



FIRE

Foundation for Individual
Rights and Expression

January 6, 2023

Douglas Elmendorf
Dean of Faculty
Harvard Kennedy School
79 John F. Kennedy Street
Cambridge, Massachusetts 02138

URGENT

Sent via U.S. Mail and Electronic Mail (deans_office@hks.harvard.edu)

Dear Dean Elmendorf,

FIRE¹ is concerned by reports that the Kennedy School has withdrawn its offer of a senior fellowship to former Human Rights Watch director Kenneth Roth based on his criticisms of Israel.² We urge you to reinstate Roth's fellowship offer and affirm the Kennedy School's continued commitment to the principles of free inquiry and expression.

In April 2022, Roth announced that he would step down as the director of Human Rights Watch after nearly thirty years at its helm.³ Shortly after this announcement, Sushma Raman, executive director of the Kennedy School's Carr Center for Human Rights Policy, approached Roth about joining the Center as a senior fellow.

The Center would be a natural landing place for Roth. He had participated in events and debates at the Center since its founding, and the Center had hosted other scholars in similar positions in the past, such as Amnesty International's former executive director William Schultz and

¹ As you will recall from previous correspondence, the Foundation for Individual Rights and Expression (FIRE) has defended freedom of expression, conscience, and religion, and other individual rights on America's college campuses for more than 20 years. You can learn more about our recently expanded mission and activities at thefire.org.

² See, e.g., Chris McGreal, *Harvard blocks role for former Human Rights Watch head over Israel criticism*, THE GUARDIAN (Jan. 6, 2023), <https://www.theguardian.com/education/2023/jan/06/harvard-kennedy-school-blocks-role-former-head-human-rights-watch-israel>; Michael Massing, *Why the Godfather of Human Rights is Not Welcome at Harvard*, THE NATION (Jan. 5, 2023), <https://www.thenation.com/article/society/hrw-harvard-israel-kennedy-school/>; *Ex-HRW head Ken Roth denied Harvard fellowship due to 'anti-Israel bias' – report*, THE JERUSALEM POST (Jan. 6, 2023), <https://www.jpost.com/diaspora/article-726859>.

³ The following is our understanding of the pertinent facts. We appreciate that you may have additional information to offer and invite you to share it with us.

secretary general Salil Shetty.⁴ As the head of Human Rights Watch for decades, Roth has attracted many enemies among the authoritarian regimes whose human rights abuses he has publicly exposed, including China, Russia, Saudi Arabia, and Rwanda.

The Center extended a formal offer to Roth in early May, which he accepted on June 9. The Center then forwarded the offer to your office for your formal approval as Dean of the Kennedy School. But shortly after meeting with Roth over videoconference in July, your office informed the Center that it would not approve the fellowship. No explanation accompanied the decision at that time, but Kennedy School Professor Kathryn Sikkink later reported you told her the reason for the decision was Roth’s “anti-Israel bias.”⁵ To be clear, FIRE takes no position on the Israeli-Palestinian conflict.

As we have repeatedly reminded Harvard in past correspondences, while private institutions like Harvard’s Kennedy School are not bound by the First Amendment, Harvard promises its students and faculty freedom of expression and academic freedom. Enshrined in Harvard’s policies is a commitment to protect “certain values which are essential to its nature as an academic community,” including “freedom of speech and academic freedom, freedom from personal force and violence, and freedom of movement.”⁶

The Kennedy School in particular has committed itself to “actively pursue the expansion and maintenance of an atmosphere that welcomes new ideas—even unpopular and controversial ones—and encourage an effective and active exchange of views in an environment of mutual respect.”⁷ It has rightly noted that exposing its faculty, students, and staff to “a broad array of ideas, insights, and cultures” requires “attracting outstanding people from diverse backgrounds and traditions.”⁸

But the Kennedy School undermines its laudable commitment to intellectual diversity and free inquiry when it rescinds a fellowship offer based on the candidate’s viewpoint or speech. Specifically, the Kennedy School fails to promote “an atmosphere that welcomes new ideas” when it denies a fellowship to an accomplished human rights advocate and widely-acknowledged leader in the field over disagreement with some of his views.

The appropriate response to Roth’s criticism of Israel by those who disagree with it is to offer “more speech” in the form of reasoned criticism or debate.⁹ More speech serves the principles of free expression and Harvard’s foundational interest in the pursuit of truth.

⁴ Michael Massing, *Why the Godfather of Human Rights is Not Welcome at Harvard*, THE NATION (Jan. 5, 2023), <https://www.thenation.com/article/society/hrw-harvard-israel-kennedy-school/>.

⁵ Michael Massing, *Why the Godfather of Human Rights is Not Welcome at Harvard*, THE NATION (Jan. 5, 2023), <https://www.thenation.com/article/society/hrw-harvard-israel-kennedy-school/>.

⁶ University-Wide Statement on Rights and Responsibilities, Office of the Provost, Harvard University, <https://provost.harvard.edu/university-wide-statement-rights-and-responsibilities>.

⁷ Diversity Statement, Harvard Kennedy School, <https://www.hks.harvard.edu/more/about/policies/diversity-statement>.

⁸ *Id.*

⁹ *Whitney v. California*, 274 U.S. 357, 377 (1927).

FIRE requests that the Kennedy School immediately reinstate the original offer to Roth of a senior fellowship with the Carr Center. Given the urgent nature of this matter, we request a substantive response to this letter no later than the close of business on Friday, January 13, 2023.

Sincerely,


Jessie Appleby
Litigation Fellow