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September 28, 2019

REPORT ON CANCELLATION OF LAB MODULE ON “DIALOGUE AND DISSENT”

As detailed below, I was asked by Yale President Peter Salovey to visit Singapore and learn more about the decision to cancel a week-long module on “Dialogue and Dissent in Singapore” within the Learning Across Boundaries program in Yale-NUS College. The leadership of Yale-NUS College and the National University of Singapore have fully cooperated with my fact-finding.

I have undertaken this review in my capacity as Vice President and Vice Provost for Global Strategy of Yale University. I formerly served as Yale-NUS’s founding President from 2012 to 2017. In my current capacity, I oversee Yale’s global activities. Although I do not serve on the Governing Board of Yale-NUS College, I remain responsible for reviewing the academic effectiveness and financial viability of Yale-NUS on behalf of Yale University; I advise the Yale Provost in his decisions on the appointment, tenure, and promotion process for tenured and tenure-track faculty at Yale-NUS; and I oversee the office that arranges exchanges of faculty and students between Yale and Yale-NUS. Six years ago, when I was President of Yale-NUS, I also oversaw the launch of Learning Across Boundaries as an experiential learning program.

I conducted my fact-finding in Singapore from September 19 to 21, when I met with the senior leaders of Yale-NUS and the National University of Singapore and with members of the Yale-NUS governing board, plus twelve permanent Yale-NUS faculty members and one former visiting faculty member as well as three administrative staff members who were assigned to oversee the Learning Across Boundaries program. The visiting faculty member I met is the person whose module was canceled. Among the leaders I met were the President, all three Vice Presidents, the Dean of Students, and the Dean of Faculty, who is also a Yale University faculty member. I also met representatives of the Yale-NUS student government. I was given copies of all documents I asked for, including minutes and agendas of the Curriculum Committee, emails with the instructor of the proposed module, lists of speakers at Yale-NUS over the past year, and various drafts of the syllabus for this project and for approximately 19 other modules or courses. I received a small number of email or social media communications from Yale faculty, Yale-NUS faculty, and Singaporean faculty not affiliated with Yale or Yale-NUS. The accounts I received consistently pointed to the conclusion that the decision to cancel the module was made internally and without government interference in the academic independence of the College.

I met briefly with a senior Ministry of Education official and emphasized the importance of academic freedom, but I did not interview her or any other government officials as part of this fact-finding.

Narrative of Events

A module on “Dissent and Resistance in Singapore” was proposed by a part-time instructor. The instructor had offered a course on playwriting in the first half of 2019; although some of the plays discussed had political themes, the course did not include much if any discussion of such matters as dissent and resistance. Around March, he was approached by junior staff in the Centre for International and Professional Experience (CIPE) about offering a “week seven” Learning Across Boundaries (LAB) module off-campus in Singapore in late September and early October 2019. Such modules are week-long offerings that form an adjunct to the College’s required first-year Common Curriculum.¹ They normally mix off-campus experiences with academic readings and classroom discussions. All first-year students are required to take one such LAB module and are not guaranteed their first choice. Almost all such modules are taught by tenured or tenure-track faculty, with a few taught by long-term non-tenured faculty or visiting faculty from Yale or NUS.

The proposal was received on May 28. Conditional approval was given for the module by the Curriculum Committee on May 31, contingent on substantial revisions to the proposed syllabus; those revisions were not made in a timely fashion. I discuss the approval process under “Academic Component” below. In addition to academic concerns, the Curriculum Committee noted that there might be legal risks to students associated with a planned “simulation” of a protest in Hong Lim Park. The instructor proposing the module had previously been hired for a single semester as a part-time instructor, as part of a rotating program of artists in residence, and under that contract May 31 was his final date of employment at Yale-NUS.

