

“It’s in the Air”: Antisemitism and Anti-Israeli Bias at Stanford, and How to Address It

A REPORT FROM THE SUBCOMMITTEE ON
ANTISEMITISM AND ANTI-ISRAELI BIAS OF THE
JEWISH ADVISORY COMMITTEE AT STANFORD
UNIVERSITY

May 31, 2024

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Original Charge from the President to the Subcommittee on Antisemitism and Anti-Israeli Bias at Stanford University¹

November 2023

Antisemitism, Bias, and Communication Subcommittee of the Jewish Advisory Committee

Stanford also is undertaking the acceleration of key parts of the agenda of an existing committee focused on enhancing Jewish life on campus.

In the spring of 2023, Stanford created the Jewish Advisory Committee to assess and enhance Jewish life at the university, following the report of the Advisory Task Force on the History of Jewish Admissions and Experience at Stanford.

Progress has been made in a number of areas highlighted by the task force. Stanford's Faculty Senate changed the academic calendar to avoid a conflict with Yom Kippur at the beginning of fall quarter 2023. Discussions have been under way to help clarify the university's relationship with Stanford Hillel. And Stanford is now working to expand kosher dining available to students on campus from five days per week to seven days, as well as increasing the number of meals each day from two to three.

However, to meet the challenges of the current moment and accelerate action, the university is creating a subcommittee with additional faculty participation and a new charge. That charge asks the new Antisemitism, Bias, and Communication Subcommittee to:

- Provide recommendations on how to educate the community and take measures designed to reduce, eliminate, and respond to antisemitism
- Develop strategies and a plan to foster dialogue with the Muslim, Arab, and Palestinian communities, as well as other communities
- Consider ways to partner with members of the Muslim, Arab, and Palestinian communities to build a more cohesive community

The subcommittee will be co-chaired by Ari Kelman², an associate professor in the Graduate School of Education who is the Jim Joseph Professor in Education and Jewish Studies, and by Rabbi Laurie Hahn Tapper³, associate dean in the Office for Religious and Spiritual Life. Additional faculty, staff, student, and alumni members will be named in the coming days.

¹ The name of the Subcommittee was amended to that currently used in January 2024 by agreement with the President.

² Professor Kelman voluntarily withdrew from the committee in December 2023.

³ Rabbi Hahn Tapper asked to be relieved of co-chair responsibilities in January 2024 but remained an active member of the Subcommittee.

Executive Summary

This Report presents the findings and recommendations of a Subcommittee of twelve members (six Stanford faculty, three staff, two students, and one alumnus) appointed by President Richard Saller in the late fall of 2023 to consider how Stanford could “educate the community and take measures designed to reduce, eliminate, and respond to antisemitism,” while also fostering dialogue with the Muslim, Arab, and Palestinian communities and working “to build a more cohesive community” at Stanford. To respond to President Saller’s charge, we first had to assess the nature and extent of antisemitism on campus, against the backdrop of a national surge in antisemitism following the horrific terrorist attacks on Israel on October 7, 2023. We also found it necessary, with his approval, to expand the scope of our investigation to assess the closely related form of bias against Israelis as a nationality group.

While our work focused on the specific issues and challenges confronting Jewish and Israeli members of the Stanford community, the concern “to build a more cohesive community” across Stanford was never far from our minds. And we came to conclude that the best way for Stanford to respond to antisemitism and anti-Israeli bias is for it to re-commit to core university principles that should be promoted and defended equally for all groups, irrespective of race, religion, nationality, or other forms of identity.

We rejected the idea that “safety” requires “protecting” students from views that might make them uncomfortable. Universities exist to consider contending perspectives and subject them to rational debate and critical inquiry. Our goal is for community members to be safe from injury or the threat of it. Acts of bigotry—hatred or intolerance based on a person’s ethnicity, religion, or other identity—violate the standards of safety students have a right to expect and universities have an obligation to afford.

To assess the nature and extent of the problem, during the first three months of 2024 we conducted more than 50 different listening sessions for undergraduates, graduate students, faculty, staff, alumni, and parents. More than 300 Stanford-connected people attended these sessions. We also conducted nearly four dozen individual interviews with members of these constituencies and senior and mid-level administrative officials at Stanford (including deans and vice-provosts). All our listening sessions and interviews were conducted on a not-for-attribution basis to enable people to express themselves candidly.

We did not attempt to offer a single definition of antisemitism or its relationship to anti-Zionism. However, we noted that different definitional efforts agree on a wide range of narratives and behaviors that are characteristic of this form of bias, such as demonizing or dehumanizing Jews through false and malicious tropes and stereotypes about their imagined influence, power, wealth, rituals, or hidden loyalties. Whether one equates anti-Zionism with antisemitism by definition, these two biases are in fact closely intertwined.

What We Found

After many months examining the social climate in the undergraduate and graduate levels and in diverse schools, programs, departments, residences, workplaces, and physical spaces at Stanford University, our Subcommittee reached this unanimous conclusion: **antisemitism exists today on the Stanford campus in ways that are widespread and pernicious.** Some of this bias is expressed in overt and occasionally shocking ways, but often it is wrapped in layers of subtlety and implication, one or two steps away from blatant hate speech. Antisemitism and bias against Israelis as a nationality group are not uniformly distributed across campus. We found schools, departments,

dorms, and programs that seem largely unaffected, where Jewish students, faculty, and staff did not report issues with bias, harassment, intimidation, or ostracism. But a few portions of the campus appear to have very serious problems that have deeply affected Jewish and Israeli students. The most succinct summary of what we found is in our title, “It’s in the air.”

We learned of instances where antisemitism and anti-Israeli bias reached a level of social injury that deeply affected people’s lives: students moving out of their dorms because of antisemitic acts or speech; students being ostracized, canceled, or intimidated for openly identifying as Jewish, or for simply being Israeli, or expressing support for Israel, or even for refusing to explicitly condemn Israel; students fearing to display Jewish symbols or reveal that they were Jewish for fear of losing friendships or group acceptance.

Some of the examples we heard did not involve singular actions or expressions but a pattern of bias and intimidation that need to be energetically addressed.. Students also complained of being “tokenized,” viewed as “a representative of the Jewish people all the time.” Graduate students also complained of “a lack of any mechanism to support us,” a fear of retaliation if they reported what they were experiencing, and a lack of confidence that anything would be improved if they did report.

We were struck by the fact that many of the Jewish and Israeli students who were subjected to these patterns of intimidation were well to the left of center in relation to the Israeli political spectrum. They were critical of the current government and many of its policies and actions. The hostility directed toward them appeared to have little or nothing to do with their political views but rather with their Jewish or Israeli identities—or at least with their unwillingness to qualify or reject those identities through abject apology for having any connection, however ancestral, to the State of Israel. The imposition of a unique social burden on Jewish students to openly denounce Israel and renounce any ties to it was, we found, the most common manifestation of antisemitism in student life.

It was not only students who felt unsafe. A few faculty and staff members told us that they had begun to feel physically unsafe for the first time in their many years or decades at Stanford. More often, Jewish students (and some faculty and staff) felt isolated and abandoned, with no clear expression of support from the University (or from their school or program) for the pain and trauma they were feeling after the October 7 attacks, or for the intimidation and hostility they encountered in their programs or residences.

Beyond the widely reported incident of antisemitism in a freshman COLLEGE class, which we describe at some length in this Report, we learned of other instances of antisemitism or anti-Israeli bias in the classroom, and incidents where teaching assistants abused their positions and class communication networks to proselytize for their personal views on the Israeli-Palestinian conflict or to urge students to attend protest rallies or demonstrations.

No venue has provided a wider and more uninhibited berth for the expression of hostility toward Jews and Israelis than social media. Jewish and Israeli students frequently reported being denounced or canceled for dissenting from the prevailing orthodoxy of virulent condemnation of Israel. Students (not only Jewish or Israeli) also spoke of pressure *to* post material that demonstrated agreement with the prevailing anti-Israel political orthodoxy. Most troubling is the social media platform, Fizz, where all posts are strictly anonymous. We were presented with countless examples of Fizz posts that appeared antisemitic in tone and intent, blaming “you guys” for the violence in Gaza, suggesting a Jewish student cabal behind the candidacy of a Jewish student for the ASSU Senate, and urging that a Jewish student who had written a national magazine article about the antisemitic climate on campus be waterboarded with gasoline and lit on fire.

Among the most troubling realms we learned about were the student residences. Some Jewish students reported intimidation or vandalism in their residences that appeared to be directed at them as Jews, including instances of mezuzahs (mezuzot) being ripped from door frames, a

swastika being drawn on a Jewish student's door, and scrawls and graffiti directed at Jewish students in a way that was meant to harass and intimidate them.

Given the importance and influence of the role, we were troubled by reports of Resident Assistants (RAs) failing in their obligation to foster a safe and respectful environment and to lead with integrity, either for their own reasons or due to insufficient training. In some instances, RAs posted antisemitic or threatening content on social media, for example, that Jews don't need protection because antisemitism isn't real. In others, they abused their role to advance divisive political agendas that left their Jewish residents feeling that they could not trust or approach them.

Many students—as well as faculty, staff, alumni, and parents—were distressed by the growing signs of antisemitism and anti-Israeli bias in protests, demonstrations, and encampments in the University's public spaces. We recognize the importance of preserving these spaces as free speech zones where even the most vehement criticism of Israel, as well as strident calls for changes in US or University policy, enjoy a constitutional right to expression. But the encampments and other protests have, at times, gone beyond these lines of argument and advocacy to call, implicitly or even explicitly, for violence, as in “Death 2 Settler Colonial Projects,” “Long Live Palestine, Die Israel,” and occasional expressions of support for terrorist organizations. The White Plaza protests have also featured versions of the infamous antisemitic blood libel that Jews were drinking the blood of non-Jewish children—in this case the baseless and outrageous allegations that Israel was harvesting the organs or skin of Palestinians. The current encampment also hosted a speech by an imam who is nationally known for his antisemitism and calls for violence. We also heard frequent concern about the presence at these various protests of external actors, who bring their own agendas and who are not subject to university discipline.

Some faculty shared incidents or climates of antisemitism or anti-Israeli bias in their departments or schools. More often, however, faculty complained of the general atmosphere of antisemitic and anti-Israeli sentiment on campus and the failure of the university to condemn blatant expressions of it. Faculty felt particularly shocked and appalled (as did many students) by certain signs and statements on campus justifying and celebrating the terrorist violence on October 7.

Many faculty condemned the disruptions of classes, university events, and the academic working environment. Independent of their specific concerns about the proliferation of antisemitic and anti-Israeli tropes and narratives, faculty expressed distress about the climate of extreme polarization and personal invective in expression related to the Israel-Palestine conflict, and the paucity of opportunities to cultivate civil discourse and rational, informed debate.

By contrast, we found that faculty in the Graduate School of Business, the School of Engineering, and the Doerr School of Sustainability felt positively about the climates there or at least did not report any issues.

The staff we interviewed echoed many of the same themes we heard from students and faculty. They lamented the polarization, the lack of mutual respect, the ignorance about Jews. They spoke of feeling isolated, “unsafe and unsupported.” This has affected their performance at work and has led them to want to avoid campus and work remotely as much as possible.

We heard many complaints about the University's programmatic commitment to Diversity, Equity, and Inclusion. What upset people was not the goals of DEI but the exclusion of Jews and Israelis, who (our study makes clear) confront bias and harassment on campus that should be addressed by campus DEI programs, if they exist at all. The clear and consistent appeal from our listening sessions was for equal recognition and treatment.

