

The Ivy Kingmakers:  
Corporate Power Politics and Discrimination in  
Harvard College Admissions

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**I. Introduction**

From the 1920s onward, Harvard College enforced an informal quota on the number of Jewish students admitted. In 1949 a Massachusetts anti-discrimination law challenged this policy was passed despite protestations from elite schools, forcing Harvard admissions officials to adapt. Yet twenty years later Harvard instituted its first affirmative action policy, voluntarily embracing not just Jews but blacks, Latinos, and American Indians. These changes in admission policy can be partially explained financially, through the relative influence of college managers and the school's sources of income. More broadly, however, the change in the diversity policies and social role of Ivy League schools can be attributed to schools cultivating hegemonic power and discovering their capacity to not just educate the future elite but actually pick and choose the leaders of the next generation. Ultimately, the transition from the first to the second half of the 20<sup>th</sup> century marked the Ivy League's leap from schools exclusive to and controlled by the upper class to institutions influential in their own right.

**II. Explanation: The university as firm**

One explanation for Harvard's differing diversity policies is plain political economy. Although universities have distinct structure and motivations, parallels can be drawn between them and firms. (Indeed, Harvard and other private universities are corporations formally.) Harvard has two governing boards: the Harvard Corporation and

the Harvard Board of Overseers. The Corporation is made up of the college president and six fellows, all of whom are chosen by the Corporation itself (President, Wikipedia). It deals with major issues of educational and institutional policy at Harvard. The Board of Overseers has thirty members and mostly functions as a consultative body. Both boards are essentially alumni-controlled; members of the Corporations are typically (though not always) Harvard alumni, while alumni elect the Board of Overseers directly. At the same time, alumni are a key source of income for universities. While ostensibly a college's "customers" are its students, many students have financial aid that discounts or eliminates their college bills and tuition is less than the actual cost of running the school to begin with. Furthermore, enhancements to the college, such as constructing or remodeling facilities, require extra funds. These gaps are made up for by the school's endowment, and ultimately by donations from alumni. Thus, the alumni, as a group, have a double dose of power over the university as firm. They serve on boards like a board of directors and supply capital like shareholders.

During the 1920s and for some time afterward, alumni opposed to the increasing number of Jewish students on campus. A 1925 letter to Harvard President A. Lawrence Lowell expressed worry about Harvard being "overrun" by Jews, expressing the anti-Semitic fears of many alumni.

Naturally, after twenty-five years, one expects to find many changes but to find that one's University had become so Hebrewized was a fearful [sic] shock. There were Jews to the right of me, Jews to the left of me, in fact they were so obviously everywhere that instead of leaving the Yard with pleasant memories of the past I left with a feeling of utter disgust of the present and grave doubts about the future of my Alma Mater. ...I am not anxious for my boys to come in contact with [Jews] until they absolutely have to. (Karabel 105-6)

Both alumni and some Harvard officials believed, as written in an article by former Harvard president Charles Eliot, that Jewish students had “feebled, stunted, undeveloped bodies, and morbid nervous systems” and were “subservient rather than independent” (Karabel 91). Jewish students, many of whom “live[d] at home [and knew] nothing of dormitory associations [or] Chapel or Commons,” were believed to not contribute as much to the Harvard social atmosphere (Karabel 112). They were also deemed unlikely to give back to the school after graduation, “taking...all that is offered or available and giving little or nothing in return” (Karabel 112). The “sons of the Protestant elite,” on the other hand, provided the “the gentlemanly atmosphere, and the future leaders in business and government--not to mention generous donors--on which Harvard’s claims to preeminence ultimately rested” (Karabel 86).

Even among more liberal-minded Harvard officials, the reality of elite anti-Semitism turned Jewish students into a threat to the institution. The fate of Columbia University served as a warning to Harvard and other elite schools should they ignore alumni preferences on the issue:

While publicly insisting that “Columbia is not ‘overrun’ with Jews any more than it is with Roman Catholics or Episcopalians,” [Columbia dean Frederick] Keppel privately admitted that “boys whose families are in New York society” had a strong tendency to go out of town for college and that no conceivable plans that Columbia would devise would attract them. ... Though the proportion of Jews, which had reached perhaps 40 percent, was reduced to 22 percent by 1921, the sons of the Protestant elite had abandoned Morningside Heights, never to return. (Karabel 87)

Thus, even university overseers such as Henry James who loathed restriction were nevertheless compelled to go along with it.