The staff in charge of the week seven LAB communicated frequently with the instructor in June and July but found it difficult to reach him by email; they met with him on August 1. They remained concerned that he had not made the revisions requested by the Curriculum Committee and that he was not sufficiently aware of the legal issues involved in his module (discussed below under “experiential dimension”). In particular, the instructor offered a summary of the module late on August 13 that suggested he had not taken the recommendations of the Curriculum Committee and the CIPE staff into consideration. Staff subsequently agreed with the instructor to change the title to “Dialogue and Dissent in Singapore,” but they did not reach agreement with him on the content or specific activities of the module. The instructor felt, however, that they were rather vague about how he should accomplish the critical engagement

1. Following Yale-NUS practice, I use the term “module” for short courses. These particular modules are recorded on the student’s transcript as “o-credit” modules so do not count towards the number of credits needed for graduation, but they are a graduation requirement so in that sense are credit-bearing.

called for by the Curriculum Committee. It would have been better at this point to have a member of the Curriculum Committee or other senior academic communicate directly with the instructor.

Given the incomplete nature of the module at that point of time, it was an administrative error to announce the module as part of the “Week Seven Fair” on August 14. The staff were operating under unusual time pressures. This has been confirmed by the staff and their supervisor and by my review of the materials submitted at different stages of the process. Students signed up for the module on the evening of August 14 and were allocated to the module according to the usual registration system in the week of August 19.

On August 15, the Vice President responsible for CIPE sought legal advice from outside counsel and concluded that participating in any organized activities at Hong Lim Park might entail legal risks for international students. Staff continued to try to revise the syllabus in order to receive final Curriculum Committee approval, but such approval was never formally received. Subsequently, staff reached out to the instructor on WhatsApp and scheduled a meeting for August 28. At that meeting, they discussed their concerns with him and followed up with an email. The instructor submitted a further revision of the syllabus on September 5. On September 10, the CIPE staff again expressed their concerns about the academic rigor and the legal risks to students of the program to the Vice President responsible for CIPE.

On Wednesday, September 11, the Vice President responsible for CIPE raised her concerns about legal risks to students to the senior leadership of the College (specifically, the President and the Executive Vice President for Academic Affairs [EVPAA]). The EVPAA and the Vice President responsible for CIPE reached out to ask for a meeting with the instructor, who said he would be leaving town and could not meet with them for another week. The EVPAA and the Vice President responsible for CIPE alerted the President that they were considering canceling the module.

Yale-NUS President Tan Tai Yong reached out that evening to the chair of the Yale-NUS Board, who indicated to him that since this was an academic decision it should be made by the college leadership, not by the Board. He also reached out to a Ministry of Education official who serves on the Yale-NUS Governing Board to see if the Ministry could intervene with police in order to ensure that students would not be arrested if they went to Hong Lim Park. The Ministry official said she did not have authority over the police. The President subsequently reached out to the Presidents of NUS and Yale, who both serve on the Yale-NUS Governing Board, to indicate that he was considering canceling the module. College leadership recognized that if not fully explained this decision would be controversial in Singapore and in New Haven.

Because he was on a plane flight, Yale President Salovey was unable to speak to Yale-NUS President Tan when President Tan contacted him on September 11 (Singapore time). He asked me to call Yale-NUS President Tan and express Yale’s concern. I spoke to President Tan twice on the morning of September 12 (Singapore time) and also

spoke to EVPAA Joanne Roberts twice that morning. I indicated to the President and EVPAA that Yale had concerns about any cancellation of the module. Both the President and the EVPAA assured me that they would consult internally about the decision whether to cancel the module and that it would be a Yale-NUS decision that would be made on academic criteria and their assessment of legal risks to students. They told me that they had both academic and legal concerns about the proposed module. They also indicated that they would be discussing the matter with senior staff and relevant faculty later that morning and announcing a final decision the next day. Later that morning, at a meeting of leaders of relevant units, the chair of the Curriculum Committee and another senior member of the Curriculum Committee indicated that they thought that the revised proposals submitted on August 13 and September 5 had not met the conditions required by the Committee for approval and therefore that the course should not have been announced. It would have been preferable at this point to hold a full meeting of the Curriculum Committee to consider the issue.

