraint by the government, there is no reason why the universities cannot do the same. In essence, affirmative action simply requires that institutions make special efforts to identify candidates from under-represented groups and that the ultimate choice among candidates be made without regard to race or sex. These obligations do not weaken the quality of personnel; they enhance that quality by forcing institutions to look at a wider range of candidates. Nor do these obligations demand the hiring of less qualified people; in fact, they require just the opposite.

. . . This completes my brief accounting to Dr. Davis on what we have accomplished and where we yet must go. As you can observe, the undertaking is still a controversial one, beset by critics on either side who are quick to claim that universities are either moving too quickly or not nearly fast enough. As in most controversial areas, there is the usual dreary tendency to blame someone else for all difficulties that arise. Black activists blame the universities, universities blame the government, and conservative critics blame all three. My own conviction is that true responsibility rests squarely on faculty and administrative leaders in our universities to pursue a determined, balanced course without being deflected by the shrill critics on either side. Only these leaders can exercise the authority to resist those who believe that little or nothing needs to be done to insure fair employment practices as well as those who seek to politicize hiring and stampede the institution into employing less qualified individuals. Only these leaders can insure that proper attention is given to race in the admissions process without pursuing either the illusion of numerical objectivity or the erosion of proper intellectual standards.