# Trump administration launches investigation into racial discrimination at Harvard Law Review



The Trump administration has launched a new federal investigation into Harvard University, focusing on allegations of racial discrimination within the prestigious Harvard Law Review. This move follows previous confrontations between the administration and the Ivy League institution concerning demands to reform hiring, admissions, and teaching practices related to antisemitism on campus.

On Monday, the Department of Education and the Department of Health and Human Services jointly announced probes into the Law Review’s policies and procedures regarding membership selection and article acceptance. The investigation aims to determine whether these practices violate Title VI of the Civil Rights Act of 1964. This law prohibits recipients of federal funding from discriminating on the basis of race, colour, or national origin in programmes or activities they operate.

The announcement closely followed an exposé published three days earlier by The Washington Free Beacon. The article presented leaked internal documents, including memos and Slack messages dating back over four years, which allegedly reveal a ‘pervasive pattern of racial discrimination’ at Harvard’s Law Review. According to the report, only just over half of the journal’s members are admitted solely based on academic merit, while the remainder are selected by a "holistic review committee" prioritising diversity considerations such as race, gender, identity, and sexual orientation. The publication cited a 2021 resolution emphasising the inclusion of ‘underrepresented groups’ as the committee’s ‘first priority.’

Further claims in the report stated that race influenced nearly every stage of article selection, with editors reportedly advancing or rejecting submissions in part based on the author’s race. One quoted Law Review editor expressed concern that ‘four of the five people’ wishing to respond to an article on police reform were ‘white men.’ Another editor was cited suggesting expedited review for a piece due to the author’s minority status.

Acting Assistant Secretary for Civil Rights Craig Trainor commented in a statement: “Harvard Law Review’s article selection process appears to pick winners and losers on the basis of race, employing a spoils system in which the race of the legal scholar is as, if not more, important than the merit of the submission. Title VI’s demands are clear: recipients of federal financial assistance may not discriminate on the basis of race, colour, or national origin. No institution—no matter its pedigree, prestige, or wealth—is above the law. The Trump Administration will not allow Harvard, or any other recipients of federal funds, to trample on anyone’s civil rights.”

Harvard Law issued a response noting that a similar claim was dismissed in 2018 by a federal court judge. At that time, a plaintiff group—the Faculty, Alumni and Students Opposed to Racial Preferences—sued the Law Review, Harvard Law School, and the Fellows of Harvard College, alleging violations of Title VI and Title IX for using race and sex preferences in member selection. However, the court found the plaintiffs lacked legal standing and failed to state a valid claim.

Jeff Neal, a Harvard Law spokesperson, stated: “Harvard Law School is committed to ensuring that the programmes and activities it oversees comply with all applicable laws and to investigating any credibly alleged violations. The Harvard Law Review is a student-run organisation that is legally independent from the law school.” Membership and organisational decisions are made entirely by second- and third-year Harvard Law students.

This latest investigation occurs amid an ongoing funding dispute. The Trump administration has frozen approximately $2.2 billion in federal grants to Harvard University, including $60 million in contracts, following the refusal of the university to meet the administration’s demands related to campus speech policies and academic content that it alleged fuelled antisemitic harassment. Earlier this month, White House officials sent Harvard a letter urging clarification and reform regarding restrictions on protests and activities, alongside a review of departments implicated in fostering bias. When the university declined to comply, the Department of Education’s Joint Task Force to Combat Anti-Semitism announced the freeze.

President Trump further announced plans to cut an additional $1 billion of Harvard’s health research funding. In response, the university filed a lawsuit in Boston federal court, describing the funding freeze as ‘arbitrary and capricious’ and a violation of its First Amendment rights. The legal action contended that the government had failed to establish any rational link between concerns over antisemitism and the vast array of scientific and medical research affected by the freeze, which the university argues is essential to saving lives and promoting innovation.

Monday marked the first court hearing between the parties concerning this funding dispute.

In a development indicating a possible response to federal pressure, Harvard recently announced the renaming of its Office of Equity, Diversity, Inclusion and Belonging to the Office of Community and Campus Life. In an email to the university community, Sherri A. Charleston, the newly titled chief community and campus life officer, said: “In the weeks and months ahead, we will take steps to make this change concrete and work with all of Harvard’s schools and units to implement these vital objectives, including shared efforts to reexamine and reshape the missions and programs of officers across the university.”

These investigations and disputes represent the latest chapter in the Trump administration’s broad challenge to Harvard University, encompassing issues of racial and religious discrimination, free speech, and federal funding policies.

Source: [Noah Wire Services](https://www.noahwire.com)

## References

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