That evening (Singapore time), President Salovey called Yale-NUS President Tan Tai Yong to express concern about any decision to cancel the module. President Tan indicated that the College had already decided to cancel the module and would announce the decision on the morning of September 13.

Yale-NUS announced the decision to cancel the module on September 13. President Salovey asked me, as the officer at Yale with responsibility for ensuring that the university's global programs, including its partnership with Yale-NUS, accord with Yale's mission and values, to find out the facts of the case. The same day, the Yale-NUS faculty met, and while it was an informal meeting without minutes or motions, several participants have stated that the consensus of faculty present was supportive of the College leadership's course of action.

Based on my interviews of about 25 people involved in the process, including the instructor, and my review of the relevant written materials, I consider that errors were made in the process of considering this module. These errors were generally administrative in nature. They did not, in my view and the view of all the participants I met, infringe on the academic freedom of the proposed instructor or of anyone at the College. This view is shared by members of the Yale Faculty Advisory Committee on Yale-NUS College based on the information I shared with them in New Haven on September 24 and subsequently. The errors did entail some confusion among Yale-NUS staff about certain aspects of Singaporean law. The consequences of this incident could conceivably cause some observers to doubt the spirit of open inquiry at the College, which would be unfortunate because Yale-NUS has been successful to date largely because of its dedication to academic freedom and open inquiry, values that the College leadership has reaffirmed in the aftermath of this incident.

I have shared the text of this report and other information with the Yale Faculty Advisory Committee on Yale-NUS College and received comments from them, but this is my report. They plan to brief President Salovey separately on their views. Where I

quote their opinions in what follows, I have received approval from all the committee members (except for two members who were unavailable to participate in the discussions).

Communications from the College have emphasized three main concerns about the proposed module: its academic rigor; the legal risk to students of the experiential component; and the political balance of the syllabus. I address these matters in the following three analytical sections of this report: on the academic component of the module and academic freedom; on the experiential learning dimension and legal risks; and on the question of the political nature of the program. I then conclude with a consideration of the spirit of open inquiry and some specific recommendations.

Academic Component of the Module: Questions of Academic Freedom

The Week Seven Program was introduced in 2013 and has become a hallmark of Yale-NUS College. From the beginning, concerns have been raised by faculty about whether off-campus experiential learning is sufficiently rigorous for such an intensive program. This year, the College decided to grant academic (graduation) credit for the program and had the Curriculum Committee review all proposals, which were supposed to be academically rigorous and thematically linked to the required first-year common curriculum, with clear learning objectives.

The Curriculum Committee consists of three tenured faculty members and one tenure-track faculty member. Tenured faculty members on the Curriculum Committee had concerns about the academic content of the “Dissent and Resistance” module proposal, which were expressed in late May, communicated to the instructor in June, and never adequately addressed by the instructor in the efforts to revise the syllabus in the following months. This has been confirmed by two tenured faculty members on the Curriculum Committee, by a review of the notes of the committee, and in conversation with the instructor himself. The instructor notes, however, that he did not feel he received clear instructions about how to address these concerns. It would have been more appropriate for a senior academic to have overseen this process closely. Even in the absence of such an arrangement, the junior staff should have been more closely supervised.

On the matter of academic standards, faculty felt that the proposal sacrificed academic rigor to “emotive” activism. The Curriculum Committee also felt that the instructor, while expert in playwriting, did not have academic expertise in the area of the proposed module. In particular, they objected to a sentence that read: “[students] will learn that in spite of draconian regulations and legislation, resistance is always possible, along with its emancipatory potential.” They felt that the module did not propose to study activism so much as to engage in it, and they did not feel this was appropriate for a credit-bearing college module that is part of a required curriculum. They were concerned about the proposal to bring protest signs to Hong Lim Park. The Curriculum Committee chair emphasizes that they did not think that engaging in activism

or protest was a legitimate credit-bearing activity irrespective of whether the protests were legal or illegal. The tenured College faculty in charge of the decision felt that they should not make political advocacy a formal part of the curriculum. Members of Yale's Faculty Advisory Committee on Yale-NUS have pointed out that to approve the original syllabus might in fact have infringed the academic freedom of students by requiring them to participate in political protests. (The instructor subsequently suggested that these were "simulations" of political protests, which in this context is a distinction without a clearly articulated difference).

