



Statement in Support of Students, Faculty at Columbia University

Released on 29 April 2024

The Lemkin Institute for Genocide Prevention expresses solidarity with the students and faculty at Columbia University who are standing up against genocide and for prevention, peace-building, and freedom of speech. We remind the leadership of the United States, including university presidents, that the freedoms of speech and assembly are guaranteed by the First Amendment to the US Constitution and have been a shining light in the country's contribution to human history. In the spirit of the US Constitution, universities – even private ones – should embrace differences of opinion and especially protect the expression of opinions that are unpopular among power holders. Retaliating against students for peacefully protesting genocide is an assault not only on freedom of speech and freedom of assembly, but also on the rules-based order established after 1945 and championed by the United States, which codified within international law a moral responsibility to prevent genocide.

Columbia students began their protest during the early hours of Wednesday, April 17. A tweet from the [Students for Justice in Palestine](#) 'X' account announced that students had occupied the center of campus, launching the Gaza Solidarity Encampment. The same day, the Columbia University President, Nemat Shafik, [testified](#) before Congress, denouncing anti-semitism on campus and, at times, playing into the hands of far-right Congresspeople like Elise Stefanik. In particular, President Shafik denounced social media posts by two faculty members on Stefanik's urging. Later, she was also grilled by Representative Omar regarding the hostile climate for Arab, Palestinian, and Muslim students on campus.

In a [written request](#) to the City the following day, President Shafik asked the NYPD to forcefully clear the encampment from campus, directly endangering the students she is obliged to protect. She argued that "I have determined that the encampment and related disruptions pose a clear and present danger to the substantial functioning of the University" and charged the students with trespassing since, she noted, "[a]ll University students participating in the encampment have been informed they are suspended the participants in the encampment are not authorized to be on University property and are trespassing."

During the ensuing sweeps by the notoriously violent New York Police Department (NYPD), over 100 students were arrested and charged with trespassing.

This action came after months of university repression against anti-genocide and pro-Palestine organizing.

Predictably, the use of force only brought out more people to stand in solidarity with the resolve of Columbia students and against the continued suffering of Palestinians. On Monday, over 100 members of Columbia's renowned faculty walked out of work and joined students protesting in a "Rally to Support our Students and Reclaim our University."

Faculty standing in solidarity with protestors have also been arrested while demonstrating. Over 2,000 academics worldwide have denounced the Columbia administration's use of force against students and called to boycott the University.

Solidarity with the Palestinian cause has stretched far beyond Columbia's campus. Inspired by the actions of Columbia students, similar sit-ins and tent encampments have spread across the country to NYU, Yale, MIT, USC (California), Cal State Polytechnic, UNC-Chapel Hill, UNC-Charlotte, University of Texas-Austin, Emory University in Atlanta, University of Michigan, the University of Minnesota, University of Pennsylvania, Temple University, Drexel University, the American University of Cairo, and Georgetown, George Washington University and American University in Washington D.C. To date, nearly 100 campuses across the country and the globe have seen encampments in solidarity with Columbia students. The use of police force to disrupt, threaten, disperse, and arrest demonstrators has been seen in almost every university where there have been protests. Particularly violent tactics were used by Texas law enforcement at the direction of Governor Abbot; riot police forcefully expelled students and restricted movement, assaulting a local Fox cameraperson in the process. Conservative defenders of free speech, such as Jordan Peterson, Ben Shapiro, and Bari Weiss, have been silent as forces of the state are weaponized to silence peaceful protestors calling for an end to genocide.

It is important to note that today's suppression of free speech on US campuses is a continuation of the counterrevolution that began in the 1950s and 1960s in response to the movements for civil rights, gay rights, indigenous rights, women's rights, feminism, and black power, as well as the global protests against the Vietnam War. One example of this direct connection is how the US government has leveraged student debt to silence protests in the United States. During protests against the Vietnam War in the 1960s, California Governor Ronald Reagan shuttered all 28 University of California and California State campuses. Reagan's shuttering of the universities targeted active protests against the American war in Vietnam and Cambodia. He then moved to cut state funding for California's universities while conservative politicians parroted his attack on universities and students, with President Nixon decrying a "campus revolt." Nixon's Vice President Spiro Agnew called to curb higher education funding, saying, "unqualified students are being swept into college on the wave of

the new socialism.” Cuts to government funding of higher education, inspired by Reagan in California, would be picked up by both the Nixon and Reagan presidential administrations, beginning the system that has saddled millions with inescapable debt. Today, as the student debt crisis continues to balloon, administrators around the country are enhancing the “costs” of protest by suspending and expelling student demonstrators, which means they lose a semester’s tuition.

Human Rights Watch has condemned assaults on the freedom of students to assemble and protest, as well as the dangerous conflation of the protected right to criticize Israel and anti-semitism.

The heavy-handed tactics utilized by Universities against students around the country are immensely concerning. Students in the United States have every right to express their views, and universities should protect that right rather than criminalize and punish it. Expressions of opposition to the genocide in Gaza and Israel’s apartheid policies are not the same as expressions of antisemitism or hatred of Jews and the Jewish faith. Although Congresswoman Elise Stefanik continues to pressure university presidents to state whether they consider “calling for the genocide of Jews” to be hate speech, this question is disingenuous, given that there is no evidence that anyone at any university in the United States has called for a “genocide of Jews.”