Another recurrent theme in our listening sessions and interviews was the failure of the University to respond to complaints of bias adequately, or expeditiously, or at all. Examples include antisemitic vandalism and mezuzah desecrations that were barely investigated in some instances and for which accountability was never established. Some said requests to assess antisemitism on campus

and reform policies to reflect it have been basically ignored. We heard many complaints about lack of follow-up after students filed reports through the Protect Identity Harm (PIH) system. And there was widespread skepticism about the capacity of the Office of Community Standards to hold students accountable for violations of rules that contribute to a hostile environment for Jewish and Israeli students, faculty, and staff.

Nearly 100 alumni and parents participated in our listening sessions. They expressed acute concern for the physical safety of Jewish students and for their emotional wellbeing in the face of numerous threats and forms of antisemitic bias and harassment. Some shared stories we had not otherwise heard. Many parents and alumni were deeply distressed and disheartened that their children and other Jewish Stanford students feel the need to hide their views or their identity, feel unsafe or unwelcome in their dorms or other campus spaces, and confront a degraded climate for discourse on campus, lacking in civility, rationality, and mutual respect. They were also the most vocal of all constituencies in calling for the University to enforce its own rules with respect to protests and encampments.

The core problem, we concluded, is not simply the failure to punish rule violations in a concrete way. It is the broader deterioration of norms that once stigmatized antisemitism. The trend in recent years, but especially since October 7, has been a normalization of antisemitic and anti-Israeli speech on campus, and an “impression of indifference” on the part of the University—or at least many actors within it—to antisemitism and anti-Israeli bias.

What We Conclude and Recommend

To address antisemitism and anti-Israeli bias—or for that matter, other forms of prejudice—we must address the broader campus culture.

Doing this requires Stanford to re-commit to six principles that are foundational to a healthy, thriving university community: safety, free expression, tolerance and pluralism, equality, accountability, and education. Stanford must work comprehensively, energetically, and imaginatively to generate a campus culture where all members of the community are: 1) physically secure; 2) free to express their opinions and beliefs; 3) tolerated and respected for their beliefs, even when such beliefs diverge strongly from those held by others; 4) equally treated and protected; 5) accountable for their speech and behavior; and (6) engaged in a process of education about complex and difficult issues that is characterized by rigorous inquiry based on facts and reason without devolving into personal animus, particularly that which is based on intolerance.

Safety

- We recommend that the PIH system be revised to provide more appropriate feedback to those who initiate complaints and more transparency to the university community. We welcome the Provost’s appointment of a committee, chaired by Professor Diego Zambrano, to consider changes in the PIH system.
- The student residences should offer a safe, welcoming, and inclusive second “home” for students. They should refrain from imposing any political orthodoxy or tolerating the projection of any identity bias that leaves any dorm residents feeling marginalized and unsafe.
- Student mental health should be a priority. The Vaden Health Center should ensure that it has adequate staff (in number and training) to respond to the psychological manifestations of injury and stress due to antisemitism and anti-Israeli bias

- We urge the University to carefully review its policies and practices concerning the presence of non-Stanford-affiliated individuals at campus protests (and particularly, protracted encampments) and to evaluate whether it has adequate resources for verifying people's connection to the campus and removing visitors who violate its rules.

Free Expression

- We support freedom of speech and respect the protections for it under the First Amendment and California's Leonard Law. However, this protection does not extend to hate speech that calls for specific violence against individuals or classes of people, or to speech that disrupts classes, public events, or essential university business. Such speech can and should be sanctioned. Time, place, and manner restrictions banning audible demonstrations and political banners from the Quad and from the vicinity of other academic buildings should be strictly enforced.
- In addition to more clarity around sanctions and when they will be consistently imposed, University leaders should exercise their own free speech rights to call out and condemn antisemitic and anti-Israeli speech on campus.

Tolerance and Pluralism

- We recommend that the University work more energetically and consistently to promote norms of tolerance for different views and identities and respect for social, intellectual, and political pluralism.
- Stanford must work harder to create a culture where disagreement can be expressed without devolving into personal animus, political intolerance, or social exclusion. This requires comprehensive efforts to promote the norms and skills of mutual respect, tolerance, and civility, with a pedagogical emphasis on the method of critical inquiry. We identify several efforts now underway at Stanford to promote critical inquiry, evidence-based debate, and a civil climate for discourse. In addition to the COLLEGE curriculum, these include the Stanford Civics Initiative, the Intercollegiate Civil Disagreement Fellowship, and the Spring Quarter course on Democracy and Disagreement.
- We recommend adding a comprehensive program to begin developing in all incoming members of the freshman class the norms and skills of critical, mutually respectful discourse. And we also urge that Stanford continue and enhance messaging to newly admitted undergraduates about the kind of academic culture we seek and uphold.
- Stanford should also address the challenge of toxic social media. It could perform a national service by engaging the leadership of Fizz to strengthen content moderation and the reporting system for violations.

Equality

- In the short term, we recommend that Jews and Israelis be added to the panoply of identities recognized by DEI programs so that the harms they are enduring are treated with the same concern as those of BIPOC and LGBTQ+ members of the community.
- In the longer-term, however, we make a different recommendation. We believe this identity-driven approach to belonging and inclusion is anathema to the University's educational mission, and that it ultimately works to the detriment of the very groups it seeks to aid. We propose moving from DEI programs as presently constituted to a pluralist framework that

benefits individuals from *all* backgrounds, including Jews and Israelis, who are not currently protected, and indeed are disadvantaged, by DEI. We believe the best approach lies in Harvard Professor Danielle Allen’s call for “a framework of confident pluralism—inclusion and belonging, academic freedom, and mutual respect.” The goal should be to produce authentic understanding of differences without uniformity of thought.

Accountability

- Stanford must have the ability to enforce its rules and norms, provided that they do not inappropriately thwart political discourse. Stanford should not rely solely on external law enforcement action or criminal referrals to hold its students accountable for actions that violate its rules. It must be able to rely upon its own system of compliance and enforcement.
- An independent evaluation should be conducted of the Office of Community Standards to assess whether and to what extent it has proved able to impose accountability for student violations regarding the time, place, and manner of speech, and for other rules violations that propagate antisemitism, anti-Israeli bias, Islamophobia, and other forms of bigotry unprotected by the First Amendment.
- The University should also ensure that it can be held accountable for its success or failure in honoring its commitments. Beyond periodic and comprehensive release of data on all incidents of antisemitic and anti-Israeli bias, Stanford should establish baselines and measure progress for addressing antisemitism and other forms of non-race-based hate and bias that are not now measured. It should commit to annual reporting and review of this progress.
- We also recommend identifying a senior administrator who is empowered to pursue this work across the university, is accountable to the President or Provost, and makes public reports on their progress at regular and predictable intervals both to the President or Provost and to the Board of Trustees.

Education

- The University should incorporate into its existing educational programs for faculty and staff (including resident fellows and residence deans), and for students in positions of authority, such as teaching assistants and residence staff, instruction about the history and diverse forms and manifestations of antisemitism—the negative tropes, stereotypes, and misinformation.
- More broadly, the University should promote education about the culture, religion, history, and ethnic diversity of the Jewish people, and sensitivity to the consequences for Jewish community members’ sense of safety, belonging, and inclusion that follow from characteristic forms of speech and action.
- Instructors and teaching assistants should avoid using the classroom (and communications and meetings related to instruction) as a vehicle for propagating their personal political views and involvements.
- Stanford should also offer pedagogical training in the methods of teaching critical inquiry and cultivating civil discourse. This should be a required part of training for graduate and postdoctoral teaching staff (especially in the COLLEGE program) and encouraged of faculty as well.

Improving and Supporting Jewish Life at Stanford

The University responded forthrightly to some of the recommendations of the Advisory Committee on Jewish Admissions in its September 2022 Report. But action is still needed on other issues, including more training of staff, more education about Jews and antisemitism, more provision for the religious and cultural needs of religiously observant Jewish students, and a comprehensive study of Jewish life at Stanford.

- We recommend the University appoint a standing advisory committee to advise on all these issues and monitor implementation.
- Given the importance of Hillel at Stanford in serving the social, cultural, and spiritual needs of Jewish students and the broader needs of Stanford community members interested in Jewish life, we encourage the University to recognize Hillel more explicitly as its key partner supporting Jewish life on campus, for example, by memorializing it in a Memorandum of Understanding.
- We also recommend that Stanford consider joining Hillel International's Campus Climate Initiative, to give form and structure to our commitment to address antisemitism and anti-Israeli bias.

Conclusion

What is needed now is the institutional will to reassert, defend, and promote our core values as a university, and to do the hard work of instruction, engagement, and dialogue so that these values become not simply lofty ideals, but norms deeply embedded in the lived culture of the University. To achieve a university that is free of identity bias may seem an unrealistic goal. In striving toward that end, we will not reach perfection. But we will become a stronger, healthier university, better poised to realize our limitless possibilities for advancing knowledge while fulfilling our founding purpose: “to promote the public welfare by exercising an influence in behalf of humanity and civilization [and] teaching the blessings of liberty regulated by law.”

Preface

We begin by acknowledging the trauma and pain of diverse members of the Stanford community since the tragic and horrific events of October 7. We agreed to undertake the task of co-chairing this committee because we believe fervently in the mission and aspirations of Stanford University, and because we believe that everyone in its community deserves to be treated with dignity, respect, and empathy regardless of their origin, race, religion, or cultural heritage.

Our work focused on building a set of recommendations that focuses on the well-being and success of all Stanford students, staff, and faculty members. In doing so, we set about our work with three distinct goals. First, we quickly came to realize that we needed to provide a listening forum for all those who had not had a chance to fully grieve after the events of October 7. There were many on campus who simply had not had the chance to unburden themselves of their frustrations and concerns, and we wished to provide that opportunity through one-on-one meetings and listening sessions. The second goal was to document the many instances of antisemitism and anti-Israeli bias at Stanford, so that we could understand the nature and scope of these forms of bias at Stanford and the pattern they formed. The third goal was to develop a set of recommendations, across a very broad swath of issues, that focus on decreasing antisemitism and anti-Israeli bias, enhancing the campus climate, and on healing the fractures that erupted after October 7.

The conclusions of the Subcommittee contained in this Report are somber and for some might be difficult to read, much less accept. After six months of investigation, the Subcommittee has unanimously concluded that Stanford is today confronted by a degree of antisemitism and anti-Israeli bias that is widespread and pernicious. We have not reached that conclusion lightly and we are mindful that, for many, this is a finding that is fundamentally inconsistent with their perception of the University that they have served and/or attended over the years. But as we conducted our work we could come to no other conclusion based upon the factual record that we developed.

We recognize that Stanford is not uniquely situated—other universities and institutions are struggling to understand and respond to the re-emergence of a scourge that many believed had gone dormant or even disappeared in the United States. Like these other great institutions, Stanford will have to balance many competing values that may sometimes be in tension: freedom of speech, academic freedom, safety, equal treatment under both law and policy, accountability, and tolerance. At its most fundamental level, the challenges that we outline in this Report evoke some of the deepest questions plaguing universities today: How do we maintain our commitment to the search for truth without adopting any particular orthodoxy? How do we inculcate a culture of tolerance and respect for those with whom we disagree while sharpening the skills needed to disagree without resorting to personal venom or rancor?

We hasten to acknowledge that our Report fails to present a full picture in two respects. First, we know there are many incidents of antisemitism and anti-Israeli bias that we did not learn of and do not convey here. The people we interviewed and listened to were willing to come forward, and often they were eager to do so and even sought us out. But there were others who did not wish to openly express their views—who feared doing so, or who did not wish to relive their painful

experiences, or who felt it would not make a difference if they came forward. In addition, problems of serious bias continue to emerge and evolve. In fact, we were still learning of deeply troubling matters within days of submitting this report.

