

Lohier Responses To Questions From The Coalition For A Diverse Harvard

February 2021

1. How important should diversity be at Harvard? What strategies should the University pursue to address diversity? (Please discuss specific programs and policies, including Ethnic Studies and faculty hiring, tenure, and advancement, if you can.)

I've been devoted to the values of diversity, equity and inclusion my entire adult life. I'm fully and unequivocally committed to them as core values. And I firmly believe that they should be core values for Harvard. Although the University has made progress in diversifying its student and faculty body and broadening the range of identities on campus, much important work still needs to be done to make the University more diverse, more inclusive, and more welcoming to and supportive of people of diverse backgrounds at every level.

For example, as the parent of a sophomore who is concentrating in part in African and African-American Studies, I've long-supported programs that focus on different, historically and academically marginalized groups and their many contributions to society. These programs deserve significant financial and institutional support. The University ought to invest the time and resources required to recruit, promote and keep top-flight, diverse faculty members who are excellent in their fields and whose numbers can constitute a mass beyond mere critical mass.

But diversity and promotion of Harvard faculty and deans shouldn't be confined to a few fields. The arts, sciences, law, medicine, architecture, engineering, and policy – all of these fields should cultivate and support diverse professors and teachers, deans and associate deans, department chairs, and so on. Among other benefits, a broadly diverse group of academic role models in a range of fields attracts diverse students to those fields and breaks down stereotypes. (In this I'm informed by my own experience as a philosophy concentrator in a department in which every professor at the time (in the mid-1980s) was white and male. I loved them, but after a time I didn't want to be them.)

I would add three more thoughts.

First, the Harvard University police department should represent, as much as possible, the diversity of the undergraduate and graduate student population. That is one of the best ways to enhance student confidence in the department's work and its workforce.

Second, the University should engage in a prolonged, systematic effort to create a genuine sense of ambient belonging in its public spaces for all members of the community. There are still too few women, people of color and other historically marginalized people depicted on its walls and in its spaces. The effort would require a long-term study and review of the physical spaces throughout the University to see who is and who is not represented on hallway and classroom walls, in artwork, on videoscreens, and on campus building facades. In my view, the University should do what it can to ensure that the individuals depicted in its public spaces represent as wide a racial, ethnic, and gender demographic as possible.

Third, Harvard should take steps to ensure broad diversity among members of every screening and selection committee at every stage in every component (undergraduate, graduate, professional) of the University -- from admissions to faculty and administrative appointment committees.

2. Please state your views on affirmative action and race-conscious admissions.

Because of pending litigation that may raise these issues before the court on which I sit, I'm not able to answer this directly or in full. I can only say the following: My background includes working for a number of years in the late 1990s as a civil rights attorney with the Employment Litigation Section of the Civil Rights Division of the U.S. Department of Justice, which counseled certain federal agencies on their affirmative action programs and defended federal programs against legal challenges. Having served on hiring committees throughout my career, I've consistently advocated for the aggressive hiring of women and applicants of color at every job I've had. Finally, I consider racial, gender, and sexual orientation diversity in hiring my own law clerks (they are a diverse bunch).

3. What do you think Harvard's role should be in creating a more equitable, inclusive, and just society? For example, please share any thoughts on divestment from fossil fuels and the prison industry and on the role of the Harvard University Police Department, issues of concern to current students.

Harvard must be at the forefront of research, teaching, and discussion to address long-term issues of socio-economic and racial injustice and inequality (including unequal access to education), and the growing erosion of understanding about public and private institutions of democracy, especially as they relate to race, class, and gender identity. While an undergraduate on campus in the 1980s, I supported and participated in the anti-Apartheid divestment movement and protests. From that experience, I know that Harvard can and should provide space for serious, frank and respectful discussions about what role the University, its endowment, its students, and its alumni can and should play in speeding progress on important social, environmental, and economic justice issues.

Having worked on issues of diversity and inclusion my entire career, I also know that important work continues to be required in this area. Today, prompted but also empowered by events of the last few years, Harvard has a genuine opportunity to promote programs and platforms designed not only to advance diversity and inclusion, but also to foster better dialogue and interaction among different communities within the University. While preserving the great strength of affinity groups, the University should commit itself to breaking down artificial barriers between groups based on gender, racial, ethnic, sexual, religious, or political affiliations and orientations that are based on misunderstanding or stereotypes.

Finally, Harvard now has a genuine opportunity to promote programs and platforms designed not only to advance what I call the “core values” of diversity, equity, and inclusion, but also to foster more frequent dialogue and interaction between and among different communities throughout the University. This should be part of full-fledged effort to promote understanding among groups based on gender, racial, ethnic, sexual, religious, or political affiliations and orientations.

4. What steps have you taken to bring diversity and inclusion to Harvard, to your workplace, and/or to an organization that you have been involved with?

I've served on the diversity committees of every organization that I have ever been a part of in my professional career. In some case, I helped to establish the committees. Below are a few examples of my efforts to help improve diversity and inclusion, although so much more still needs to be done.

- a. From September 2016 to September 2020, I served as the Chair of the Judicial Conference Committee on Defender Services, which oversees the entire federal defender (capital and non-capital) program in the United States. In that capacity, I made it a top priority of my tenure as chair to increase diversity and provide federal defenders and Criminal Justice Act Panel attorneys of color more opportunities for promotion. This included overseeing and helping to approve a unique fellowship program designed exclusively to increase racial and ethnic diversity within the defender ranks.
- b. Every five years, the federal judiciary updates and publishes a critical "Strategic Plan for the Federal Judiciary." In 2020, I served as a member of the Ad Hoc Strategic Planning Group for the current Plan, published in September 2020. In that capacity, I led the discussion of diversity within the judiciary that led, for the first time, to the inclusion by the Planning Group (and eventually the Judicial Conference) of "diversity and respect" as one of the top seven core values of the federal judiciary.
- c. As a senior civil rights attorney in the Civil Rights Division of the United States Department of Justice, and while serving as the Vice-Chairperson of the Department of Justice Association of Black Attorneys, I helped to start a campaign, eventually supported by the then-Attorney General and then-Deputy Attorney General, to ensure equal pay and equal promotional opportunities for all Department of Justice attorneys of color, including attorneys of color within the Civil Rights Division.

5. If elected, would you be willing to meet occasionally with the leaders and/or memberships of the groups below during your tenure?

Absolutely.