What is being labeled as “antisemitism” is, in large measure, the visceral outrage that many young people feel toward the State of Israel and its military for the deadly occupation of Palestinian land and the mass-murder genocide they see every day in the news. For example, a Columbia student told NBC News, “I’m an RA, and last semester, all my bulletin boards that I post up in our halls were vandalized, written with ‘stop supporting genocide, cease-fire, free Palestine, from the river to the sea,’ all of these things...It has consumed every aspect of our student life.” It would be important to know whether this student felt these bulletin boards were targeting them specifically, though the article does not indicate that. If not, these expressions are protected political speech that might make some students uncomfortable because they disagree, but that does not amount to hate speech or antisemitism.

Having said this, the Lemkin Institute is well aware of the slippage that can occur between anti-Zionism and antisemitism. The movement against genocide and apartheid in Palestine must hold itself to the high standards of genocide prevention lest it further the very dynamics it is seeking to oppose.

Equally if not more important, however, is to call on pro-Israel protesters and counterprotesters to abide by the rules of peaceful engagement and the values of genocide prevention. The level of violence, Islamophobia, dehumanization, and anti-black racism among pro-Israel protesters is horrific and shocking – and completely unreported by the mainstream press.

Members of Congress who relentlessly questioned Columbia's President, as well as the so-called "defenders" of Free Speech, specifically on the right, have used Columbia's Gaza Encampment as an opportunity to assault speech it disagrees with. While grilling President Shafik over claims of anti-semitism on campus, Republican members of Congress conveniently ignored a previous assault on student demonstrators exercising their right to assemble and speak freely, which even Columbia University admits may have been a hate crime. In January, at a protest organized by Columbia's suspended Student for Justice in Palestine and Jewish Voice for Peace, students were assaulted by two students whom Columbia SJP and JVP claim are former IDF soldiers, using a chemical agent produced by the IDF known as "skunk." Israeli forces routinely use this agent to disperse Palestinian demonstrations and are known to saturate whole neighborhoods with the foul-smelling chemical irritant. Columbia University has refused to investigate, citing an NYPD investigation. Though the NYPD says it is still investigating, no criminal charges have been brought against the perpetrators of what could be called a terrorist attack; the University, however, suspended them from campus. One of the students who sprayed the chemical substance is confirmed to be a former IDF soldier. Eight students sought medical attention following the assault.

In addition to police assaulting and arresting protestors, multiple members of Congress have called for utilizing the National Guard to disperse students at encampments. Calling on the National Guard to forcibly remove students from their universities harkens back to the killing of four Kent State students by the Ohio National Guard in 1970. Members of Congress calling for such actions recklessly endanger the safety of students and faculty on campuses nationwide; such language must be immediately denounced. For his part, President Joe Biden has also referred to the protests as antisemitic, again making the incorrect conflation of anti-war protests with antisemitism, a dangerous notion. Speaker of the House Mike Johnson spoke at Columbia on Wednesday, 24 April, denouncing the student protest as antisemitic and calling for an end to antisemitism on college campuses. The audience showered the Speaker of the House with an outpouring of boos and calls for him to leave campus.

Conversely, several members of Congress have come out in support of students and faculty on the ground. On Thursday, Congresswoman Ilhan Omar, whose daughter was arrested at Columbia's Gaza Solidarity Encampment, visited the campus, speaking to students, praising their courage, and standing in solidarity with them. Representatives Alexandria Ocasio-Cortez and Jamal Bowman have also spoken out in support of student demonstrations amid the demonization of students calling for an end to genocide.

The First Amendment to the US Constitution reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." Columbia University, its President has argued, is a private institution and therefore has the right to curtail speech in specific cases, even, apparently, when students are peacefully protesting genocide. However, students, faculty, staff, and visitors are not informed that their constitutional rights end when they enter the

campus through its hallowed gates. Columbia University, one of the institutions training tomorrow's leaders, should exercise an abundance of caution in exercising censorship when faced with 'unpopular' speech.

The Lemkin Institute takes this opportunity to underscore the serious vulnerability of American society in the current climate to the threat of institutionalized fascism. Fascist practices have already entered some foundational democratic institutions, especially universities, in the form of speech codes and lack of due process protections for students and faculty. The decline of democracies and their replacement by fascist institutions and authorities does not happen with a bang – fascism arrives rather through a slow erosion of freedoms, of diversity within public discourse, and of a commitment to democratic values. Today's universities are some of the most oppressive sites for speech due to the outsized impact of private donors, government agencies, and Boards of Trustees who serve the narrow and oppressive agendas of big business as well as of both the right-wing and the so-called left-wing ideologues in America. This current crackdown on expression at Columbia is an important moment in the elimination of free speech from higher education.

The American people must struggle against all attacks on freedom of speech, expression, and assembly, starting with the rejection of the use of state force to silence the voices who are opposing genocide, whether they are on college campuses or in city halls.

Social Media Caption:

The Lemkin Institute is shocked at the level of violence that University Presidents and municipalities across the country are using to forcefully quash peaceful protests calling for an end to genocide in Gaza. We condemn this active violation of students' right to speech and assembly and stand in solidarity with those calling for an end to atrocities across the globe. The bedrock of freedoms in the United States is under active assault; Americans of all stripes should unabashedly support the right to protest, whether or not they agree with the speech. We at the Lemkin Institute reiterate our solidarity with protestors at college campuses around the country and the world, in their fight to end the genocide in Gaza.