On the other hand, we acknowledge that our Report is often slanted to the negative because most people who came forward after October 7 to bear witness to their experiences (many of them dating back well before October 7), or others they had heard about, shared very negative feelings and accounts. Notwithstanding the very real threats that we outline in this Report, there is still much that is positive about Jewish life at Stanford. As in many complex situations, more than two things can be true at the same time. There is a healthy and robust Jewish culture that exists at Stanford, and that deserves to be nourished. In addition, we are aware there are Jewish students, faculty, and staff who have not experienced an antisemitic and hostile environment directly, and while the fallout from October 7 surrounds our lives every day at Stanford—almost besieging us—these people are still able to function effectively and pleasantly free from bias and prejudice in their personal work and living spaces.

There is important work being done already on our campus to combat racial hatred and prejudice, including antisemitism and Islamophobia, and to promote civil discourse. These programs are distributed across many parts of Stanford. Furthermore, there are many people of great goodwill of diverse faiths and backgrounds who share a common commitment to an open, safe, nurturing, pluralistic, intellectually robust, and mutually respectful campus. These positive efforts and commitments give us hope that Stanford will be able to realize its stated values. Our Subcommittee offers its Recommendations in that spirit.

Larry Diamond, Co-Chair
Jeff Koseff, Co-Chair

May 2024

Acknowledgements

We wish to express our gratitude to the many students, faculty, staff, alumni and parents of Stanford University who spoke to us over the course of this project. They are too numerous to name, and many of them spoke to us with the promise of confidentiality. With few exceptions, we have chosen not to name any of the individual students, faculty, or staff who came forward to speak with us in listening sessions or individual interviews. However, to the extent that this report succeeds in demonstrating the nature and scope of antisemitism and anti-Israeli bias on campus, our success was only possible because of what they shared with us. Certainly, our report could not have had the depth and texture that it does without the generosity of those who gave of their time and shared their experiences with us candidly and forthrightly.

We thank President Richard Saller for the confidence he placed in us, and for his time and insights in regular meetings with the two of us over the course of our work. Patrick Dunkley, Vice Provost for Institutional Equity, Access, and Community, was our main point of contact in the University leadership, and we also appreciate his support and counsel. We are grateful as well to Provost Jenny Martinez; Megan Pierson, Chief of Staff to the President; Stephanie Kalfayan, Vice Provost for Academic Affairs; and Debra Zumwalt, Vice President and General Counsel. And we thank Sylvia Ruiz and Rich Smith for their administrative support.

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Matt Snipp, Interim Vice Provost for Student Affairs
Howard Wolf, Vice President for Alumni Affairs and President, Stanford Alumni Association
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Yi-Ching Ong, Executive Director, Haas Center for Public Service
Luke Terra, Deputy Director, Haas Center for Public Service
Mark DiPerna, Assistant Vice Provost and Deputy Dean of Students
Michael Szeto, Director, Office of Community Standards

We thank the co-chairs of the Committee on Muslim, Arab, and Palestinian Communities, Alexander Key and Abiya Ahmed, for meeting with us to exchange ideas and common concerns. We hope this dialogue will continue as the University endeavors to combat all forms of bias at Stanford and to build a truly inclusive and mutually respectful campus.

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Russell Berman, Adi Bittan, Cole Bunzel, Lyuba Wolf Czeskis, Rabbi Dov Greenberg, Naomi Greenspan, Jamie Halperin, Shelley Hebert, John Hennessy, Adrienne Jamieson, Stuart Klein, Matthew Levitt, Marc Lipshultz, Amichai Magen, Bernie Meyler, Derek Penslar, Hollis Robbins, Allison Rouse, Joyce Sackey, Ruth Starkman, David Stevenson, Alon Tal, Maurice Werdegar, Steven Wisch, and Jerry Yang.

Most of all, we express our profound gratitude to our fellow Subcommittee members for their dedication and commitment not only to fighting antisemitism and anti-Israeli bias, but to making our campus a better place for all. Although our members brought different views and perspectives to our work, our meetings, listening sessions, documentation, writing, and editing were very much a collective effort, reflecting a great sense of collaboration and mutual respect. We thank our colleagues for their collegiality and warmth, and for their devotion to our work over six months of dozens of listening sessions, intensive research and writing, and nearly weekly meetings (mainly on Zoom). We also pay tribute to the work of our superb Research Assistants, Matthew Wigler and Martin Rakowszczyk, who so often put aside their incredibly demanding law studies to focus on the work of the committee. They both participated actively in the committee meetings and offered their thoughts and wisdom generously. They were joined toward the end of our study period by Zohar Levy, a recent Stanford graduate, who energetically researched the processes for student discipline hearings at our peer institutions and produced an outstanding contribution to our understanding of Stanford's as well as others' disciplinary processes (Appendix III).

Finally, we wish to acknowledge the wisdom and deep scholarship of our friend and colleague Professor Ari Y. Kelman of the Graduate School of Education who contributed to our work a brilliant essay on Antisemitism and Anti-Zionism. Chapter 2 of our report is largely based (in condensed form) on his essay, and we hope we have done it justice in distilling and adapting it.

Larry Diamond, Co-Chair
Jeff Koseff, Co-Chair

May 2024

Part I

1.

Introduction

On October 7, the Palestinian terrorist group Hamas launched the deadliest attack on Israel in its history, which resulted in the deaths of more Jews (over 1,100) than on any day since the Holocaust.⁴ It would be 20 days before Israel began its ground invasion of Gaza with the stated aims of destroying Hamas and freeing the roughly 250 hostages believed to have been taken by Hamas back to Gaza. But protests denouncing Israel and—more to the point of this report—acts of antisemitism surged in the immediate wake of the Hamas massacre. The volcanic eruption of antisemitic speech and action in the US and worldwide included anti-Jewish posts and threats on social media, bomb threats and other intimidation directed at Jewish synagogues, the appearance of swastikas and antisemitic graffiti, vandalizing of Jewish businesses, and celebration of Hamas as having engaged in justified “resistance.”⁵ In England, Jews reported “being frequently cursed at and threatened. And in Paris, Jewish homes and businesses [were] targeted with stenciled blue Stars of David — a chilling reminder of Nazi attacks on Jews in the lead-up to the Holocaust.”⁶ Worldwide, Jews perceived the Hamas attack as not simply a one-off terrorist assault but a trigger and license for the unleashing of age-old hatreds.

On the evening of October 10, in partnership with Jewish student groups, Chabad at Stanford hosted a vigil in White Plaza, the central gathering place on Stanford’s campus. The vigil was intended to commemorate the lives lost, express sympathy for Israel, and support grieving Jewish and Israeli students and community members at Stanford.

As soon as the vigil ended, two Stanford freshmen approached one of the speakers and described distressing incidents they had experienced that day in two different sections of their freshman class, “COLLEGE 101: Why College? Your Education and the Good Life,” each taught by the same COLLEGE instructor. The students were in a state of shock and extreme distress. They described similar experiences in their two sections. The instructor departed from the class syllabus (a common lesson plan for dozens of sections of the class, which most Stanford freshmen were taking). By their account, recalling events that had happened in the classroom only hours ago, the instructor offered the opinion that the actions of Hamas were justified as “military force” “not terrorism” because “Israelis are colonizers.” He blamed Israel for bringing the attack upon itself, citing dubious news sources, including a network affiliated with Hamas. In one section, he asked students to raise their hands if they were Jewish and then said “he was simulating what Jews were doing to Palestinians” by taking a Jewish students’ belongings and moving it to the edge of the room while the student was turned around and looking out the window.⁷ In a subsequent section, the

⁴ Official Israeli figures have identified 1,151 people murdered in the Hamas attacks, 764 of them civilians. <https://www.timesofisrael.com/14-kids-under-10-25-people-over-80-up-to-date-breakdown-of-oct-7-victims-we-know-about/>.

⁵ <https://www.voanews.com/a/antisemitism-surges-around-world-as-israel-hamas-clash/7306956.html>.

⁶ <https://www.courthousenews.com/antisemitism-surges-across-europe-following-israel-hamas-war/>.

⁷ The quote and account in this sentence are from a *Stanford Daily* article that also offers more sympathetic interpretations of the instructor’s conduct in the classroom that day.

instructor went around the room asking students where they were from, and then labeling them “colonizer” (for example, Germany) or “colonized” (for example, Mexico).⁸ “When one student reported being from Israel, students [reported that] the lecturer responded: ‘Oh, definitely a colonizer.’”⁹ As the students recounted it at length that chilly evening in White Plaza, the instructor also asked a student how many Jews had died in the Holocaust. When a student replied “six million” he reportedly said, “Yes. Only six million.” He asked how many had died in the Congo under Belgian colonial rule, asserted it was 12 million,¹⁰ and asked why nobody talks about that. The instructor reportedly added that more people have died from colonization than from the Holocaust, and that the Palestinian experience had been one of colonization.¹¹ The Jewish students in the class included grandchildren of Holocaust survivors. They were shaken. They felt violated, vulnerable, and fearful if they remained in his class. It was the third week of their undergraduate career at Stanford.

Later that night, the two students, along with a third, contacted relevant University authorities. The Instructor in COLLEGE 101 was immediately removed from the classroom and suspended with pay, pending an investigation. But the controversy was only beginning. One of the Jewish student leaders who investigated the incident (a co-president of the Stanford Israel Association) told the *San Francisco Chronicle*, “I feel absolutely dehumanized that someone in charge of students and developing minds could possibly try and justify the massacre of my people. It’s like I’m reliving the justification of Nazis 80 years ago on today’s college campus.”¹² Three Jewish students in the class had similar feelings, but other students felt the instructor had been wronged. By mid-January, 1,700 Stanford students had signed a petition demanding the lecturer be reinstated. They asserted that the published accounts of his statements and actions were false, blamed the co-presidents of the Stanford Israel Association for propagating a “false narrative,” praised the instructor for his “deliberate care and consideration” in handling the sensitive content, and depicted his suspension as an “intersectional” instance of Stanford having “little to no concern” for faculty members who seek to make “marginalized communities feel seen, heard, and loved.”¹³ The instructor’s contract expired at the end of Winter Quarter. But we wish to underscore two points. The deep distress experienced by Jewish students in the class seemed to be dismissed out of hand by the sizable portion (more than 20 percent) of the undergraduate student body who signed the petition. And second, since there were only about 15 other students in the class, this can only mean that most of the 1,700 students who signed the petition did so without having any direct knowledge of what happened in the classroom (or of the basis on which the University initially decided to suspend the instructor).

Why do we recount this incident at such length? We do so because this incident embodies several features of the current predicament facing Stanford and other universities. Incidents in which Jewish students feel singled out, intimidated, and harmed solely because of their identities as Jews are trivialized or dismissed by their peers and community in ways that never would be tolerated if

⁸ This account is also corroborated in the *Stanford Daily* article.

⁹ Ibid.

¹⁰ The precise number will never be known but is often estimated at as many as 10 million.

¹¹ <https://www.sfchronicle.com/bayarea/article/suspended-stanford-teacher-allegedly-separated-18423074.php>.

¹² Ibid.

¹³ https://docs.google.com/forms/d/e/1FAIpQLSe4CF2icU_y4b1sV11sUXAoWMB2gd0oRV6lluqcHeyP1vrvFA/vicwform.

done to students with other identities that have historically been subject to bigotry. Rather than engaging in meaningful and respectful dialogue, positions are stridently asserted based on very partial information and argued through a rigid, stylized framework of the intersectionality of diverse forms (but not all forms) of discrimination and oppression. Communities become polarized and set against one another. The principles that a university must embrace if it is to fulfill its purposes—safety, free expression, tolerance, civility, pluralism, equality, accountability, and the pursuit of knowledge through critical inquiry and rational discourse—erode and lose their force.

