

Harvard Law School Summer Theory Institute
Summer 2009
Final Report to OPIA and Program on the Legal Profession

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The HLS Summer Theory Institute is a weekly workshop for Harvard law students with public interest summer internships in New York City. The Institute was founded in the Summer of 2008 by Jocelyn Simonson '06 and Nisha Agarwal '06, and receives generous support from the Office of Public Interest Advising (OPIA) and the Program on Legal Professions (PLP), funded in large part by a grant from the Harman Foundation.

This report details the success of the second year of the Institute, in which fourteen student “Fellows” met with Ms. Agarwal and Ms. Simonson on a weekly basis to read works of social theory and reflect on those theories in the context of their public interest summer jobs. This report (I) describes the purpose and method of the Summer Theory Institute and (II) discusses the results of anonymous surveys of the Institute conducted each summer, which underscore the continued need for the program for public interest students at HLS.

(I) Purpose and Method

The HLS Summer Theory Institute has two broad goals:

- **Combining Theory & Practice:** To allow the Fellows, through the combination of theory and practice, to engage more meaningfully with their organizations’ methods of pursuing justice. To provide a normative intellectual context for the day-to-day practice of public interest law, thereby encouraging the students to be thoughtful and critical practitioners.
- **Encouraging Public Interest Work & Creating Community:** To infuse excitement, innovation and sustainability into the participants’ early experiences practicing public interest law full-time. To establish a network of future leaders who are motivated to be innovative thinkers and actors in the public interest world, and who will bring their enthusiasm for pursuing social change through the law back to the HLS community at the end of the summer.

In pursuing these goals, the Institute’s theory-practice method creates a space for student participants to think through the role that social and critical theory can play in their practice. Each week throughout the summer, student participants gather to parse through the writings of a different theorist or set of theorists: from Michel Foucault on the prison state, to Friedrich Hayek on the meaning of social justice, to Chantal Mouffe on agnostic confrontation. At each session, we work together with the Fellows to determine how, if at all, these ideas about the social world have relevance for their daily attempts to change that world.

In 2009, the Institute’s group of fourteen Fellows – 1Ls and 2Ls interning at public interest organizations in New York City – engaged in this theory-practice method together one

evening a week for ten weeks. We chose the Fellows based on an application process in which prospective participants submitted a Statement of Interest. No background in social theory was required. Our meetings took place in a conference room at the offices of New York Lawyers for the Public Interest, in Midtown Manhattan, and dinner was provided. For each session, Fellows prepared by reading one or two short works of social theory and submitting informal written responses with their reflections on the week's readings. As in 2008, we chose the theorists to reflect a diversity of perspectives and to relate loosely to the range of practice areas in which the fellows were working. We explicitly chose not to include legal theory or works directly addressing the law or lawyering. (A list of organizations where the Fellows worked and the syllabus are attached to this report as Appendices B and C, respectively.) Each discussion was led by one or two Fellows and facilitated by us. In recognition of their participation, Fellows received a \$1000 supplement to their Summer Public Interest Funding. The Fellows were required to complete a case study at the end of the summer for the Program on the Legal Profession, in which they analyzed a specific aspect or decision of their public interest organizations in light of the theory that they read during the summer.

Each workshop began by engaging directly with the theoretical text and identifying the “lens” through which the theorist was asking the reader to view the world. After articulating the “lens,” we encouraged the students to set it aside and ask what the existence of that particular way of seeing the world can tell them about their roles as public interest lawyers. Some of the theories invited self-reflection, while others led the Fellows to discuss public interest law in the context of larger social issues. At most sessions, the Fellows drew provocative connections between the theories they were analyzing and their views about lawyering for social change. This is not to say that the discussions did not fall flat at times – but when they did, we found the surest way to reengage the group with the theory was to ask them reflect on whether the assigned text spoke to them as lawyers trying to work towards change.