“Everything in my education and bringing up,’ [James] wrote, makes me shrink from a proposal to begin a racial discrimination at Harvard...” Yet he acknowledged that Lowell was ‘quite right in saying that a situation

which contains serious and unfortunate elements ought to be faced again.”  
(Karabel 107)

The risk of alienating Harvard’s upper-class clientele was too high, for

in the end, Harvard depended on such “paying guests” not only for tuition but also--and far more critically--for the donations that formed the foundation on which the preeminence of the private colleges rested.  
(Karabel 174)

The market for elite students imprisoned university policy on this issue.

Alumni were especially able to influence policy at this time because the university functioned similarly to a family-owned firm; through governance structures and alumni newsletters, alumni “owners” had intimate knowledge of what was being discussed at the school and could exert a great deal of power through withheld donations. The power of alumni checkbooks was especially great because Harvard’s endowment was not as large as it is today; with less of a buffer, year-to-year donations were key to the school’s solvency. During times in the college’s history when the endowment was especially healthy due to strong stock market performance or other factors, alumni power was diminished accordingly. One of these periods occurred during the mid to late 1960s. Despite the prevailing cultural atmosphere at the time, many alumni were still committed to keeping the Ivy League a haven for its elite WASP constituencies. However, post-Sputnik federal money, government grants for research related to the Vietnam War, the huge volume of Baby Boomer prospective students, and other factors made Ivy League schools much more independent of alumni than ever before (Karabel 375). This gave university managers the leeway necessary to establish policies that alumni disagreed with--namely, affirmative action for minorities.

At the same time, the price of failing to implement affirmative action was much more immediate than losing alumni goodwill or donations: it was Harvard's physical security. Race riots in Los Angeles, Detroit, Washington D.C. and elsewhere were fresh in the minds of Harvard administrators (Karabel 385). College campuses were not immune to the unrest: both Columbia and Cornell had experienced student-led takeovers of university buildings (Karabel 389). The assassination of Martin Luther King Jr. was the final straw. After the campus memorial service, representatives of Harvard student organization Afro confronted administrators with their demands, which included admissions policy reforms (Karabel 401-2). No committees, no debate, not even any official announcements of policy change followed. In fear for the stability of the institution and even their personal safety, Harvard admissions officials moved to implement changes right away.

So tangible was the threat of a student revolt [at Harvard] that, as [dean of admissions Chase] Peterson said, "There was a serious question as to whether the admissions office itself would be attacked and whether we would be able to complete our procedures and mail our letters by April fifteenth." ...[A]n armed takeover of a building--an action that had shaken Cornell just a few days earlier--was not out of the question. (Karabel 402-3)

The number of black students admitted the subsequent year jumped 76 percent, and in the years afterward black students made up a reliable 7 percent of the student body, double the previous high (Karabel 403-4). It was not quite what black students wished for (they had demanded a demographically-proportionate 12 percent), but it was enough to placate the student unrest brewing at Harvard.

Conservative elements were not completely removed from Harvard's decision to implement affirmative action, however. In the first few years of the policy, admissions

staff reached out to “inner-city schools never before approached by Harvard,” looking less for students with impeccable academic credentials and more for blacks “who had ‘survived the hazards of poverty’ and who showed that [they are] ‘clearly intellectually thirsty’ and ‘still [have] room for growth’” (Karabel 403). In 1973, however, the Harvard alumni magazine printed an article that was critical of the policy and claimed two-fifths of the black freshmen had major “academic deficiencies” (Karabel 404-5). The targets of affirmative action shifted; also in 1973, “roughly 75 to 80 percent of the blacks admitted...were *not* from disadvantaged backgrounds” (Karabel 405). Harvard alumni, as well as some faculty and staff, had “realized that blacks from relatively privileged backgrounds made the transition more easily than the working-class and poor blacks to what was still an overwhelmingly white institution” (Karabel 405). This demographic shift remains in force today, with only 5 percent of all students having family incomes of \$30,000 or lower--the income of the average American worker (Boushey, Thomson). Proportionately, black students were welcome as ever at Ivy League schools, but now they were hand-picked from the middle and upper classes in order to adhere to the cultural norms of elite backers.

### **III. Explanation: The university as hegemon**

The relation between Harvard and its backers is important. However, it is only one small part of a larger story of the cultivation of Ivy League hegemony. By becoming less reliant on alumni whims, elite universities became more financially independent and enhanced their policy autonomy. Other aspects of the environment of higher education, and measures the Ivy League took to control them, remain to be discussed.