Despite the grim facts that this Report recounts, the Subcommittee approaches its task with optimism. We are convinced that Stanford can and must do better as a university. Doing so requires that we understand the nature and extent of antisemitism on our campus, how it relates to other challenges that the university faces (including other forms of identity group bias), and what can be done to combat it. Our Stanford community is fractured and divided in ways not previously evident to many of us who have spent decades teaching and working here. While this Report focuses on how to begin to heal the community using the lens of antisemitism and anti-Israeli bias, we acknowledge that there is bias against Arabs, Palestinians, and Muslims more generally, and we recognize that these forms of bias should be redressed as well.

Furthermore, we acknowledge the pain and suffering of the Palestinian people and the legitimate concerns of students and others in the Stanford community (and of course nationally) who are concerned about this suffering and the devastation of the war. But this Report deliberately does not offer commentary on the conflict currently underway in Gaza; that is not our remit. Instead, we view our charge as simple but significant: assess the current state of antisemitism and anti-Israeli bias at Stanford and make recommendations for addressing this wrong. Our overarching goal is to help nurture a university community where the rights and dignity of every group are respected, and where all groups can live and work and study together in mutual respect, without stifling the difficult debates and disagreements that are an inherent component of a university community engaged in teaching and research.

In the subsequent chapters of this Report, we address the searing issues that threaten our University. We offer recommendations not simply for combatting antisemitism but for creating a better, fairer, more inclusive, more cohesive, and more pluralistic climate for work, study, and social interaction at Stanford University. The approach we recommend is entirely consistent with Stanford's norms, rules, and aspirations, dating back to its founding and the original formulation of the Fundamental Standard. What is needed now is to enforce these norms and rules fairly and consistently for all groups; to adequately resource and more effectively implement existing programs; and to develop new initiatives that can help Stanford better fulfill its stated principles and goals. In these respects, our recommendations aim to close the gap between Stanford's stated policies and approach and the current reality experienced by many of Stanford's Jewish students, faculty, and staff.

Why This Sub-Committee Was Formed

In November of 2023, in response to the spike in reports of antisemitism and the impact of the tragic events of October 7 and the continuing Israel-Hamas war on the Stanford community, the President charged this Subcommittee with making recommendations for immediate action as well as the development of longer-term recommendations to combat antisemitism and anti-Israeli bias at

Stanford and to enhance safety and support, and to build community.¹⁴ We began our work in earnest in December of 2023, after our Subcommittee was reorganized following the resignation of one of its original co-chairs.¹⁵

The establishment of this committee is the second time the university has commissioned an exploration of matters of antisemitism in the last few years. In 2022, then President Marc Tessier-Lavigne established the Advisory Task Force on the History of Jewish Admissions and Experience at Stanford University. This prior committee was asked to research “the history of admissions policies and practices for Jewish students at Stanford,” including questions about quotas that have been raised in public conversations and a blog post that cited archived admissions documents. In addition, the Task Force was asked to make a set of recommendations to “to enhance Jewish life on campus, including how best to address any findings resulting from the research on admissions practices.”

The Task Force finished its work in fall 2022 and issued a pointed report describing historical examples of institutionalized antisemitism in Stanford’s admissions policies in the 1950’s and 1960’s. In response President Tessier-Lavigne sent a message to the University community, which read in part:

... the report articulates how this effort to suppress Jewish enrollments had long-lasting effects and dissuaded some Jewish students from applying to Stanford in later years. And, the report shows that when questioned about its practices in later years, the university denied any anti-Jewish bias in admissions. This ugly component of Stanford’s history, confirmed by this new report, is saddening and deeply troubling. As a university, we must acknowledge it and confront it as a part of our history, as repellent as it is, and seek to do better. On behalf of Stanford University I wish to apologize to the Jewish community, and to our entire university community, both for the actions documented in this report to suppress the admission of Jewish students in the 1950s and for the university’s denials of those actions in the period that followed. These actions were wrong. They were damaging. And they were unacknowledged for too long. Today, we must work to do better, not only to atone for the wrongs of the past, but to ensure the supportive and bias-free experience for members of our Jewish community that we seek for all members of our Stanford community.¹⁶

In addition to unearthing the facts behind this “ugly component of Stanford’s history”, the Task Force also made a set of recommendations focusing on exploration, education, and enforcement including:

- Undertake a comprehensive study of contemporary Jewish life at Stanford. (not adopted)

¹⁴ The Subcommittee included senior tenured faculty from the Schools of Engineering, Humanities & Sciences, Sustainability, Education, Law, Medicine and Business; several senior university staff, including a representative of Stanford Hillel and the Office of Religious Life; graduate students, an undergraduate and a University alum.

¹⁵ We also proposed, and President Richard Saller accepted, a change in our name to include “anti-Israeli bias.” This was done to assess and expose the evidence of specific bias against Israelis as a nationality group, which is closely related to antisemitism but also distinct.

¹⁶ President Marc Tessier-Lavigne letter to the Stanford community, October 12, 2022, <https://news.stanford.edu/stories/2022/10/email-text-task-force-report>.

- Develop and include modules addressing Jews and Jewish identity in appropriate educational trainings, seminars, and programs intended to make ours a more equitable, inclusive, and just community. (adopted, but not fully implemented)
- Enforce the Undergraduate Senate’s “Resolution to Recognize Anti-Semitism in Our Community” (UGS-W2019-23)¹⁷. (adopted, but not fully implemented)
- Schedule the opening of the school year so that it does not coincide with the Jewish High Holidays and specifically Yom Kippur and Rosh Hashanah. (adopted, implemented)
- Provide for student religious and cultural needs in housing and dining. (adopted, in process of implementation)
- Clarify the relationship between the university and Stanford Hillel. (adopted, not yet fully implemented)

While seminal in its research into Stanford’s historical antisemitism, the Task Force was never charged with assessing the current state of antisemitism on campus. But it did trigger an important action: an acknowledgment of and apology for historical institutionalized antisemitism. However, as the President himself said in his statement, “we must work to do better, not only to atone for the wrongs of the past, but to ensure the supportive and bias-free experience for members of our Jewish community that we seek for all members of our Stanford community.” Our research for the work of this Subcommittee has made it abundantly clear to us that the Advisory Task Force’s report and its initial recommendations were just the beginning of the work needed to address antisemitism at Stanford.

The Conflict on Our Campus

Our Subcommittee was charged with helping the University understand and address antisemitism at Stanford so that it can better live up to its own highest ideals. As expressed in the Fundamental Standard, Stanford’s core values expect students “to respect and uphold the rights and dignity of others regardless of personal characteristics or viewpoints,” and to maintain the University as “a community of scholars in which free speech is available to all and intellectual honesty is demanded of all.”¹

We limit our analysis in this Report to the issues directly relevant to Stanford. This is not a document designed to address the panoply of issues across U.S. higher education with regard to antisemitism, anti-Zionism, or anti-Israeli bias. While our Report draws on leading scholarship on antisemitism and anti-Zionism, it does so with the limited focus of guiding policy and procedure at Stanford. We hope it may prove useful to other campuses and other contexts, but that is not our primary aim. Although it draws on a broad base of scholarship, it seeks to be parsimonious in scope. To that end, it is worth highlighting four qualities of this discussion:

1. Hamas' attack on Israel and Israel's subsequent response brought a long-simmering conflict to new levels of visibility. It also brought a rise in hateful and hurtful speech toward American Jewish and Israeli members of our community. Stanford has a history of antisemitism, and it also has a history—a shorter one, to be sure—of addressing it in some areas of institutional life.

¹⁷ https://docs.google.com/document/d/17SvDX8wf-XP3cNmgfPYrnr7_NWunJntyh8J3jpwsgcc/edit

2. We have reached a deeply unfortunate and debilitating moment in our history as a university community when some members utter slogans and display symbols that they know—and apparently intend—to be hurtful to their peers. This is not an issue of academic freedom or free speech, but an instance of how we have lost sight of what it means to be in a community of scholars dedicated to rational and coherent dialogue, even with—and perhaps especially with—people with whom we disagree.
3. As august as Stanford is, and as accomplished as many of our graduates are, we should demonstrate some degree of humility about the scope of our influence: whatever happens at Stanford will not bring a just and durable peace to Israel and Palestine. We can, however, effect change on our campus that will foster a community of mutual respect, critical inquiry, and civic engagement, while hosting an array of political and intellectual perspectives.
4. The members of this committee volunteered to serve on it because we believe both that our campus has a problem with antisemitism, and that Stanford can do better to protect and provide for the Jewish and Israeli members of its community.

The Work of This Subcommittee

The Subcommittee defined its core goal as follows: “to help the University create an environment where all members of the community, including Jewish and Israeli students, faculty, and staff, are physically and emotionally safe on the Stanford campus, are treated with dignity and respect, and do not experience a hostile environment.” To achieve this long-term goal, there is much work to be done to foster civil and critical discourse on campus. That is both a norm and a skill that seems to have atrophied over time throughout our society, and especially in the age of social media. Our findings in this report highlight the need for the university to educate its community about the harms of any discrimination based on religion, shared ancestry, ethnicity, and nationality, and particularly (given the charge to our committee) to educate the community about antisemitism.

The work of the Subcommittee proceeded in several parallel ways. First, we conducted an intensive set of listening sessions, beginning at the end of January and continuing through Spring quarter, in small groups no larger than seminar-size. Over the course of our work, we conducted more than 50 different sessions with over 300 people in attendance. Different campus constituencies received emails inviting them to sign up to participate, and separate listening sessions were arranged for undergraduates, graduate students, faculty, staff, alumni, and parents. Many of these sessions were specific to membership of individual schools. For those who were not comfortable joining such a discussion with participants not familiar to them, we created different options for engagement. In addition, individual members of our Subcommittee also conducted numerous interviews with many individual students. All listening sessions were conducted under a Chatham House-style rule that protects the identity of all participants, and written records of the meetings do not identify participants by name.

Second, the Subcommittee actively monitored reports of antisemitic and anti-Israeli activities and brought them to the attention of University leadership to ensure that they are being addressed according to stated university policies. We invited all members of the community to share with us,

orally or in writing (at abccommittee@stanford.edu), whatever experience or knowledge they may have had of incidents of antisemitism and anti-Israeli bias at Stanford. We emphasized, in doing this, that reports to our Subcommittee did not constitute an official report to the University, and we encouraged any student who experienced an incident of antisemitism or anti-Israeli bias at Stanford that occurs outside the classroom or academic environment to report the incident through the University's Protected Identity Harm (PIH) Reporting webpage. Although some members of community filed PIH reports, many did not, in part because of the perception of University non-response to filings.

Third, to understand how Stanford's experience compares with that of other universities, and to learn more about what policies, procedures, and initiatives hold the best prospect of eliminating antisemitism and anti-Israeli bias at Stanford and creating a campus climate of mutual respect and dignity for all identities, we also cast a wider net of conversations. We spoke with national organizations focused on these issues, and with some committees and initiatives at other universities that are working to assess and address this challenge.

Fourth, we conducted extensive one-on-one interviews and listening sessions with Deans of Schools, Vice-Provosts and Vice-Presidents, leaders of campus organizations focused on students such as the Haas Center, and members of the staff of the Vice-Provost for Student Affairs. These meetings allowed us to share what we had heard in the listening sessions to get reactions and feedback, as well elicit reactions and feedback from the various campus leaders about their experiences in dealing with issues of antisemitism and anti-Israeli bias.