In the Institute's second summer, as in its first, the Fellows' experiences demonstrated the benefits of creating an environment in which a community of public interest-minded law students can discuss abstract, normative concepts while engaged full-time in the practice of law and social change. These benefits include:

- The opportunity to **connect regularly with other public interest law students** from HLS during the summer
- The space to **think critically** about the world of public interest law
- The introduction of an **intellectual component** to their summer public interest practice
- The ability to develop **meaningful relationships with public interest HLS alumni**
- The recognition that it is possible to **combine abstract thinking with on-the-ground practice**

As one Fellow noted in the evaluation: “It made me feel like my summer was a comprehensive experience, and I was far more thoughtful about the implications and methods of my practice than I ever would have been if I didn't participate.” The Institute thus fills a void in the experiences of public interest law students at HLS, and provides a model for how the law school can lay the foundation for a critical and invigorated public interest community.

(II) Evaluation Results

The results of the anonymous survey completed at the end of the summer by the 2009 Fellows demonstrate the ways in which the Institute was once again successful at meeting its two broad goals: (1) allowing the Fellows to combine theory and practice in a structured setting, and (2) creating a public interest community at HLS. Below are some highlights from this year's survey. Please see Appendix A for the unabridged results.

(a) Overall

This year's Fellows once again reported overwhelmingly positive experiences with the Institute.¹

Overall, the Summer Theory Institute:		
Answer Options	Response Percent	Response Count
Did not meet my expectations	0.0%	0
Met my expectations	23.1%	3
Exceeded my expectations	76.9%	10

What were your favorite aspects of the Summer Theory Institute? (check as many as apply)		
Answer Options	Response Percent	Response Count
Meeting other public interest students at HLS	100%	13
Meeting other students interested in social theory at HLS	61.5%	8
Meeting public interest HLS alumni	84.6%	11
Structured space to read and discuss social theory	92.3%	12
Structured space to talk about social justice and public interest law	76.9%	10
Relevance of the readings to my public interest job	46.2%	6
Opportunity to read social theory without professors, grades or final papers	30.8%	4
Having my peers serve as discussion leaders for each session	23.1%	3
Combining theory reading with public interest practice	69.2%	9

¹ These answers were even more encouraging than last year's, in which 58.3% (7) of the Fellows reported that the Institute met their expectations, and 41.7% (5) reported that the Institute exceeded their expectations. For the full results of the 2008 evaluation, see last year's report, available at <http://tinyurl.com/STIRreport>.

Favorite aspects of the Summer Theory Institute? (continued)		
The diversity of perspectives, experiences and public interest jobs represented in the group	61.5%	8
The food	76.9%	10
Other (please specify)	15.4%	2*

* (1) “specifically nisha and jocelyn's guidance”; (2) “structured space for reflection on the intersection between legal practice and social theory was the best, but all of the aspects listed above made STI great. I am inspired to continue some sort of theory based reading group after I finish law school; I think it would greatly enrich my practice and help me keep my thinking new.”

What were your least favorite aspects of the Summer Theory Institute? (please check all that apply)		
Answer Options	Response Percent	Response Count
Balancing a full-time job with participation in the Summer Theory Institute	15.4%	2
The written responses	38.5%	5
Reading social theory with practitioners as the discussion facilitators, instead of professors	0.0%	0
Having my peers serve as the group leaders for each session	15.4%	2
The lack of diversity of perspectives, experiences and public interest jobs represented	30.8%	4
Insufficient background or context for the readings	23.1%	3
Lack of relevance to my public interest job	7.7%	1
Too much like an HLS seminar; didn't feel distinct or different from my term-time classes	0.0%	0
Too much focus on the readings, and not enough on our jobs and public interest law	7.7%	1
Not enough focus on the readings	7.7%	1
Other (please specify)	15.4%	2*

* (1) “the case study”; (2) “...I dreaded writing my response each week, as it was much more time intensive than I had anticipated.... At the same time, the more effort I put into the readings and, by extension, my response, the more enjoyable I found the weekly discussion....”

