

YALE UNIVERSITY

OFFICE OF THE PRESIDENT

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January 14, 2010

Mr. Adam Kissel  
Director, Individual Rights Program  
Foundation for Individual Rights to Education  
601 Walnut Street, Suite 510  
Philadelphia, PA 19106

Dear Mr. Kissel:

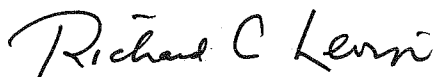
I write in response to your letter of December 18. Please be assured that the Woodward Report, which you cite, remains Yale University's guiding policy on freedom of expression, and that the University has every intention of continuing to abide by the values it explicates so elegantly.

Two instances have arisen in the past six months in which you have questioned whether Yale's actions have reflected the values of free expression that we hold to be so fundamental to the University. The difficult decision of the Yale University Press about publication of the book of cartoons presented in my view a unique set of circumstances. The Press' decision was predicated on the assessment of risk to life and safety presented by the particular experiences worldwide associated with those cartoons. Subsequent events – the arrest of a man in Chicago plotting an attack and the attempted forcible entry of Kurt Westergaard's home – bear out the assessment of those we consulted that violence associated with the cartoon controversy was far from over.

The situation regarding the Freshman Class Council's selection of a T-shirt for the 2009 Yale-Harvard football game is another matter. Dean Mary Miller and I agree with you that it is not the role of the Dean or any other University official to suppress the speech of any student or student organization. But, as teachers and as stewards of a community whose openness and freedom depend on underlying civility, we recognize that there are times when it is entirely appropriate to advise students of the likely impact of their exercise of free expression on others. In this instance, Dean Miller did have concerns about the impact of the proposed T-shirts on the community, and she communicated, through the Dean of Freshman Affairs, those concerns to the Freshman Class Council, the elected representatives of the class. The decision not to print the T-shirts was made by the Class Council, not the dean. But, as best I can determine, it would have been possible, and not unreasonable, for some members of the Council to interpret Dean Miller's counsel as a directive. This we regret. Dean Miller and I stand by the University's commitment to free expression, and we would not want to give any students the impression that the content of their speech is subject to censorship.

I thank you for expressing your concerns.

Sincerely yours,



Richard C. Levin

RCL:mg