Nadel argues that business seeks hegemony over its environment in order to ensure stability and discretionary power. In order to do this, “[g]overnmental support cannot be left to chance; it must be actively cultivated” (Nadel 15). For corporations, government is both their greatest rival and greatest potential ally. Governments enforce rules that keep markets stable, create rent-seeking opportunities, and control the continual threat of intrusive regulation. It was this last that motivated Harvard and other Ivy League schools to enter the Fair Educational Practices Law debate after World War II. They feared that the legislation would tie the hands of admissions officials and erode colleges’ ability to form its classes based on its own beliefs and institutional interests.

“Despite his insistence that Harvard was already in full compliance with the Fair Educational Practices Act, [dean of admissions Wilbur] Bender in fact was quite worried about its possible impact. For one thing, “we don’t know who will do the enforcing” and “the amount of trouble this law may cause for us.” More worrisome was the specter of...rejected applicants, perhaps “disgruntled or neurotic,” who “may create difficulties.” Alumni representatives, Bender advised, should be extremely cautious with a candidate who “looks like perhaps a touchy individual...or where he belongs to one of the minority groups that might make trouble.” (Karabel 196)

While the law ultimately passed, the “specific wording reflected intense lobbying from private colleges and universities” (Karabel 195). The law explicitly stated that it was “not intended to limit or prevent an educational institution from using any criteria other than race, religion, color or national origin” (Karabel 195-6). By confining the scope of the law, Harvard admissions was still able to use other criteria, including “athletic ability, alumni parentage[,] geographical diversity, [and] ’intangible qualities’” to disadvantage Jewish applicants. Harvard’s power to exclude was still limited; three years after the law was passed, Harvard’s Jewish enrollment rose to 25 percent, ten percentage points higher

than it had been 20 years before (Karabel 195). However, it still fell three points short of Harvard's historical high in Jewish enrollment from before the quota (Karabel 196).

When Harvard later politically intervened in favor of affirmative action, again its motive was protecting its own autonomy. The first test of affirmative action in education took place in 1971 when student Marco DeFunis sued the University of Washington Law School, "claiming that he had been deprived of Equal Protection of the Law under the Fourteenth Amendment because the university had accepted members of favored racial groups despite their inferior academic records" (Karabel 486). When the case reached the U.S. Supreme Court, Harvard filed a 52-page *amicus curiae* brief in support of the University of Washington written by esteemed professor Archibald Cox (Karabel 487-8). Harvard feared that if the initial ruling of the DeFunis case, that "the 'only safe rule is to treat all races alike,'" were upheld, Harvard could no longer exercise discretion in selecting an ethnically diverse student body (Karabel 487). "The threat to Harvard posed by the *DeFunis* case thus went well beyond the issues of blacks and other minorities; it raised the specter of an encroachment on the institutional discretion that Harvard believed indispensable to the protection of vital institutional interests" (Karabel 489). Cox not only argued that diversity at elite universities was key to "the quality of the educational experience" and in the interest of society as a whole, he also took a libertarian tack and emphasized the "dangers of substituting an iron rule of law for the discretion of academic authorities" (Karabel 488-9). "Harvard's varied experience and resulting philosophy to the legal issues will help to provide the necessary perspective" on how college admissions ought to work, wrote Cox to the justices--in other words, leave admissions to the experts and keep government out of it (Karabel 488).

*DeFunis* was never decided; by the time the case reached the Supreme Court, DeFunis was graduating from law school, so the court declared the case moot (Karabel 489). It was immediately followed, however, by *Regents of the University of California v. Bakke* in 1977. Harvard again filed an *amicus curiae* brief, this time it was joined by the University of Pennsylvania, Columbia, and Stanford. The brief was similar in content, calling for justices to “exercise ‘judicial restraint’ by recognizing that ‘colleges and universities, with rare exceptions, have been accorded freedom from external influence and intrusion’ and ‘can flourish only so long as educators have substantial independence’” (Karabel 492). Harvard also lobbied the Court indirectly through an Atlantic Monthly cover story by former Harvard dean McGeorge Bundy that argued in favor of affirmative action--an article which “reportedly influenced the vote of Justice Harry Blackmun” (Karabel 493).

