



Harvard Sorority Ban Lawsuit Plaintiffs & Attorney Discuss Case Ahead of Friday Deadline

Erin Hawley, Emma Quinn-Judge, Rebecca Ramos, Laura Doerre
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OPERATOR: Good morning. This is the Independent Women's Forum press call featuring Harvard sorority ban lawsuit plaintiffs and attorney to discuss the case ahead of Friday's headline. This call will be recorded and available for audio replay through Thursday, 14 February at midnight. To listen to a replay, please call 1-888-203-1112 and enter pass code 1889391. And now we will turn the conference over to Carrie Lukas, President of the Independent Women's Forum. Please go ahead, ma'am.

CARRIE LUKAS: Great. Thank you. Welcome everyone, my name is Carrie Lukas, I'm President of the Independent Women's Forum. Today—today's press call is on the record and reportable ahead of the Friday deadline for Harvard University to respond to a pair of lawsuits challenging the ban on single-sex organizations. We're excited to have very special guests with us this morning and we look forward to hearing from them.

IWF is the leading women's group dedicated to promoting policies that don't just sound good, but actually help people have more and better opportunities. IWF has long focused on issues affecting women on college campuses. IWF is proud to join the group standing up to Harvard's ban on single-sex organizations. Harvard's policy violates student's right of free association. Sadly, it has resulted in the elimination of nearly every women's social organization previously available to female students. This is a step backwards. To share IWF's perspective on this issue is our Senior Fellow for Legal Policy, Erin Hawley.

ERIN HAWLEY: Thank you so much, Carrie, and it's so good to be here with you all today. I will not take up much of your time as you will have the opportunity to hear with those directly involved in the lawsuit in just one moment. But I wanted to set just a little bit of background to set the stage as it were for our discussion today. And as Carrie mentioned, tomorrow the respondent, Harvard in this lawsuit, is due to reply to allegations in two lawsuits. And as you may be aware, these lawsuits stem out of a recent controversy that penalizes Harvard students to join single-sex organizations. The policy was announced in 2016 and applied to the freshman class of 2017. And for students who join single-sex clubs they are barred from campus leadership positions, they can't be captain of an athletic team or otherwise hold a

leadership position, and they also may not receive a college endorsement from prestigious fellowships or scholarships, such as the Rhodes scholarship. Notably, this policy applies to students who join clubs that are not affiliated with or recognized by Harvard or even meet on campus. This policy applies broadly to off-campus groups so long as they're made up primarily of Harvard students.

The women of IWF support a group that has stood up to this policy. In the spring of 2016, shortly after the policy was announced, there were hundreds of women that protested across campus. Since that time, the hashtag such as #HearHerHarvard and #StandUpToHarvard have become a clarion call for those who oppose the policy. We'll hear from some of those affected women today. But what this has meant in practice is that students may not participate in all-female clubs or a group such as the Radcliffe Floral Society or the all-males Harvard Glee Club. It also means that students who are members of single-sex charitable organizations such as the Knights of Columbus face the threat of sanction. And IWF is particularly concerned they just may be the tip of the iceberg, and under Harvard's policy one wonders what's next, whether it's students who joins a church who does not recognize female ministers might soon be subject to their policy.

So as a result of this policy, as a result of women standing up and protesting there have been two lawsuits that have been filed against the Harvard policy, one lawsuit in federal court, and one lawsuit in state court. The federal lawsuit is based on Title IX and alleges that the policy discriminates on the basis of sex. The state lawsuit which we'll focus on today, asserts that Harvard policy interferes with student's right to free association and protected under both the Massachusetts constitution and also the United States constitution.

Today we have a particularly special guest with us to discuss this lawsuit, and that is the lead famous attorney in that state lawsuit, her name is Emma Quinn-Judge, she's a partner at the law firm of Zalkind Duncan & Bernstein LLP. Her practice focuses especially on appeals, as you might mentioned she's already on this case, and she's also obtained excellent results in jury cases as well.

So Emma, thank you so much for joining us, and we're excited to hear about the details of this case, more background as you see relevant, and just what you think that Harvard might say tomorrow in its response.