Finally, as our work proceeded, we were also in dialogue with the Committee on Muslim, Arab, and Palestinian Communities,¹⁸ appointed by President Saller at the same time as our Subcommittee. As will become evident in this Report, our concern and recommendations to counter bias on campus were written with concern for the broader Stanford community and not simply Jewish students, faculty, and staff.

What Is at Stake

We conclude that the stakes for Stanford are high, perhaps even existential. As we argue repeatedly in this Report, not simply antisemitism and anti-Israeli bias but all forms of prejudice and all demands for political orthodoxy interfere with the core purposes of a university. If Stanford fails to confront and combat these pernicious forms of bias, and if it fails to defend and promote the values of safety, free expression, tolerance, pluralism, equality, accountability, and education that we articulate in our final chapter, Stanford will become a lesser university, diminished in its ability to attract the best students and faculty and to do the best teaching and research.

In addition to the many moral, legal, and humanistic reasons why Stanford needs to address the pernicious issues of antisemitism, there are also institutional reasons of self-preservation that should motivate the University to develop a robust and public response. Should Stanford fail to address these issues in a clear and comprehensive way, we fear that the damage to its relationship with its alumni base will be significant and potentially lasting.

¹⁸ <https://mapcommittee.stanford.edu/>.

2.

Antisemitism: A Complex Concept¹⁹

We start by noting that there is no uniformly accepted definition of antisemitism. Scholars, political organizations, policy advocates, and cultural institutions have developed a broad array of definitions that diverge on the details but agree that antisemitism refers to forms of systematic bias or prejudice against Jewish people. Definitions range from the sardonic²⁰ to the dismissive²¹ and capture much in between.²² Scholars of antisemitism and Jewish history continue to debate the qualities and contours of the phenomenon and they disagree about whether or not it is an umbrella term best applied to a diverse collection of distinct phenomena, or whether it is, in the powerful phrase of one scholar, a singular if evolving instance of “the longest hatred.”²³ Scholars argue about whether the proper term is “antisemitism” or “anti-Semitism” or whether anti-Judaism or Judaeophobia might be more suitable.²⁴ Just the last decade has seen at least three transnational organizations advance their own definitions of antisemitism: the International Holocaust Remembrance Alliance, the Van Leer Jerusalem Institute, and the Nexus Project.²⁵ The debates about how to define antisemitism have even generated a small and lively set of articles exploring and documenting the meanings of the debates themselves.²⁶

We do not attempt to resolve these scholarly disputes here. We note that these efforts and arguments all share a concern for the forms of systematic hatred aimed either toward Jewish people or toward “the Jews” as a proxy for whatever unexplained and nefarious powers are the source of the world's ills. Examples of the former tend toward violence, most obviously in the form of the Nazi Holocaust or the 2018 massacre at the Tree of Life synagogue,²⁷ and in more individualized

¹⁹ Most of this chapter draws from an essay prepared for the Subcommittee by Professor Ari Kelman. We are grateful for his contribution.

²⁰ One attributed to philosopher Isaiah Berlin held that antisemitism meant hating Jews more than necessary.

²¹ The journalist Alexander Cockburn defined antisemitism as “to have written an item that pisses off someone at *The New Republic*.”

²² Deborah Lipstadt used the definition attributed to Berlin in her book, *Antisemitism: Here and Now* (New York: Schocken, 2019). Cockburn’s quote comes from his essay “My life as an anti-semite” which appeared in Cockburn, Alexander, and Jeffrey St Clair, eds., *The Politics of Anti-Semitism*. 1st Paperback Edition (Petrolia, Calif. : Oakland, Calif: AK Press, 2003).

²³ Wistrich, Robert S. 1994. *Antisemitism: The Longest Hatred*. 1st American Paperback ed. New York: Schocken Books.

²⁴ For concise summaries of some of these debates, see Judaken, Jonathan. 2008. “So What’s New? Rethinking the ‘New Antisemitism’ in a Global Age.” *Patterns of Prejudice*, September. <https://doi.org/10.1080/00313220802377453>; Judaken, Jonathan. 2009. “Homo Antisemiticus: Lessons and Legacies.” *Holocaust and Genocide Studies* 23 (3): 461–77. <https://doi.org/10.1093/hgs/dcp043>; Judaken, Jonathan. 2018. “Introduction.” *The American Historical Review* 123 (4): 1122–38.

²⁵ See respectively <https://holocaustremembrance.com/>, <https://jerusalemdeclaration.org/>, and <https://nexusproject.us/>.

²⁶ Waxman, Dov, David Schraub, and Adam Hosein. 2022. “Arguing about Antisemitism: Why We Disagree about Antisemitism, and What We Can Do about It.” *Ethnic and Racial Studies* 45 (9): 1803–24. <https://doi.org/10.1080/01419870.2021.1960407>.

²⁷ The attack on the Tree of Life Synagogue in Pittsburgh, on October 27, 2018, was the deadliest on any Jewish community in the United States. The lone assailant killed eleven people and wounded six (including several Holocaust survivors).

instances as well: Hasidic Jews attacked on the street,²⁸ chants of “go back to Brooklyn,”²⁹ and so on. Examples of the latter can take the form of conspiracy thinking, and chants like “Jews will not replace us!” that rung out at the white supremacist Unite the Right Rally in Charlottesville in 2017.³⁰

Antisemitism, Anti-Zionism, and Political Speech

We note the particularly thorny issue of distinguishing between anti-Zionist or anti-Israel speech and antisemitic speech. Anti-Zionist and anti-Israel speech is not always antisemitic, but frequently it is. The line distinguishing political speech from antisemitic hatred is both mobile and blurry. Perhaps the best way to describe it is “jittery.” Sometimes forms of speech land on one side of the line, and sometimes the same form of speech, when spoken by another, lands on the other. Sometimes the same words, when said by different people, can have quite different meanings. Sometimes a single person over the course of a single conversation can say things that might land on both sides of that line, no matter how painstakingly drawn.

We hasten to stress that no state, no matter the degree to which it has been the target of prejudice based on its predominant religion, culture, or ethnicity, should be considered immune from criticism of its specific policies and conduct. And many people—Jews and others—who strongly identify with and support the state of Israel have been quite critical of its policies relating to Palestinians and the territories Israel has occupied since the 1967 war. Indeed, many Israelis have also been critical of these policies. Even passionate criticism of these policies cannot be considered *prima facie* evidence of antisemitism.

However, it is important to examine the context of such criticism, the specific wording, and the history of other remarks by such speakers. Speech that is critical of Israel can easily slip into antisemitism, and it can sometimes be motivated by antisemitism, as well. Thus, antisemitism can emerge from criticism of Israel as easily as it animates such criticism. Given the tone of much political speech these days and the tendency to reduce policy analysis to social-media-sized soundbites, it is not surprising that much of this nuance is lost or silenced. Given this dynamic, the relationship between antisemitism and anti-Israel or anti-Zionist sentiment is highly volatile, and it is not enough to preface comments critical of Israel by declaring some variant of the phrase, “this is not antisemitic.” In fact, caveats like that often reveal the perspective of the speaker by attempting to conceal it.

²⁸ See for example <https://www.justice.gov/opa/pr/new-jersey-man-pleads-guilty-series-violent-assaults-members-orthodox-jewish-community>.

²⁹ The epithet was shouted at presumed Jewish students as they were leaving a January 24 panel discussion in Tresidder Union with the President, Provost, and—ironically—Israel’s Special Envoy on Combatting Antisemitism, Michal Cotler-Wunsch. But it is part of the broader antisemitic lexicon. According to the Anti-Defamation League, “In December 2020, SJP at University of Illinois, Chicago posted a meme on their Instagram account that actively encouraged the shaming of Zionists by calling them “colonizer,” “racist,” telling them to “go back to Brooklyn” and more. ADL, “The Anti-Israel Movement on U.S. Campuses, 2020-21,” <https://www.adl.org/resources/report/anti-israel-movement-us-campuses-2020-2021>.

³⁰ The protest was replete with antisemitic language and symbols. “Marchers threw Nazi salutes as they waved swastika flags, proudly wore swastika pins and shirts, and shouted “sieg heil!” A sign carried by rally-goers warned that the “Jewish media is going down;” another declared that “Jews are Satan’s children.”” “Anti-Semitism on Full Display in Charlottesville,” ADL, August 15, 2017, <https://www.adl.org/resources/blog/anti-semitism-full-display-charlottesville>.

The three major definitions of antisemitism presently contending for authority—the “Working Definition” of the International Holocaust Remembrance Association,³¹ the Jerusalem Declaration,³² and the Nexus Document³³—have very broad areas of overlap. What the above three definitions essentially agree on is that antisemitism is “discrimination, prejudice, hostility, or violence against Jews as Jews (or Jewish institutions as Jewish),”³⁴ “and conditions that ... significantly impede [Jews’] ability to participate as equals in political, religious, cultural, economic, or social life.”³⁵

The three definitions are distinguished from one another mainly on the basis of how they regard anti-Zionism and other criticism of Israel. Regardless of which definition one prefers, the very fact that there are three definitions divided by how they regard the relationship between antisemitism and anti-Zionism illustrates the near impossibility of splitting one cleanly from another. Nevertheless, all three definitions identify core behaviors that characterize antisemitism, and we offer these twelve examples as a coherent way of helping to identify antisemitism:

1. Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
2. Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective.
3. Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
4. Denying the scope, fact, or mechanisms of the Holocaust.
5. Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
6. Holding Jews collectively responsible for actions of the state of Israel.³⁶
7. Alleging that “the Jews” control the government, the banks, the media, and other institutions of power with a “hidden hand.”
8. Stereotyping or essentializing Jews as being wealthy, inherently stingy, or unpatriotic.
9. Applying the classic symbols or stereotypes of antisemitism to the State of Israel.
10. Requiring people, because they are Jewish, publicly to condemn Israel or Zionism.
11. Denying the right of Jews in the State of Israel to exist and flourish, collectively and individually, as Jews, in accordance with the principle of equality.³⁷
12. Attacking or harming individual Jews because of their relationship to Israel.³⁸

A Two-Dimensional Framework

We do not advocate that Stanford adopt a particular definition of antisemitism or anti-Zionism, unless it intends to adopt other definitions for problematic or objectionable speech aimed at a specific group of people or shared identity. But by acknowledging the complexities of

³¹ <https://holocaustremembrance.com/resources/working-definition-antisemitism>.

³² <https://jerusalemdeclaration.org/>.

³³ <https://nexusproject.us/the-nexus-document/>.

³⁴ The Jerusalem Declaration.

³⁵ The Nexus Document.

³⁶ These first six examples are from the IHRA Working Definition. 1, 2, 3, 5, and 6 are direct quotes.

³⁷ Examples seven through 11 here are drawn from the Jerusalem Declaration. 10 and 11 are direct quotes.

³⁸ Drawn from the Nexus Document.

antisemitism and anti-Zionism, we can provide a framework for analyzing speech and action when it occurs on our campus, within the campus guidelines for student conduct and free speech.

To that end, we recommend a two-dimensional framework for analyzing instances of anti-Zionism or antisemitism. Drawing on the available scholarship, we encourage the campus to assess such instances in light of two evaluative questions:

1. Does the objectionable act employ antisemitic sentiment in its *substance*?
2. Does the objectionable act rely on antisemitic logic in its *structure*?

To apply the first dimension of the framework, we must ask whether a certain instance of campus speech or action employs the *substance* of antisemitism. Does it, for example, rely on specific examples of antisemitic belief, such as blood libels or claims about Jewish avarice, or does it play on longstanding myths about Jewish avarice? Do claims echo assertions about Jewish power in media, finance, or politics, such that they presume an unreasonable amount of influence or control? These questions probe at assumptions about Jewish action and belief, and they often focus on the actions of Jewish individuals as representatives of a nefarious cabal of powerful Jews. The substance of antisemitic claims, then, employs versions of well-established purported claims about Jewish people whose roots can be traced historically.