The Curriculum Committee conditionally approved the module. There were two conditions: a more rigorous academic approach and attention to the legal risks discussed below. It would have been more appropriate and clearer for the Committee to formally reject the proposal and ask for a revised proposal before granting conditional approval. The process for resubmitting the proposal was not made clear, but it is also the case that the instructor was dilatory in submitting his revisions. CIPE staff proposed that the module include an intergroup dialogue session to allow students to exchange views before the off-campus activity. A student who had signed up for the module suggested academic additions to the module, such as a visit by a well-known sociologist. The instructor rejected all such revisions, thus contributing to concerns about whether he intended to offer critical engagement in the module. In a later version of the proposal, he did separate the sign-making workshop from the visit to Hong Lim Park, but he continued to speak of "simulating" protest at the Park.

The process for approving a revised syllabus was informal, and the CIPE staff, busy trying to prepare for the week seven projects, did not adequately consult the Curriculum Committee. The Curriculum Committee delegated responsibility for checking the revisions to the CIPE staff, which ultimately decided that the revisions were inadequate and shared this view with senior leadership. It would have been preferable to bring the revised syllabus to the full Curriculum Committee for reconsideration, but it should be stated that the revisions to the syllabus offered by the instructor were minor and clearly would not have met with the Curriculum Committee's approval. The chair and one other senior member of the Curriculum Committee were consulted by senior leadership on September 12 and indicated that they did not consider the revisions adequate.

After CIPE and the senior leadership of the College (tenured members of the faculty) determined that the module would not be offered and announced that decision, the faculty discussed the decision in two faculty meetings – on September 13 and September 18. According to notes of those meetings provided by faculty, opinion was unanimous in both meetings in favor of the decision to cancel the module. The President of the College told the faculty meeting of September 18 that faculty should not change their academic standards and modes of inquiry due to outside scrutiny. He made clear his commitment to academic freedom and was praised by faculty present for doing so.

More broadly, I inquired on my visit into the state of academic freedom at the College. The Yale-NUS Policy on Academic Freedom, adopted in 2012, reads:

“The College upholds the principles of academic freedom and open inquiry, essential core values in higher education of the highest caliber. Faculty and students will be free to conduct scholarship and research and publish the results, and to teach in the classroom and express themselves on campus, bearing in mind the need to act in accordance with accepted scholarly and professional standards and the regulations of the College.”

I asked to meet twelve specific faculty members, deliberately including those of a variety of political views and those who had been critical of the present and past administrations of the College. All twelve faculty members that I met asserted that the College actively values and provides the conditions for academic freedom. As more than one faculty member put it, “Academic freedom is alive and well at Yale-NUS College.” The instructor who had proposed the “Dissent” module also said to me that he does not consider this an academic freedom issue. In support of the academic freedom of the College, faculty pointed to the presence of full-semester academic courses on such topics as “Colonialism: Economic, Political, and Social Effects,” “Culture and Violence,” “Housing and Social Inequality,” “Language, Culture, and Power,” “Oppression and Injustice,” and “Queer Fiction,” many of which address issues of dissent and resistance. Likewise, critical discussion of Singaporean politics takes place in required courses on “Philosophy and Political Thought,” “Comparative Social Inquiry,” and “Modern Social Thought.” Faculty also instance the many controversial speakers invited to campus by faculty, students, and administration, including several speakers who were listed on the proposed syllabus for the “Dissent” module and who had visited the campus in the past. Recent informal discussions with students have covered controversial hot spots in Asia and the Middle East. Finally, faculty and students report that the atmosphere on campus is lively: conversations are “no holds barred” and there has been “no diminution of academic freedom or open inquiry.”