EMMA QUINN-JUDGE: Certainly. Thanks for having me. So again, my name is Emma Quinn-Judge and I'm lead counsel for the plaintiffs in the state case challenging Harvard's policy. The plaintiffs in that case are Alpha Phi International, so that's a national sorority, its chapter in Cambridge, and the Delta Gamma Fraternity Management Corporation, and Delta Gamma is another national sorority. The purpose of the state lawsuit is to end Harvard's sanctions policy altogether, to get rid of it, that's what we're looking for. The focus of the lawsuit is on state protection under the state constitution which the primary one being freedom of association—just as we protect free speech in this country, we protect a corresponding right to associate with others in pursuit of any variety of political, social, economic, educational, religious and cultural ends. Harvard has a wide variety of organizations that students can join on and off campus. And the only type of organization that Harvard is sanctioning right now is an organization that is single-sex in its membership.

The result of this policy has been particularly devastating for women's groups. There were four sororities, these were inclusive organizations. Almost everyone who tried to join a sorority at Harvard was given

a spot and, in fact, my client Alpha Phi came to campus as the last of those four sororities in order to expand the membership of the spots available for women to join sororities.

What happened as a result of this policy is that initially all four sororities closed, and all female, all final groups which are Harvard-based groups also closed. By my count there are still three fraternities open and six all-male final clubs. So the opportunities available to men at Harvard are now very different from those available to women. Women got a late start in these organizations, the first all-male group started in 1791, the first all-female group, a social group, started in 1991. So the women got started later but there was a clear interest and a clear need for these organizations. They grew in membership, they grew in number from 1991 until the rollout of this policy by Harvard. Which Harvard started discussing the policy in about 2014, but it wasn't until last spring that they formalized this sanction—the sanction's policy. So you can be a team captain of a single-sex athletic team, but you can't be a member of a single-sex social organization. Harvard's policy is in our view coercive, threatening and interfere—and intimidates students. And I think students who have experienced the policy can talk about the fear that its engendered on campus.

Certainly, students who are members of these organizations see real value in having women-only spaces. There is the opportunity to support and empower one another, develop leadership skills in an all-female organization, to network. And with respect to the national organizations like sororities the opportunities that these women have are not simply opportunities at Harvard but they're opportunities that go beyond Harvard. When they return or move to other places all over the country they have broad networks that they can call on. And Harvard's policy has certainly taken that opportunity away from women but not from men. But one remaining sorority, that is my client Alpha Phi, which reopened after initially suspending its status, its membership was at its peak 160 members, when it reopened there were about 11 people who were interested in exploring joining—I actually don't have current membership numbers. But you can see that even with the last sorority that is standing on campus, Harvard's policy has really decimated the organization.

So we are seeking a complete end of the policy. We expect that tomorrow Harvard will respond to the lawsuit and will simply say that they see no merit to it and that the state court should throw it out. I don't think that's going to happen. We have strong constitutional protection in Massachusetts for freedom of association and they apply to private actors like Harvard, unlike in the federal context. So we are—we expect that we will be moving forward. We expect that we will be taking discovery and finding out what the motivations were for Harvard when they brought this policy about—their expressed motivations have certainly changed over time—and shining a light on what it is that Harvard is trying to do here. But certainly we can see the effects of what Harvard has done has been devastating for women and that's why the state lawsuit here is on behalf of three female organizations.

CARRIE LUKAS: Wonderful. Thank you so much for that background and a little bit about the freedom of association claim that both students in Massachusetts and all across the country have. I would love to hear a little bit more from students who have been affected. As you so eloquently put it, the women's groups have been disproportionately affected by this rule as one might expect. The male groups have been around a lot longer, have a lot more networking and funding potential, and with just more of Harvard sororities still existing. So IWF is particularly concerned about this effect on female organizations and believe that all-female organizations can be highly beneficial to those who join them.

And I would love to welcome Rebecca Ramos to speak next. She's a 2007 Harvard graduate, and she's a former President of Harvard's Delta Gamma sorority's chapter. Thanks so much, Rebecca.