To apply the second dimension of the framework, we must ask, following David Nirenberg “How and why do ideas about Jews and Judaism become convincing explanations for the state of the world?”³⁹ Does a statement employ Jews rhetorically or structurally, as a central feature of a political critique? Does it rely on Shulamit Volkov's framing of antisemitism as a “cultural code” that blames Jews for social ills or global problems?⁴⁰ In making claims about Jews, does it blur the lines between Jewish people and a concept of “The Jews” as a nefarious and perhaps hard-to-identify cabal? Is it possible to substitute “Jews” for “Israel” or “Zionism” and have a claim retain its coherence? The *structure* of antisemitism figures Jews as a kind of a universal unwelcome guest and source of eternal trouble. Structure can be hard to identify, insofar as they may not blame specific people (e.g., the Rothschilds), the ideologies of Zionism, or the State of Israel, but they nevertheless marshal a certain kind of thinking that figures Jews as inherently problematic and necessarily responsible for a great deal of the world's problems. Blaming the Jews does not mean holding actual Jewish people responsible or accountable, but rather using the figure of “the Jews” or “the Zionists” as a necessary feature of a larger explanatory argument.

One could ask whether a statement denies, even preemptively, that antisemitism is a concern? Does it attempt to dismiss or diminish antisemitism on the grounds that Jews are powerful or secure and therefore do not need to concern themselves with antisemitism? Claims that diminish or deny Jewish concerns about antisemitism function as part of a larger structure of antisemitism, which holds that Jewish people do not need such protection or cannot be trusted, and that claims about antisemitism are always or only employed to quash criticism of Israel. In many ways the incident described in Chapter 1 regarding what transpired in the COLLEGE 101 section,

³⁹ David Nirenberg, *Anti-Judaism: The Western Tradition*. (New York, NY: W. W. Norton & Company, 2014). 462.

⁴⁰ Shulamit Volkov, “Readjusting Cultural Codes: Reflections on Anti-Semitism and Anti-Zionism.” *Journal of Israeli History* 25, 1 (2006): 51–62. <https://doi.org/10.1080/13531040500503054>; and Shulamit Volkov, “Antisemitism as a Cultural Code: Reflections on the History and Historiography of Antisemitism in Imperial Germany.” In *European Political History 1870–1913* (London: Routledge, 2007).

and the subsequent student petition, epitomize the challenge we face in addressing antisemitism at Stanford: identifying it when it occurs and then dealing with the inherent antisemitism involved in its diminishment and dismissal.

3.

The Range of Jewish Life and Identity on Campus

Jewish students, faculty, and staff at Stanford are a reflection of a “diverse and distinct diasporic community” of 16 million Jewish people worldwide. They hold a multitude of identities with respect to race, ethnicity, nationality, and citizenship, language and culture, gender and sexuality, political orientation, and religious observance. Judaism has been defined as a religion, ethnicity, nation, culture, and race. For some Jewish members of the Stanford community, their Jewish identity is primarily religious. For others, their Jewish identity is rooted in cultural affiliation. Even among Jews who identify as ritually observant, there is tremendous heterogeneity in religious practices, beliefs, and knowledge of Jewish tradition and history. Many community members are open about their Jewish identity, whether religious or not, or are easily identifiable as Jewish if they wear a *kippah* or have a stereotypically American Jewish name or a name of Hebrew origin. Others may not openly indicate or reveal that they are Jewish out of personal preference or fear of hostility (although many individuals have reported being targeted based on others perceiving their physical characteristics as stereotypically Ashkenazi presenting Jews).

Many Jewish students, staff, and faculty at Stanford feel a deep sense of connection to the state of Israel and its citizens through family, friends, or shared religious and cultural heritage. For broader context, in a 2019-2020 Pew Research Center survey, “82% of Jewish adults in the United States said caring about Israel is an essential or important part of what being Jewish means to them Just 16% of U.S. Jewish adults say that caring about Israel is ‘not important’ to their Jewish identity.”⁴¹ Many Jewish students, staff, and faculty at Stanford are critical of the governance of Israel but still vigorously support its right to exist. Some Jewish students, staff, and faculty feel limited or no connection to the State of Israel. According to Pew, “younger Jews—as a whole—are less attached to Israel than their older counterparts. Two-thirds of Jews ages 65 and older say that they are very or somewhat emotionally attached to Israel, compared with 48% of those ages 18 to 29.” While there is no data on how the Stanford community compares to Jews nationally and around the world, these numbers provide a helpful starting point for conceptualizing patterns and ranges of beliefs that Jews may hold.

Jewish expression on the Stanford campus takes a wide variety of forms. Jewish staff and faculty currently do not formally organize in any particular way on campus. Furthermore, there is no one institution or person that speaks for “The Jews” of Stanford. Within the student body there are a myriad of ways, groups, places and spaces that Jewish students enact their Judaism. Hillel, Chabad, and the Jewish Students Association are each separate entities available to Stanford students. Academically, there is also the Taube Center for Jewish Studies, which offers courses, research, and public lectures and events. However, expression of Jewish identity isn’t limited just to official Jewish organizations. Many students view their involvement in other groups on campus as inspired by and expressions of their Jewish identity, including organizations such as Jewish Voices for Peace and

⁴¹ <https://www.pewresearch.org/short-reads/2023/10/13/most-jewish-americans-have-long-standing-connections-to-israel/>; <https://www.pewresearch.org/religion/2021/05/11/u-s-jews-connections-with-and-attitudes-toward-israel/>.

Students for Justice in Palestine. There is no consensus about what fraction of the students at Stanford are “Jewishly engaged” on campus, but one estimate from a Jewish administrator who works with students suggests that a sizable proportion (maybe 60% of all Jewish students) do not come to most Jewish events. However, what makes the post-October 7 period different is that even many in this group reportedly feel that the current atmosphere has become hostile to them as Jews, whereas they were largely unaffected by previous BDS movements on campus.

Stanford Jewish community members differ in their definitions, affiliations, and connections with Zionism. Many proudly identify as Zionists and view their Zionism as essential and inextricable to their identity as Jews. Yet even within that group there are a range of definitions for what Zionism means. Some Jewish Stanford community members identify as anti-Zionist, while some Jews do not identify as either Zionist or anti-Zionist. Additionally, Stanford Jewish community members hold diverse opinions on the Israeli-Palestinian conflict and the viable paths forward for peace in the region. Jews are also split about the resolution of the Israel-Palestine issue—one state, two states, etc. As such, Stanford Jewish community members have assumed varying roles and positions with regard to advocacy and discourse surrounding the conflict, specifically in the past few months, with some holding leadership roles and engaging regularly while others seek to avoid discussion.

A subset of the Stanford Jewish community are Israeli Jews. It is estimated that in any given year there are over 100 Israeli students and postdoctoral fellows at Stanford (and over 150 if one counts dual citizens). There are also over 50 Israeli faculty at Stanford (not including most areas of the Medical School). While some were born and/or raised in Israel, others were born in the US to Israeli parents. These Israelis represent the diverse demographics of Israel's population, spanning various ethnic, cultural, and historical backgrounds. Among them are many individuals whose families immigrated to Israel due to the threat of antisemitism, whether fleeing persecution in Europe before or after the Holocaust or escaping discrimination in the Middle East. As such, they recognize the critical role Israel plays for the Jewish people. The majority of the Israelis on campus are secular Jews. While there is no single Israeli organization or club on campus to which all in the Israeli community belong, there is a strong vibrant Israeli community network in the Bay Area with frequent gatherings, cultural events, and community initiatives. While some individuals in this community have left Israel because of their frustration with the political situation in the country, most continue to feel deeply connected with Israel and its people. Many of them have families, close friends, and collaborators in Israel, and they visit Israel quite frequently.

In sum, the Stanford campus encompasses great diversity of what it means and how it feels to be a Jewish person at Stanford. Almost all Jewish students, faculty, and staff share a concern about antisemitism in the United States, around the world, and in the Stanford community.

Past, Present, and Future

The challenge of how Stanford best welcomes, serves, and integrates its Jewish and Israeli students remains a tricky one due to Stanford's unique history as a non-denominational institution, a designation that was understood in its time and for many decades narrowly in the Christian sense.⁴² Jane Stanford's provision for public worship, enshrined in the University's Founding Grant, held sway for many decades: no one was required to attend University public worship, but the only place where public worship could be held was in Memorial Church. This created a paradox for non-Christian students, faculty, and staff, which they were left to resolve on an individual basis. Only beginning in the year 2000 was the Jewish community able to create a more robust physical space on campus for worship and programming. This is the Ziff Center for Jewish Life, which houses Hillel at Stanford in the Taube Hillel House and Koret Pavilion. Unfortunately, once this Center for Jewish Life was established and the Jewish community became more visible, it had to deal with very unfortunate whispers that the Jewish community took up "too much space", was too prominent, or was somehow "too much".

The history of how the Hillel was formed at Stanford warrants a brief recounting. From the earliest days, while the needs of Christian community members were ostensibly supported by the Office of Memorial Church (now the Office of Religious and Spiritual Life or ORSL), the needs the Jewish community identified for itself had to be privately addressed and financed. Various student groups, supported primarily by faculty families and the Jewish Federation in San Francisco, eventually coalesced into the organization now known as Hillel at Stanford, which is an independent 501(c)(3), bound to the university by its own founding documents, but related to Stanford primarily as one of many Stanford Affiliated Religion (SAR) groups, in covenant with ORSL.

Though Hillel has been Stanford's primary partner in providing for the religious, spiritual, cultural, and communal needs of Jewish students for 75 years, it continues to be overwhelmingly independently financed. The ambiguity of this relationship is called out in the Presidential Task Force on Jewish Life report, and President Tessier-Lavigne committed the University to addressing it.⁴³ We return to this issue with some specific recommendations about more explicitly defining the relationship between Stanford and Hillel in Chapter 15.

⁴² Footnote: Leasing land to institutions "for the benefit of any religious sect or denomination" was also prohibited. As a result, Stanford has struggled over the years to absorb Jewish and Muslim students whose religions lie beyond the sectarian debates within Christianity. See "Mrs. Stanford's Address of October 3, 1902," https://stacks.stanford.edu/file/druid:bz978md4965/su_founding_grant.pdf.

⁴³ <https://news.stanford.edu/stories/2022/10/email-text-task-force-report>.

Part II: WHAT WE FOUND

4.

“It’s in the Air” – The Diffuse and Often Subtle Environment of Antisemitism

“I’ve been very cautious about sharing that I’m Jewish or saying anything about politics or Israel since I came to Stanford because I didn’t want to close off the possibility of friendships.”

“I feel like I’m always waiting for the other shoe to drop...either you have to choose to be Jewish and all your friends are Jewish, or you conceal who you are.”

—Stanford Undergraduates

On January 24, 2024, approximately 200 members of the Stanford community, including Jewish students, faculty, staff, and alumni, gathered at Tresidder Memorial Union for a town hall. They came for a fireside chat with Stanford’s President Richard Saller, Provost Jenny Martinez and Israel’s Special Envoy for Antisemitism Michal Cotler-Wunsh.⁴⁴ However, on their way into the event, Jewish attendees seeking a safe space to openly address the storm of antisemitism they were struggling with on campus were confronted by a “human tunnel” of about 30 protestors lining the staircase leading to the event. Toward the end of the event, the discussion about the surge of antisemitism at Stanford was interrupted by disruptors who attempted to shout down the speakers.

