

The Final Clubs — invited column for Harvard Independent
by Harry R. Lewis, Dean of Harvard College

It is easy to caricature those who have been concerned about the Final Clubs as throwbacks to Harvard's Puritan past — obsessively concerned that students, somewhere, are having fun. The convenient thing about this form of defense of the Clubs is that it suggests that Harvard itself is to blame for the Clubs, whatever their shortcomings — if Harvard were a “funner” school, if we did more to promote an active social life on campus, students would not be left to seek out the Final Clubs for entertainment.

The problem with this line of argument is that it ignores both the history and the present-day realities of the Clubs, and in particular that only men get to set the conditions under which “fun” can be had in them.

Harvard severed its ties with the Final Clubs when they collectively refused to adhere to one of the minimal expectations for recognized student organizations: that they not discriminate in their membership on the basis of “race, creed, color, sex, sexual orientation, or physical disability.” Every one of the more than two hundred student organizations espouses this principle of nondiscrimination. The Final Clubs do not: they do not admit women as members. With respect to any official status for the Final Clubs, that choice on their part is the end of the story. Harvard has not wavered on the fundamental principle that all students should be eligible for membership in all student organizations.

Since Harvard severed its ties with the Clubs, they have evolved in various directions. A very few have maintained their old men's-club mystique, allowing no one but the members themselves to enter the premises. A few have failed to survive financially and have gone out of business. Several have come to act less like exclusive clubs and more like halls of public entertainment, hosting parties at which women students are eagerly welcomed as guests, and to which male guests also gain easy entrance. At some of these parties, fees have been charged, in clear violation of state laws. There are severe penalties, both criminal and civil, for noncompliance with the regulations set forth by the Alcoholic Beverage Control Commission. We have been told from time to time that Club policies restrict entrance or serving of alcohol in one way or another, but as a practical matter oversight of functions at some Clubs is so lax that they frequently operate in violation of the law and any policies they may have adopted.

One of the most distressing aspects of the way the Clubs have evolved is that in some of them, the alumni have little sense of what is going on in their Clubs today. Not long ago an alumnus of my generation was berating me for my supposed intolerance of the harmless, single-sex organization of which he had been a member, and which he had been supporting financially. He was shocked and disbelieving when I explained that today women were present at many functions in his Club.

The unequal status of women at the Clubs — unwelcome as members, but welcomed for the amusement of the male members at their parties — continues to be of great concern to the College. A club that prohibited membership by Jews or African Americans, inviting them in only for the entertainment of the club members, would be the object of universal revulsion here, but the Final Clubs try to attach some cachet to their exclusion of women as members but inclusion of women as guests. One club member went so far as to explain to me that the Clubs are doing women a favor, since women enjoy all the benefits of

membership without any of the costs. Fortunately, our students are smart enough to figure out that nothing is ever truly free, though every year some first-year women learn this lesson in discomfiting and even dangerous ways.

When Harvard severed itself from the Clubs, there were at first some appeals for flexibility in interpreting our policies. But over the years the Clubs have ceased to seek recognition and have evolved into organizations which enjoy their status outside the pale. No University recognition means no University supervision. Since the Clubhouses are not University property, for example, University Police may not enter them except in cases of extreme emergency. For many years the City of Cambridge considered them to be mainly Harvard's problem, and they were consequently not high on the City's priority list for enforcement of regulations concerning alcohol, disturbance of the peace, and other areas in which some Clubs have operated well outside the law. Last fall the University and the City clarified jurisdictional issues surrounding the Clubs, and the head of the City's licensing board put all the Clubs on notice of their vulnerability to prosecution.

And evidence abounds that alcohol laws are flouted at the Clubs. It is only the end of October, and already six underage students have come to our attention for misbehavior or injury and have told us that they had been drinking at a Final Club at the time of the incident or earlier in the evening. There have been instances of seriously abusive drinking at the Clubs that have threatened the life of undergraduates. Many believe that if a death like that of MIT's Scott Krueger were to occur to a Harvard student, the most likely locus would be a Final Club.

Indeed, the easy availability of alcohol at the Clubs provides the readiest explanation for their continued survival. We have witnessed an unhappy cycle repeating itself: first some kind of serious incident, generally involving abuse of alcohol but also including physical violence or other disorder; consternation of the graduate officers and expressions of good intentions by the undergraduate officers; a period of good behavior, followed by gradually increasing laxity in oversight. These cycles have taken six months to two years to run their course, but we live in constant apprehension about what kind of event will precipitate the next turn of the wheel.

The College has advised the Clubs about how to help control the chronic problems of alcohol abuse at the Club premises. We have recommended that an adult steward, someone who is not a student and is responsible directly to the graduate officers of the club, be present any time that club is open, and that only bonded bartenders be allowed to serve alcoholic beverages. The Clubs have responded that these measures would be too costly, and have asked us instead to make Beverage Authorization Teams and HUPD officers available to them. We have refused these requests, reluctant to take on responsibility for propping up a structure that operates in violation of the College's basic principles. The remedies we have suggested are, in today's society, inherent in the cost of doing the business in which the Clubs engage. If a Club were to fail financially because it could not afford the kind of staff needed to control the consumption of alcohol by its underage members and guests, it would not be the first social organization that has gone out of business in the 1990s because of the expenses associated with prudence in the serving of alcohol.

While access to alcohol can explain a good deal of the Clubs' success in maintaining their membership, we are puzzled about the continuing willingness of their graduate of-

ficers, the legal owners of the Clubs, to bear the risks associated with the Clubs' illegal service of alcohol to minors. The world has changed a good deal since many of the graduate officers were students here, and the potential responsibility of the Clubs' owners under Massachusetts host liability laws is quite staggering. Even aside from the real possibility of a death due to alcohol poisoning, a Club could be liable if a person drinking illegally were to sustain an injury by falling down a flight of stairs or by being assaulted. Rape and other sexual misconduct are ever present dangers when excessive and illegal drinking occurs in an atmosphere of exploitation of women. A Club's liability for such incidents could well devolve personally on the Club's alumni officers, and jeopardize their financial security and that of their wives and their entire families. Student officers, if they have significant assets, would be vulnerable in the same way. Since we have specifically pointed this out to the graduate officers, it is remarkable that they continue to allow the Clubs to operate with as little oversight as they do.

One final observation. It is argued that for some students the Clubs offer a necessary refuge from the combined academic and social stresses of Harvard College; that students may feel uncomfortable in the cacophonous diversity of their residential Houses, and the Clubs provide a beneficial respite where students (male students, that is) can find comfort in the company of people like themselves. This line of reasoning cuts very deep, and deserves a direct response. Since the conception of the House system, Harvard has been dedicated to the principle that the residential environment is as much a part of the learning experience as is the classroom, and that in striving to make each House a cross-section of the College population, we are creating an environment in which students of drastically different backgrounds and interests will learn from each other. Harvard makes no secret of the value it places on its residential system, and year after year there is good evidence that this formula is an educationally successful one for the vast majority of students of every social background, ethnicity, and intellectual and extracurricular interest. In the same way, Harvard makes no secret of its insistence that women and men treat each other with respect and as equals in every circumstance. Students know what to expect when they come to Harvard, and the Clubs do not serve students well as places where they may seek to escape from the basic tenets of the College they have chosen to attend.

(Published in the *Harvard Independent*, October 29, 1998)