Ivy League lobbying could have easily made the difference in the *Bakke* decision. Four justices wanted to strike down affirmative action in higher education altogether. Four others strongly believed in affirmative action as a means by which historical injustices could be corrected (Karabel 495). The bitter, close decision that resulted was a compromise in favor of Harvard. Written by Justice Lewis Powell Jr., the deciding opinion said that the particular system of affirmative action used by UC Davis was unconstitutional because it used quotas. However, he ruled that “universities could consider race when doing so was necessary to obtain ‘the educational benefits that flow from an ethnically diverse student body’ [--]the justification that Harvard had long used in legitimating its admissions policies” (Karabel 497). The Harvard admissions office was home free. Indeed, by rejecting quotas and elevating the “holistic” method, the *Bakke*

decision not only approved but promoted the idea of college admissions as a black box; while quotas gave outsiders at least one predictable standard for who would or would not get admitted, the holistic method obscured all criteria and made university admissions discretion absolute.

In both Supreme Court cases, Harvard's status as the leading American university enhanced its ability to impose its will in politics. Government power to regulate for socially conscious ends generally "stems from the role of the government as the representative of other social groups who need to utilize the government to amplify their claims against particular industries" (Nadel 12). However, since universities are educational institutions, generally viewed as responsible beneficiaries of society rather than soulless, greedy industrial titans, government is less able to make salient social justice claims against them. Elite colleges also have a unique advantage in that they have a ready-made network of supporters of whom many are in influential positions in politics: namely, alumni. Of the nine Supreme Court justices who heard *DeFunis* and *Bakke*, six were Ivy League alumni, three of whom attended Harvard Law School (Karabel 488).<sup>1</sup> Tellingly, when Harvard alumnus Justice Powell needed an admissions system to be an example of what was constitutionally acceptable, he chose the "Harvard way".<sup>2</sup>

In this way, Harvard repeatedly acted to control its environment and preserve its autonomy. By engaging in libertarian-tinged political interventions against government interference--as well as taking advantage of its unique avenues of sociopolitical

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<sup>1</sup> Even the three non-Ivy alumni justices attended similar elite institutions: Chief Justice Warren Burger attended the William Mitchell College of Law at the University of Minnesota, Justice Thurgood Marshall attended Howard University, and Justice William Rehnquist attended Stanford Law School (Wikipedia).

<sup>2</sup> He also name-checked Princeton in his opinion (Karabel 498).

influence--Harvard successfully retained its power of discretion in admissions and entrenched its hegemonic position in American higher education and cultural life.

#### **IV. The admissions paradigm shift**

Harvard's change in attitude toward diversity on campus from the 1940s to the 1960s reflected a fundamental paradigm shift in the relation between Ivy League admissions and prospective students. At the turn of the century and for some time afterward, Ivy League schools were servants to the current elite. Harvard especially had some aspirations to being a great academic university, and many university presidents had meritocratic goals. Harvard president James Bryant Conant held the Jeffersonian belief that a "natural aristocracy" is to be found among all segments of the population, including the poor and the uneducated" and that "to fulfill its democratic mission, the nation's system of higher learning must identify this natural elite and give it the resources necessary to obtain the best possible education" (Karabel 151-2). But the WASP elite defined the Ivy League's standards of merit. Virtually all university officials thought that academic merit alone ought not determine admission. Athletic ability, as well as nebulous concepts of "manliness" and "character" also mattered--even taking precedence over academic ability in many cases. Why were these criteria included?

University leaders observed that while "grind" students went on to achieve great things in academia, they were not the presidential candidates or captains of industry of the future. Rather, it was the young men with lower grades, but greater "social" potential, who became the nation's leaders. The Ivy League, at this time, believed that its fundamental mission was to educate the leaders of the next generation. Since the progeny of the present elite were empirically the most likely to remain influential in the future, the

top colleges served them. The paradigm had a Calvinist flavor--if you got into Harvard, it meant that you were already fated to join the inner circle. On the flip side, since the sons of poor Jewish immigrants were seen as unlikely to become leaders in society (due to anti-Semitic stereotypes and cultural differences in defining “merit”), they were disproportionately rejected in spite of superior academic qualifications. This admissions system protected the status quo--it ensured that the elites of the future would look like the elites of today. A catch-22 which, of course, was in the interests of conservative donors and legacy fathers.

By the 1960s, however, university officials’ understanding of the Ivy League’s role had reversed. Now, instead of elite schools merely serving a predetermined, culturally homogenous elite group, they saw themselves as the creators of the elite of the future. This realization was necessary for its time, as interracial violence threatened to tear the country apart. The reaction of elite university officials such as Yale president Kingman Brewster to black militarism, race riots, and Martin Luther King Jr.’s assassination reflected the new paradigm.