The view of the Yale Faculty Advisory Committee on Yale-NUS College is that academic freedom was not violated in this case. The decision to withdraw the module, which had never received formal approval, accords with appropriate substantive academic standards, but the procedures should be revised in order to ensure due administrative process and prevent any risk or appearance of incursions on academic freedom. Such decisions should be the responsibility of the Curriculum Committee or a similar faculty body. The academic issues outlined in this section were to some extent overshadowed in discussion at the time and subsequently by a different set of considerations involving legal risk to students, which concern not academic freedom but legal requirements and risks.

The Experiential Dimension of the Module: Legal Risks

The second issue raised by the Curriculum Committee in May, and also cited by the senior leadership of the College when the module was canceled in September, was

legal risk to students. The Committee was concerned that some of the activities originally proposed would expose international students to sanctions for illegal participation in off-campus protests. In particular, the original syllabus included designing protest signs and carrying them to Hong Lim Park, where protest by Singapore citizens (but not by international students) is permitted in certain circumstances. It was unclear from the materials submitted in support of the module whether the students would have carried the protest signs they had designed to Hong Lim Park even if a request for a permit had been denied, but in any case it would have been illegal for international students to do so. The Curriculum Committee raised this issue, and CIPE, after seeking legal advice, concluded that students might have courted arrest by doing so.

Since the program is compulsory and not all students assigned to this particular module selected it as their first choice, this might have meant requiring students to endanger their visa status in Singapore. The College did not receive timely assurance from the instructor that he understood the risks involved, particularly for international students, or would mitigate them. It has been noted that this is a time of heightened political sensitivity because of the situation in Hong Kong and an upcoming election in Singapore. Nine of the sixteen students assigned to the module were international students, and for several of them this was not their first choice of module. (The assignment of students to modules followed the usual procedures and took place in the week of August 19).

The proposed offering on “Dialogue and Dissent” invites a consideration of the relationship between principles of open inquiry and compliance with law. The risk to international students of some of the proposed off-campus activity was obviously connected to Singapore’s laws on public assembly. Nonetheless, as a number of Yale-NUS faculty have pointed out, it is unlikely that a prudent college administrator in any country would encourage, let alone offer a course that required, students to attend an illegal protest, particularly if these were international students who in doing so might endanger their visa status. The syllabus as presented would have put international students at higher risk than local, Singaporean students, and the instructor confirmed to me in conversation that he had not found a satisfactory way to include international students in his plan. To my knowledge, this is the first time that such laws have affected a decision on a curricular offering at Yale-NUS because it is the first time an instructor has proposed an activity that risked causing students to be arrested or deported. The view of two faculty members of the Yale Law School who serve on the Yale Faculty Advisory Committee on Yale-NUS College is that academic freedom primarily concerns the internal governance of the college or university. The laws at issue in this case, whatever their impact on civil liberties, did not operate improperly to constrain the academic work of the university. The experiential nature of the week seven program heightened the challenges because it is formally regarded as a curricular offering by the College even though it mostly takes place off campus, and in fact the instructor in this case clearly thought that students should learn not just the theory but the “praxis” of dissent.

The Question of the Political Nature of the Program

A third, related but slightly different concern, raised by senior leadership was that the module did not include a range of political perspectives. While I personally recognize and agree with the view that political advocacy is distinct from academic study and may not be suitable for academic credit, I do not find the concern that a particular module is unbalanced politically to be a convincing reason in itself to cancel a module. If one looks at the entire set of offerings at Yale-NUS, including courses, LAB modules, speakers, and extra-curricular activities, it is clear that Yale-NUS offers a wide range of political, and – more relevantly – academic perspectives. Such offerings in the past year have included several talks by many of the speakers who were proposed for this module and screenings of some of the films listed on the draft syllabus. They have also included talks by government ministers and others with pro-government views as well as academic specialists who study political matters with or without advocating on those matters. Faculty have pointed out that student opinion is heterogeneous and that this diversity leads to lively class discussion and a dynamic campus environment. The faculty have also made it clear that they do not wish their academic program to be co-opted for political purposes by any outside individual or body.