REBECCA RAMOS: Thank you so much for having me. So on 6 May 2016 with the announcement of the sanction policy, Harvard attempted to tell the female students what will be good for them without bothering to actually ask us. As the march through campus three days later would then demonstrate, hundreds of us disagreed with their policy. During this march hundreds of dedicated students took time away from their studies during final period to show how much they value their sororities, and final clubs, the off-campus all-women's organizations that we belong to. We chanted "Hear Her Harvard" and carrying signs that read "Dear Harvard all-women spaces are valuable to this college" as we pushed the university to question its decision. Women from across campus came together to fight what Harvard was doing and to preserve the opportunity to continue to join spaces that empower, support and welcome women while offering leadership experiences to provide us to lead lives of purpose.

During this march, I felt that I was not marching fully as a Delta Gamma but as part of a larger sorority community. During this event we shared our individual chapter letters because what we face involves so much greater than any one of our organizations.

Now these sanctions block students from pursuing the same support system that was and continues to be so valuable to me and hundreds of my Harvard peers. The women in my sorority gave me an opportunity to lead in a space where I could be vulnerable. The support that I receive as a sorority member was what allowed me to be an engaged, confident student. And this support, these opportunities, and this choice to belong to a group of my female peers has now been taken away.

When I joined a sorority in 2014, I was free to choose my support network. And I chose a group of sisters who would help me believe in me and pushed me to be a better friend, student and leader. I chose a sorority that would provide an opportunity to find my voice in a place where female voices are frequently marginalized. I chose an all-female network that would support me both personally and professionally as I strive to become a high school teacher and administrator. Perhaps, most importantly, at a place as competitive and driven as Harvard, I chose friends who would make me laugh even when I thought I was going to cry.

During freshman year my Delta Gamma sisters regularly sat with me for hours in our space, called The Cove, and answered my seemingly endless questions about statistical analysis and macroeconomic theory. The year after, one of my sisters became my lab partner as we ventured into a science class for the first time in college. And when I applied to start research with a psychology lab, a sister was actually the lab manager who introduced me to the principal investigator. Each time the Lacrosse or the Ultimate Frisbee team had a game, my sisters would be the loudest ones in the stand.

As I moved from Massachusetts to Indiana, and more recently to Connecticut, my Delta Gamma sisters have established a base of support in each new place, demonstrating the extension of this bond beyond the college years across the country.

Sororities transcend all academic and extracurricular interests in a way that most organizations and clubs at Harvard in particular do not. They provide a space for a group of women with diverse interests to come together in a meaningful way and the topics of conversation are unlimited. Our genuine

interest in learning about one another's interests, academic, extracurricular and personal often lead to conversations that last hours. These spaces are difficult to find at Harvard where social circles tend to revolve around academic majors and extracurricular interests. They emerged because Harvard lacked these empowering social spaces, especially social spaces designed for women by women where students could truly find a home while at Harvard. And now these spaces have completely been erased.

While I graduated a year and a half ago having benefited immensely from all that my sorority had offered me, future classes have not had the same opportunity. My younger sister is actually currently a junior at Harvard, and during the spring of my senior year she became my sister in Delta Gamma as well. In the months that we've spent together there, I was so excited to see how her confidence grew and how she began to see Harvard as her home as a result of this community of women. But in the months since her experience and those of my peers has been marred by the scrutiny from the administration through decline of the strong support network that I found and the loss of not have new member classes that might join on the future. These students including my little sister have seen divisions and tensions emerge in the student body as a result of these sanctions. There's been no safe spaces to be challenged and removed altogether. They've suffered as almost every all-women's social organization has been forced to close its doors or commit to letting in men against the ideals upon which it was founded.

Even before the sanctions supposedly went into effect students have been plagued by fear, as they've been asked in fellowship interviews, law school admission interviews, and more about their involvement and agreement to policy. They are scared to admit that they are part of an organization in which they take great pride, even though classes before the class of 2021 were not supposed to be sanctioned.

This policy is an essential threat to the single-sex organizations across the country, including the sororities and fraternities in which 800,000 current students find their home. These organizations were created to fill a void that Harvard left, a void that left hundreds of women across campus searching for a place that would value and would support each of their major endeavors. Under the thoughtful leadership of collegiate women for the last 25 years sororities have become the support system behind thousands of Harvard women. But now my sister cannot benefit from that support because Harvard stole it away from her and the future women of Harvard.

Collegiate women should not be punished by a university for exercising our right to choose our own path, rights protected by the constitution in Title IX, and I, for one, will do everything I can to protect this right. That is why I am proud that my organization, Delta Gamma, is among the plaintiff standing up to Harvard's policy that continues to take away spaces for women. Thank you.