[W]hat gave the call for Negro leadership its urgency was a sense that a fateful struggle for the soul of the nation’s black population was being waged... In committing themselves to substantially increasing black enrollment, the Big Three were demonstrating that they were serious about helping to construct a black leadership stratum in business, government, and the professions. But the black leaders that reformers...had in mind were to be “responsible” rather than “extreme”... Geoffrey Kabaservice has put it well: “by expanding equality of educational opportunity, elite universities...would...act as a countermeasure to revolution by furthering social mobility and strengthening the case for change within the system.” (Karabel 408)

Ivy League officials hoped that by admitting black students, Harvard could educate a new black overclass who would lead the black community toward non-violent action and

away from popular separatists. This plan relied on the new belief that the Ivy League could serve as a gateway to the upper class for outsiders, not just WASPs. Harvard could, if it wanted, become an instrument of social change, just by changing its admissions policy. Of course, the reality of its new “affirmative action” policy was more complicated, but in the years afterward more minorities than ever before were able to use Ivy League credentials to advance in politics and the corporate world.<sup>3</sup>

## **V. Conclusion**

In the evolution of Harvard admissions policy and the theories behind it appears a tripartite bid for hegemony. First, due to various social and economic factors and a desire for independence, Ivy League officials moved away from financial dependence on alumni. It cannot be overstated that alumni opinions still matter at Harvard and other Ivy League schools and that there remains an institutional interest in preferential admission of legacies and other pro-alumni policies. However, with an endowment of almost \$26 billion, Harvard as an institution is far more independent of alumni donations or elite paying customers than ever (Presidents). Second, Harvard lobbied in the political sphere, largely successfully, for governmental noninterference in its practices and policies. It fought attempts to regulate its admissions policies and established a norm that admissions decisions ought to be discretionary and “holistic” in Supreme Court affirmative action decisions. Finally, Harvard became a kingmaking institution in its self-image and cultural

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<sup>3</sup> An interesting sidenote is that some studies suggest that Ivy League credentials in particular may be key to minority elite creation. This is less because of the academic standards associated with them and more because the social/cultural signaling function of degrees from elite institutions compensates for lingering racial prejudices. “As one interviewee succinctly stated, Harvard Law School is like an ‘H bomb.’ Whenever he drops it in a professional setting, the conversation invariably takes on a new, and typically more respectful, tone” (Wilkins 533-4).

identity. It is almost self-evident that Harvard and other elite colleges are the hegemon of the prospective student ecosystem, dominating the careers of countless high school students who take a thick letter from Harvard to be a gilded invitation to the upper class-- and not without cause.

What might these hegemonies mean for Harvard administrators' future policy choices? In business, managerialist theory goes, autonomous managers strive to maintain the status quo above all else.

The new manager, freed from the control on both stockholder and banker, sought to maintain and perpetuate his or her position. In order to accomplish this, managerialists argued, a moderate administrative strategy inevitably evolved. The technocratic executive sought to pacify and co-opt all those inside and outside the organization who might potentially upset the status quo. (Mintz and Schwartz 18)

At first, the wave of affirmative action that followed increases in Ivy League autonomy from alumni "stockholders" do not seem to fit this prediction. Rather than maintaining the status quo, Harvard officials immediately instituted some of the most sweeping admissions policy changes of the century. Perhaps elite universities fit managerialists' prediction of socially responsible "soulful corporations" better than corporations themselves; given the non-profit nature of Ivy League schools, influence of faculty, and general expectation for educational institutions to contribute to society, this is certainly a factor (Kaysen 1957, qtd. in Mintz and Schwartz 18). Furthermore, the case of affirmative action does fit the model in motive if not in outcome. At the time maintaining the status quo was tantamount to asking for riots on campus. The motive for change was the same as the motive for preserving the status quo generally: avoiding instability.

When managing an enormously socially and politically influential organization such as Harvard, it must be tempting to exercise that power. The ability to admit anyone,

for any possible conception of merit or institutional reason, into the ranks of the likely future elite, seems irresistible to use for political or social goals. While incentives generally favor managerial organizations maintaining the status quo (lest risky decisions compromise managers' hard-won autonomy) it also makes no sense to have the "freedom" to change nothing. It seems that, given the wide bounds of current constraints on Ivy League autonomy, future policy changes at Harvard and other schools are likely to be personality-dependent, following the efforts of individual deans and presidents to implement their personal agendas and goals for education and the nation.

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