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July 29, 2021

John F. Manning
Dean
Harvard Law School
Cambridge, MA 02138

Dear Dean Manning,

We expect you have reflected on the troublesome number of Harvard Law School graduates in positions of authority without any moral or ethical compass. We reference such marquee names as former Secretary of State Mike Pompeo, United States Senators Tom Cotton and Ted Cruz, Florida Governor Ron DeSantis, and former White House press secretary Kayleigh McEnany.

The first three have recklessly echoed and amplified former President Trump's counterfactual claim of massive fraud in the 2020 presidential election. They helped give birth to the January 6, 2021, storming of the Capitol by domestic terrorists to prevent the peaceful and constitutional transfer of presidential power. They have also chronically recommended--especially Pompeo bugling in unison with Yale Law Alumni John Bolton--clearly illegal military and foreign policy aggressions –illegal under the U.S. Constitution, federal statutes, and treaties to which we are signatories.

We are not parsing differences of opinion or ideology. We are alarmed by pathologies dangerous to the Republic: chronic prevarications coupled with advocacy of criminality or other illegal actions under existing law.

Years ago, during a spate of reports about corporate crimes by high executives, some Business School Deans began asking themselves whether their curricula needed attention to promote ethical behavior by business leaders. Courses were added about compliance with the letter and spirit of the law and adherence to high moral standards in commerce and industry while ascending corporate ladders. Special lectures were included toward sensitizing and informing business school students about their responsibilities for ethical leadership.

Have you and your associate Deans and select law professors gathered to discuss what additional courses, seminars, or special lectures are needed to tutor your students about compliance with the law while seeking improvements according to constitutional processes? How in the world can Pompeo, a graduate from Harvard Law School, end up advocating armed attacks, bombings, and violent overthrows of regimes unthreatening to the United States (note only truly defensive wars are legal) heedless of domestic or international law—which he dismisses as not even a brooding omnipresence in the sky.

Ethical shortcomings in a Harvard Law School education are longstanding. See Bruce Fein, "Harvard Law School's Shortcoming," Harvard Law Record, March 11, 2020. Harvard Law graduates were the masterminds of the unconstitutional racist concentration camps for 120,00 Japanese Americans during World War II. Harvard Law School graduate and Assistant Secretary of War John McCloy infamously declared that "the Constitution is just a scrap of paper to me," anticipating President Trump's heresy, unchallenged by any Republican officials or office holders, "Then I have Article 2 where I have the right to do anything I want as president."

We submit that Harvard Law School students would benefit by immersion in ethics through case studies of the likes of Pompeo, Cotton, and Cruz supplemented by examining similar moral derelictions of Yale Law School graduates Hillary Clinton and Harold Koh.

Even as an extremely cautious Law School Dean, you must have ruminated about some additions to the Harvard Law School curricula. Please accept our expectation of your considered response. Ethics are too important to law to be left on the sidelines.

Sincerely,





Ralph Nader Bruce Fein