Conclusion: The Importance of Open Inquiry

Yale-NUS faculty and students I met in Singapore were unanimous in their support for the college administration and in their view that academic freedom is well protected on campus. Academic freedom, and open inquiry more generally, must be zealously guarded in order to be preserved.

My review of this matter suggests that the College articulated legitimate academic and legal reasons to cancel the module, but that the administrative errors leading to its announcement and subsequent withdrawal might lead a reasonable person to wonder about the effectiveness of the College's efforts. In particular, the Curriculum Committee should have been involved more continuously and the legal risk assessment should have taken place sooner. The instructor should have been given a clearer explanation, sooner, of the inadequacy of the materials he submitted. It is understandable, given the politically charged nature of the materials and the personnel matters involved, that the College has felt constrained to say relatively little about its decision. I have felt it appropriate to provide a much greater level of detail in order to provide a full accounting on questions academic freedom and open inquiry.

Much evidence supports the view that Yale-NUS College upholds the spirit of open inquiry on-campus and is seen as one of the more open environments in Singapore. My conversations with students, faculty, staff, and observers confirm that this is the case, and my own work with the current college leadership reassures me about their commitment to these values. Although the College has graduated only three classes, a number of its graduates and students are already noted in Singapore for their advocacy on social issues, just as other students and alumni are already noted for other activities and accomplishments.

It is unfortunate, though understandable, that the combination of factors in this case led to public questions about the College's commitment to open inquiry. Academic freedom itself, though a contested term, contains a clearly defined right: to teach and conduct research without outside interference. It also has a penumbra that is less well defined but that includes a spirit of open inquiry. This spirit manifests itself differently in various societies and historical periods, but it is essential to the broadest kind of learning and is part of what we mean by liberal education. The College's academic freedom has made possible its success; a broader context of open inquiry must nourish academic freedom; and academic freedom in turn encourages openness in society at large.

This report has focused on processes rather than individuals. In closing, I would like to note that President Tan Tai Yong and Executive Vice President (Academic Affairs) Joanne Roberts have been steadfast in their support of academic freedom and open inquiry throughout their careers at Yale-NUS. Running a college is difficult work, and one as closely watched as Yale-NUS comes in for more than its share of criticism. But the senior leadership has emphasized to faculty, students, and all other stakeholders its commitment to the founding vision of the College and to fostering a spirit of open inquiry.

I fully expect this spirit to persist at Yale-NUS and all parties to maintain their commitment to the principles outlined in the College's policy on academic freedom. I am heartened to see that the college leadership has made substantial efforts in the past two weeks to communicate with faculty, students, staff, alumni and the general public and to reaffirm its commitment to academic freedom.

The evidence does not suggest that in this case serious violations of academic freedom or open inquiry occurred.

Recommendations

I believe Yale-NUS should take the following steps to ensure due administrative process and prevent any risk or appearance of incursions on academic freedom:

1. The power to approve any given course for academic purposes should be held by the Curriculum Committee or a similar faculty body, which should give clear decisions in advance of any administrative approval of any course.
2. For all curricular offerings, programs conditionally approved by the Curriculum Committee should not be announced until after they have received final approval; in cases where the Curriculum Committee is unable to meet in a timely fashion, a senior academic should be tasked with granting final approval to syllabuses that have been only conditionally approved by the Curriculum Committee.
3. Yale-NUS should continue to provide a well-rounded education for its students that includes academic study of political matters.

4. Yale-NUS should train those staff responsible for off-campus programs in legal and risk management.
5. If off-campus and experiential programs such as Learning Across Boundaries are to be viewed as part of the curriculum of Yale-NUS, bearing academic credit, rather than as extra-curricular activities, oversight by the Curriculum Committee should be formalized.

I am grateful to my colleagues at Yale-NUS College and Yale University for their cooperation in this inquiry, and for the importance they attached to it.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Pericles Lewis', written in a cursive style.

Pericles Lewis

Vice President and Vice Provost