Unfortunately, the situation deteriorated even further. As Jewish attendees filed out of the event protestors pursued and harassed them, following closely on their heels and chanting loudly: “Zionists, Zionists you can’t hide. We charge you with genocide!” One of the Jewish students leaving the event that night reported hearing other hateful and threatening chants in addition, including “Go back to Brooklyn!” and “We know your names, we know where you work and soon we are going to find out where you live.”⁴⁵ Video published online shows them following Rabbi Dov Greenberg of Chabad and a student while shouting and yelling at them.⁴⁶ In an effort to de-escalate the situation, University officials made an impromptu barrier with their bodies between the shouting protestors and the Jewish town hall attendees. “Our next generation, they will take all of your places and ensure Israel falls—and America too, the other terrorists!” yelled one of the protest’s leaders in

⁴⁴ Alex Kekauoha, “President and Provost Address Campus Antisemitism Concerns, Highlight Stanford’s Response,” *Stanford Report* (Jan. 24, 2024), <https://news.stanford.edu/stories/2024/01/president-provost-address-campus-antisemitism-concerns-highlights-stanford-response>.

⁴⁵ Haley Cohen, “Anti-Israel protestors threaten Stanford students attending forum for combating antisemitism,” *Jewish Insider*, January 30, 2024, <https://jewishinsider.com/2024/01/stanford-university-jewish-students-antisemitism-anti-israel-protest/>. The video at <https://www.youtube.com/watch?v=A1BwWj8zUHY>.

⁴⁶ Aaron Sibarium, ‘Run by the Mob:’ How Anti-Semites Took Over Stanford’s Campus, *The Washington Free Beacon* (Feb. 16, 2024), <https://freebeacon.com/campus/run-by-the-mob-how-anti-semite-took-over-stanford-campus/>.

a widely circulated video.⁴⁷ “F**k off our f**king campus! We said it!” can also be heard in that video.⁴⁸

In an exchange with one of the protesters after the event that night, a Jewish student asked a protester why they had chosen this particular event to target, pointing out that it was not a forum on Israel, but an event about antisemitism. “Stop playing the f**king victim” shouted back one of the protestors. It was neither the first nor the last time that people in the Stanford community had downplayed the issue of antisemitism on campus or called into doubt whether it exists at all. The irony of questioning the existence of antisemitism—while at that very same moment calling for Jews to “Go back to Brooklyn”—exemplifies how malicious the antisemitism problem has become at Stanford.

Our Subcommittee has reached a simple but highly disturbing conclusion: there can be no doubt that antisemitism exists today on the Stanford campus in ways that are widespread and pernicious. It is not infrequently explicit, but more often it is wrapped in layers of subtlety or thinly couched in code words, with “Zionist” or the slang “Zio” frequently standing in for “Jew.”⁴⁹ The antisemitism experienced at Stanford reflects a broader national and international eruption. As one national Jewish leader graphically described it, “If, before October 7, antisemitism was a slow-burning fire, it has now become a five-alarm emergency that requires all of us to douse its flames.”⁵⁰

One Jewish interviewee on campus described this as a “new antisemitism” that isn’t using the narratives of the past. This version “accuses Israel of the worst crimes—apartheid, ethnic cleansing, genocide—and sees every Jewish institution, and every Jew, as an ambassador of Zionism and a legitimate target.” Their goal has been to flip the script and “turn the Jew into the Nazi.”⁵¹ Others raised the same theme. A Stanford senior told one of our listening sessions:

Antisemitism is deeply ingrained in the culture here. I don’t think it’s a problem that can be solved and I don’t think the University is trying. I don’t hold extreme political views. And I don’t get easily offended by political commentary. I would consider myself left by Israeli standards. But this isn’t commentary, it doesn’t even differentiate between Jews and Israelis. The line is: “The Jews are the new Nazis.” I’ve submitted multiple PIH Reports and I never get a response. It’s so demoralizing that I’ve tried to put it out of my mind.

What the January 24 event graphically illustrates is a disturbing and recurrent pattern at Stanford. An event occurs that reveals common ignorance of who Jews or Israelis are, or that

⁴⁷ Haley Cohen, “Anti-Israel protestors.”

⁴⁸ This highly charged exchange was reported widely both nationally and internationally, but it was not mentioned in *The Stanford Daily’s* reporting of the event. No details about the virulent examples of blatant antisemitism on January 25 were ever reported on in any story published by the *Stanford Daily*. In fact, a student writer for the *Daily* who attended the event wrote an article reporting on what happened, but the newspaper declined to publish it.

⁴⁹ Of course, “Zionist” can be used in a non-antisemitic way, but we also found many examples of it being used purposely to avoid saying Jew, or examples where the word Zionist was used at the outset and then later in the conversation the person used the word Jew.

⁵⁰ Ted Deutch, Chief Executive Officer, American Jewish Committee, quoted in “The State of Antisemitism in America 2023,” <https://www.ajc.org/AntisemitismReport2023>.

⁵¹ Interview with a Jewish leader who counsels many Stanford Jewish students.

exposes prevailing biases, and the event is barely mentioned in our campus media, or is covered in an uneven fashion, which has the perceived effect of normalizing antisemitism. Perhaps most disturbingly, the lack of safe space for Jews at Stanford is so acute that even talking about how there is no safe space provokes a threat illustrating that very point.

We hasten to stress here—as we explain in our Recommendations—that we do not endorse the idea that university students can or should be kept “safe” from ideas and arguments that make them uncomfortable. Universities exist to consider contending perspectives and subject them to rational debate and critical inquiry. We mean “safe” in a more literal sense—safe from injury or the threat of it. Acts of bigotry—hatred or intolerance based on a person’s ethnicity, religion, or other identity—violate the standards of safety students have a right to expect and universities have an obligation to afford. And, as we explain below, antisemitic acts may cumulate into a “hostile environment” that violates federal civil rights law. These are all reasons why the University must address the problem with alacrity.

It is impossible to assess the state of antisemitism at Stanford in 2024 without acknowledging that the world changed after October 7, 2023. In its recent report, *The State of Antisemitism in America 2023*, the American Jewish Committee conveyed the findings of a survey conducted of over 1500 Jewish Americans in the fall of 2023. A staggering 87% of respondents stated that they believed that antisemitism has increased in America over the past five years, and 50% of those surveyed stated that it had “increased a lot.”⁵² That rise in overall antisemitism results in a deep sense of personal insecurity – almost two thirds (63%) of those surveyed observed that the status of Jews in America is less secure than it was a year ago. Moreover, this general rise in antisemitism has only accelerated since the October 7 Hamas attacks and the subsequent war in Gaza.

Stanford does not exist in a vacuum and is not immune to this national trend. Antisemitism manifests itself across the Stanford environment in different ways, all of which contribute to what was frequently described to us in our listening sessions as a “systemic” problem. In the sections that follow, we describe below the various ways that this phenomenon presents itself at Stanford.

Antisemitism that Triggers Personal Safety Concerns

As noted in the Introduction, we conducted a wide range of listening sessions. Literally dozens of students, faculty and staff described to us that, post-October 7, they feared for their personal safety. One staff member expressed their concerns in stark and historically fraught terms: “I’ve been around [Stanford] for decades and have never felt afraid to be here until now. For the first time ever, I am afraid to be at [my graduate] school.” A Jewish junior told the *Stanford Daily* in May, “I’m tired of being the scared Jew I am. I wear a kippah, always, but I wear a hat on top because I’m scared.” He also noted that when he ran for the Undergraduate Senate in the April ASSU elections, people called him “a Zionist Nazi, a pig,” and threatened to dox him.⁵³

⁵² “The State of Antisemitism in America, 2023,” American Jewish Committee, <https://www.ajc.org/AntisemitismReport2023>.

⁵³ Ananya Udagiri et al., “Pro-Israel protestors rally against pro-Palestinian encampment,” *Stanford Daily*, May 1s, 2024, <https://stanforddaily.com/2024/05/12/pro-israel-protesters-rally-against-pro-palestine-encampment/>.

This expression of personal fear was not unique nor was it strictly limited to concerns about physical safety. Many expressed it in psychological terms; they felt the need to self-censor their beliefs due to concern about being ostracized or condemned. Others felt constrained to limit the way that they presented themselves symbolically; numerous students and staff expressed concerns over the consequences of wearing Jewish symbols such as a Star of David or a kippah or affixing a mezuzah to their dormitory room doorframe. Some students also expressed a need to discern where on campus they could and could not go: “A lot of campus no longer feels open to me as a student. I am unsure about how I will be received so I’ve become more closed off.” Students not only reported self-censoring how they present, where they go, but also what they share with others. One student commented, “I’ve been very cautious about sharing that I’m Jewish or saying anything about politics or Israel since I came to Stanford because I didn’t want to close off the possibility of friendships.” Another said, “The level of conversation about this has escalated so much in the last few months. Avoidance is the way I cope.”⁵⁴

The Subcommittee heard repeated evidence that these perceptions of ostracism and enmity were not triggered by expressions of their political beliefs – the individuals we spoke with reported that the various manifestations of antisemitism they experienced were targeted to their Jewish identity. Students described experiencing marginalization or hostility not because of what they specifically said or advocated, or what their political beliefs were. Rather, they were targeted solely because of who they were. This experience of identity-based prejudice was not aberrational or rare; during our listening sessions, it was commonly noted by Stanford students, staff, and faculty. As one student shared, “I feel like I’m always waiting for the other shoe to drop...either you have to choose to be Jewish and all your friends are Jewish, or you conceal who you are.”⁵⁵

The interviews we conducted with self-identified Israeli students were troubling for an additional reason. These students described being targeted not only because of their religious identity but also because of their national identity, which typically includes mandatory national service in the Israeli Defense Forces. They described incidents when they were verbally attacked or held personally accountable, notwithstanding whatever their own beliefs or advocacy might have been, for the actions of the Israeli government, both pre- and post-October 7. This attack on their identities from both a religious and national perspective was deeply unsettling. Some of them have been the subject of direct harassment and threat in classrooms, dorms and/or on the social media platform, Fizz. Not surprisingly, they have reported feeling physically unsafe on campus and the hostile environment has had a debilitating effect on their wellbeing and performance. Many of them have been shocked by the perceived lack of University response to events on campus. As a result many of them feel abandoned and betrayed by the very institution they have proudly represented as one that fosters community, excellence, and leadership. Among the concerns raised during the listening sessions are the “delegitimization” of the state of Israel by the student protestors, the “demonization” of Israelis by spreading misinformation, and the apparent “double standards” exhibited by the University in dealing with antisemitism. One Jewish Israeli graduate student felt that the attacks had become so pernicious and constant that they were seeking a way to complete their dissertation in Israel instead of on the Stanford campus, observing that they felt safer in Israel during a time of war than on the Stanford campus.

⁵⁴ Undergraduate listening sessions, February 2024.

⁵⁵ Undergraduate listening sessions, February 2024.