Please rate Nisha and Jocelyn on a five-point scale in terms of their:					
Answer Options	1 (not so good)	2	3 (so-so)	4	5 (awesome !)
Accessibility	0	0	0	2	11
Preparation and Organization	0	0	0	3	10
Qualifications as Group Facilitators	0	0	0	0	13
Ability to Facilitate Discussion	0	0	0	2	11

(b) Thoughtful Public Interest Practice

Fellows also reported that the process of engaging with social theory while practicing full-time changed the ways in which they view their public interest work and their own role in making social change.

Do you think that participating in the Summer Theory Institute had any effect on how you viewed the organization that you worked for?		
Answer Options	Response Percent	Response Count
Yes	92.3%	12
No	7.7%	1

Selected comments:

- “ It forced me to be more introspective about the racialized nature of my summer work and the ways in which institutional decisionmaking operates.”
- “ It helped me think more deeply about what is at stake in the delicate task of representation, in its many aspects, and informed my understanding about how to lawyer in a way that promotes the dignity of my clients and others.”

Do you think participating in the Summer Theory Institute had an effect on how you viewed the work you were doing as a public interest lawyer this summer?		
Answer Options	Response Percent	Response Count
Yes	92.3%	12
No	7.7%	1

Selected comments:

- “The Summer Theory Institute forced me to think critically about the lawyer-client relationship, the limits of law, and what it means to work in the public interest.”
- “I had never devoted this much focused time and critical thought to the legal profession's position (or public interest law more specifically) within society, and I left at the end of the summer with a much clearer picture in my mind starting to form. the readings and discussions were great for providing a huge range of perspectives that I could draw from in forming my own ideas. and as a purely practical matter, seeing so many other people working in/committed to theory and to the public sector is helpful and reinforcing in a lot of ways”

(c) Community

The Institute was once again successful in fostering a sense of community among public interest law students at HLS. Indeed, all of the participants indicated that one of their favorite aspects of the Summer Theory Institute was to meet other public interest law students.

In their comments to open-ended questions in the evaluation, the Fellows further elaborated on the importance of community to them:

- “I definitely think that this group of participants will maintain contact and contribute to what I see as an already vibrant public interest community at HLS.”
- “It certainly brought together a group of students who might not otherwise have seen each other as sources of support. I hope that some of what the 3Ls said will be helpful to the 2Ls.”
- “As a 1L who was pretty sure I'd pursue public interest law, I had trouble finding a group of people who also seemed fairly certain of that. So many 1Ls do pub interest internships with no intention of doing that long-term, but it was great to meet other 1Ls and 2Ls (as well as nisha and jocelyn) and establish a kind of group camaraderie that I hope we can sustain during the school year.”
- “By mixing both session[s] and years in a[n] intimate discussion environment, it definitely helps to create a bond.”
- “I think it would be great if there were more STI groups in other cities, so that more public interest students could participate.... I really enjoyed getting to know the other students and will definitely be keeping in touch with them once we get back to HLS.”
- “I definitely want to keep in touch with the people I met this summer, and it would be nice if someone takes the initiative to sustain and grow the public interest community that formed. It definitely added to my own resolve to do public interest and felt like a really thoughtful and supportive thing. [I]t's affected the classes [I] am interested in taking and some of the extra-curricular activities [I]'d like to pursue, and also helped me appreciate how important it is to build a network of like minded or similarly situated people.”

(III) Conclusion

For the past two years, the Summer Theory Institute has proven to be an enriching addition to the summer experiences of Harvard law students, and it has extended the law school's educational reach into the world of full-time public interest practice. The results presented here demonstrate that from the Fellows' perspectives, as well as from ours, the Summer Theory Institute fills a void in the educational experiences of law students interested in careers in public interest law. We hope that the Institute will continue to serve this vital role for public interest-minded Harvard law students in summers to come.

APPENDIX B – List of Public Interest Organizations

List of New York public interest organizations for which the 2009 STI Fellows interned:

- Advocates for Children
- Bronx Defenders (2)
- Exoneration Initiative
- Internal Revenue Service
- Legal Momentum
- Latino Justice
- New York Civil Liberties Union
- New York Lawyers for the Public Interest
- New York State Office of the Attorney General
- Open Society Justice Initiative
- United Nations Development Program
- Urban Justice Center (2)