CARRIE LUKAS: Rebecca, thanks so much for that moving depiction and just real-world explanation for what freedom of association looks like in practice at Harvard, at least before the ban against single-sex groups. So we are very excited to hear about how the organization of a sorority was particularly beneficial to you as a student. And just want to pledge our support for continuing to support all-female organizations as you point out, who can provide their members with such leadership for office and networking opportunities that may be absent from other spaces on university. So thank you so much.

I would also love to join Laure Doerre. Laura Doerre is a mom now and former international president of the Kappa Alpha Theta sorority. Thanks so much for agreeing to be with us Laura.

LAURA DOERRE: You bet, thank you for having me. So I, again my name is Laura Doerre. I was the international president of Kappa Alpha Theta which at the time of these sanctions from 2014 until earlier this year. Kappa Alpha Theta is one of the four groups that had a chapter in Cambridge, and we're actually plaintiffs in the federal case. You know, I—Kappa Alpha Theta was also the first Greek-letter fraternity known among women, established in 1870, and we were also the first women sorority established at Harvard. And, you know, I've been involved in this for so long. I am just awed by the courage and determination that these women have shown, including Rebecca. Rebecca got to be good friends during the course of this process and she's been certainly and continues to be such a voice for these women at Harvard. And I've also, you know, gone through the process with our chapter, they made that heart-wrenching decision to have to surrender the chapter's charter because of these sanctions. And it's because of the policy's blatant discrimination and disregard of student's rights that we're taking a stand.

This feeling of, you know, inferiority is precisely the reason that our organizations were originally founded in the 1800s and why they were founded in Cambridge in the 1990s. The men's social clubs had about 225 years of history and networks at Harvard, and women identified the need for empowering spaces—spaces that would give them support, a national network, and encouragement to lead. It was just 27 years ago that the first all-women's final club was formed and then Theta followed in 1993. And as one of our founding members said at the time, the university is so old and in terms of its history women have begun to play a major role only recently. There is a large network for men here, and we should have the same opportunity to form groups exclusively for the benefit of women. And while that was certainly true in 1993, what I've found throughout this experience is that it remains true today. These all-women organizations continue to be a place for support, where women gain confidence, where they share common experiences. The women of Harvard, just like all of the students at Harvard, are from diverse backgrounds and experiences from across the US, from across the world, and organizations like ours give them a strong national network long after graduation and heading into their futures.

And what I found in talking to them was that, you know, back to this 225 years of history of men, that some of these historically male institutions continue to not necessarily provide that level of comfort for women and there are still ways in which they feel they're made to feel inferior and otherwise seek out these opportunities almost, and need them almost more than the men do. And I think that's evidenced by the fact that before this policy was unveiled membership in these organizations was at a record high. And the women obviously saw the value in the groups and opportunity to feel ownership of a piece of their college experience by embracing something that was built by women for women. And Harvard just essentially took these empowering spaces away from these women. It did that paternalistically without the input of the women to the devastation of their organizations, each of which had to either renounce their status as a women's organization or commit to admitting men which, frankly, defeats the purpose.

And, you know, I guess the other thing that really resounds with me is that these students are being punished or being threatened to be punished for belonging to a private off-campus lawful organization. They're being punished for being women and want to associate with women. And while Harvard boasts that its students are among the brightest minds of their generation, their administrators don't even trust them to make decisions about how they choose to associate with one another. And so that's why we're standing up for the students who have been intimidated, threatened, coerced. We're standing up for the students to express themselves, associate with those of their choosing, and live free of sex discrimination.

CARRIE LUKAS: Wonderful. Thank you so much, Laura. We sure appreciate you telling us about your experience, your leadership, and your support for women, like Rebecca and others who are standing up to Harvard's policy.

Thank you so much Erin, Emma, Rebecca and Laura for taking time to join IWF for this important press call this morning. If any of our callers have questions for today's participants, please email your questions to press@iwf.org and we will coordinate responses. Once again that's press@iwf.org. Thank you and that concludes today's IWF press call.

OPERATOR: Thank you for joining today's conference. Once again you may access the audio replay through 14 February at midnight by calling 1-888-203-1112 and entering pass code 1889391. Thank you and have a good day.