Antisemitism that Results in Personal Trauma

It was not unusual for students and staffers to express the unique sense of trauma evoked by the antisemitism that they were experiencing. They expressed a feeling of isolation and a sense that they were becoming untethered from their Stanford community. One Jewish graduate student noted that when she had previously experienced an episode of sexual harassment, her extended community rallied around her in support, but that when she experienced an episode of explicit antisemitism, she felt completely isolated and alone. A student who woke up to find that a swastika had been drawn overnight on the door of their dorm room felt it necessary to move out of the dorm mid-year, as the perpetrator could not be identified. The experience caused psychological injury and physical dislocation. It was the student targeted by the bigoted act, not the agent of it, who had to uproot their residential life and move across campus.⁵⁶

Other students and faculty noted that the constant campus protests condemning Israel, with their militant depictions of Zionism as racism, oppression, white settler colonialism, and “the new Pharaoh,” provoked deep feelings of isolation and disconnectedness. Statements such as, “From the River to the Sea Palestine Will Be Free” and banners in the immediate wake of October 7 declaring, “The Illusion of Israel is burning,” were felt to be “true threats” endorsing the violence of October 7 and calling for the physical elimination of Jews in Israel, and perhaps by extension, everywhere. The Subcommittee recognizes that campus protests can be valid expressions of First Amendment rights and are part of the American political fabric. But the language and imagery of the protests, including celebrations of Hamas—a violent, terrorist organization that calls for the “annihilation” of Israel and whose leaders continue to trade in antisemitic tropes⁵⁷—trigger perceptions of prejudice and feelings of isolation among Jewish and Israeli members of the Stanford community. Not infrequently, these cumulate into a sense that they are living and studying in a hostile environment.

Feeling of Abandonment by the University and University Community

One of the more common—and troubling—expressions of antisemitism involved the feeling by many students that the University administration and Stanford community had abandoned them. Often it was expressed as a loss of community in residential life: one student graphically complained that “we have no one in our corner and never stood a fighting chance.” Others expressed it as a lack of support due to a fear of violating norms of institutional neutrality or moral equivalence or fear of attack on social media.⁵⁸

This feeling of abandonment is compounded for many members of the Stanford community by what they observe in the larger non-Stanford world. At a time when Jews generally feel under attack and Israel is being criticized in a variety of ways, many Stanford community members looked to the leadership of Stanford for support. The leadership of the university invoked a policy of

⁵⁶ This incident occurred in the previous academic year.

⁵⁷ ADL, “Hamas In Its Own Words,” <https://www.adl.org/resources/blog/hamas-its-own-words>.

⁵⁸ A robust debate has erupted since October 7 on campuses around the country about whether or not universities are empowered to make statements on social and political affairs. See the different views offered in “institutional neutrality with Emily J. Levine, Robert Post, and Diego Zambrano,” online from the Democracy and Disagreement Series at <https://humsci.stanford.edu/events/institutional-neutrality-emily-levine-robert-post-and-diego-zambrano>. The Ad Hoc University Speech Committee’s Report of 30 May makes the following recommendation: “When speaking for the institution, Stanford University leaders and administrators should not express an opinion on political and social controversies unless these matters directly affect the mission of the university or implicate its legal obligations.”

“institutional neutrality” regarding expressing a position on global or national events. Many Stanford faculty and administrators (and some students as well) firmly believe this is the correct posture for all universities. But refraining from expressing a political or policy position is not the same as acknowledging the personal pain that many in the community, Jews and Israelis as well as Palestinians, are feeling.

No one has a monopoly on pain in the current environment, and the University has a substantial responsibility, if not to mitigate that pain then at least to acknowledge it. One of the more profound comments we heard was one from someone who had been at Stanford for many years, and for whom all of this was not new. “I have been at Stanford for 40 years. I have lots and lots of years of experience of what this campus community has been and what it is like now. Subtle antisemitism, subtle disrespect for Judaism, Jewish identity and observance...has been pervasive since I got here. There’s an undercurrent of disregard.”

Tokenization: Being a “Good” Jew to Be Accepted

The trauma of the crisis emanating from the October 7 attack on Israel and the subsequent war in Gaza has forced many to evaluate their own beliefs and to question previously held assumptions. Not only is that understandable, but as Stanford leaders have frequently stated, one of the purposes of a liberal education is to question one’s own beliefs and to subject them to rigorous analysis. That is a critical component of a Stanford education.

But for many Jewish and/or Israeli students, that personal reexamination is not treated as a decision to be left to the individual—it is a process with a pre-ordained result that others seem to be demanded from all Jews and Israelis. As one student reported a comment they had received, “[Student A] has expressed their condemnation of Israel’s conduct in Gaza, why can’t you?” Another student expressed it as follows: “By virtue of being Jewish, we are all asked (by Jews and non-Jews) to make our position on Israel clear all the time. It is antisemitic that this is expected of all of us. Others have expressed concerns about being forced to denounce Israel or otherwise renounce their personal identity as the price of acceptance, or even of admission to Stanford student events. In one now infamous incident, students were required to say “F*ck Israel” in order to be admitted to a student-organized party on campus.

The most common way that antisemitism presents itself in student life is not to exclude all Jewish students but to place on Jewish students a unique burden of showing that they reject the State of Israel and any connection to it. In these political circles, Jewish students may feel welcome, so long as they subscribe to an ideology that sees the world as divided between colonizer and colonized, oppressor and oppressed, with Israel—and Jews more broadly—in the latter role. When this phenomenon was discussed at a dinner for visiting Jewish families during Family Weekend, it resonated powerfully with parents who also had children studying at some of our peer universities. One family shared this quote from a daughter studying at an eastern university: “They hate me, and the only way for them not to hate me is for me to hate myself even more.”

Fear of Being Identified as Jewish

Some Jewish students have told us that they have not experienced any antisemitism on campus. But in at least a few of these instances, they also volunteered that they hide their identity on campus. In one particularly poignant interview, a Jewish student explained to a member of the Subcommittee that she lived a perfectly normal undergraduate life at Stanford and had no personal

experience of the conflicts and difficulties concerning Jews on campus. She then took a long pause, teared up, and said softly, “But my friends don’t know I’m Jewish. After October 7, some students took to wearing identifying Jewish necklaces, such as a Star of David, inside their shirts where they were not visible.

Yet for other Jewish students on campus, October 7 was a call for solidarity and more visible displays of their Jewish identity. Some told us that after October 7 they took to openly wearing Jewish symbols for the first time and explicitly expressing their support for Israel. An undergraduate told us, “I am more vocal about the antisemitism I experience. Sometimes I talk to students who are Jewish and some of them have it even worse than I do. Someone told me their brother wanted to drop out. Many of my liberal friends who were antizionist became Zionist after all of this.

One student took a preemptive approach to the risk of losing friends who might discover that he is Jewish. “I’d bring up my Jewish identity and my support for Israel early on in our relationship. I didn’t want to lose friends later when they discovered it.”

5.

Antisemitism and Anti-Israeli Bias in the Classroom

“Students now felt unsafe ... in my class as a result of my alleged views. Not trusting a professor to do their job well and thinking this professor will punish someone for not having the assumed same beliefs as the professor is itself antisemitic, as it plays into the stereotype of a conniving Jew with ulterior motives and alternative allegiances.”

—Stanford Instructor

There have been clear instances over the years where antisemitism and anti-Israeli bias have manifested themselves in the classroom through the words and actions of professors, teaching assistants, and class participants themselves. Often the problems stem from the desire of a professor or TA to proselytize for their own political points of view when they should instead be encouraging and challenging a free flow of ideas, even popular or controversial ones, but without leveraging their position of authority to advocate. As a result, students (often Jewish) who hold contrary views found themselves being bullied, canceled, or doxxed for expressing those views.

One manifestation of this is minimization of the Holocaust, which unfortunately is not uncommon in Stanford’s academic life. On January 29, 2019, a guest lecturer invited to speak to Stanford first-year students in the Structured Liberal Education (SLE) program suggested that less than 6 million Jews died in the Holocaust.⁵⁹ A Jewish SLE student, troubled by the use of the word “supposedly” in the guest lecturer’s description of the Holocaust, stayed after the lecture with a group of about 12 others to ask him for clarification of what he meant by the word. As the student described the incident, the professor responded, “Let’s say 100,000, *maybe* one million.”⁶⁰ The Jewish student replied: “There is documented proof that six million Jews were killed by the Nazis in the Holocaust.” The guest lecturer replied: “I have heard the number; I don’t *know* about that number.”⁶¹

This incident was reported to the leadership of the SLE program, and the following day, SLE’s co-directors mentioned that the SLE program did not agree with the guest lecturer’s comments. One of SLE’s co-directors told *The Stanford Daily*, “many in attendance — including members of the teaching team — were troubled . . . The teaching team also reported being perplexed and confused, since [the guest lecturer] raised the Holocaust as an example of a real and horrifying event, but the word ‘supposedly’ seemed to undercut this.” The day after the lecture, SLE instructors responded by devoting discussion sections to debriefing what had occurred.

Despite the action taken by the SLE leadership to deal with this very troubling incident, a disturbing counter-narrative developed where although SLE’s co-director agreed that “there was a general consensus” among those at the event that the guest lecturer had used the word “supposedly”

⁵⁹ Sohan Vichare, “SLE Guest Lecturer’s Remarks About Holocaust Sparks Controversy,” *The Stanford Daily*, Feb. 8, 2019. <https://stanforddaily.com/2019/02/08/sle-guest-lecturers-remarks-about-holocaust-spark-controversy/>.

⁶⁰ Yaron Sternberg, “In Denial of Truth,” *The Stanford Review*, Feb. 4, 2019. <https://stanfordreview.org/in-denial-of-truth/>.

⁶¹ For further detail on this incident, see Appendix I.

to describe the Holocaust, this incident fell into the common Stanford pattern in which Jews who report antisemitism they have experienced are disbelieved. Moreover, their concerns are dismissed by peers who question the truthfulness of what happened to them or deny the antisemitic nature of what they were subjected to. Indeed, *The Stanford Daily* reported, “[o]ther SLE residents, however, have challenged [the Jewish student’s] interpretation of [the guest lecturers] comments.”

A more recent example of denial and minimization of antisemitism in the classroom took place in the COLLEGE program during fall quarter of 2023, as described in the Introduction to this Report. This experience was traumatic, not only for the students who were directly affected by what transpired, but also for other Jewish students in the class. As one student recounted in a listening session in February: “I was in the COLLEGE class [described above], and it totally took over my first quarter. It was very stressful, and incredibly time consuming. I’m apprehensive when I pass by people in the class, who had participated so enthusiastically while he was leading the conversation that was so alienating to me. Since then, I’ve gravitated more towards the Jewish community on campus. I come from a town that is predominantly Jewish, so coming to Stanford and experiencing all of this was pretty shocking. I think I’ll always look back on my freshman year and think about this. Looking back, his statement that ‘ONLY 6 million Jews’ died in the holocaust (as opposed to more people who died in the Congo) is the most upsetting part.”

We also heard from some students that the nature of class conversations can lead them to “self-censor” in class discussion and sometimes avoid courses altogether. “I came to Stanford explicitly to study the Middle East. Before coming here, I did lots of work in Palestinian/Israeli/Jewish dialogue groups, so I’m very comfortable and familiar with the Palestinian narrative. In one class we had to compare how Herzl’s ideas of a Jewish state were so similar to Hitler’s ideas about Germany as an ethno-nationalist state. A student brought the idea into class, but the class was enthused about it and the professor encouraged it. I’ve stopped taking the classes for which I originally came to Stanford because everyone else in them is so monolithic. I am disappointed in myself, but it is just so hard to be in those spaces.”

Several other examples need to be raised. The first is further illustration of behavior by teaching staff that was upsetting and disturbing to Jewish members of a class. On April 25, 2024, when an anti-Israel encampment was re-established in White Plaza during Admit Weekend in direct violation of University policy, a teaching assistant for a class in the School of Humanities and Sciences canceled section and sent out an email to students encouraging them to attend the protest. This was immediately brought to the notice of the chair of the department, who responded immediately and unequivocally that what the TA had done was completely inappropriate. The chair then required the TA to not only reinstate the section but also to add additional contact hours for the students in the class.

The second example involved a disruption of a classroom in early January 2024, on the first day of Winter Quarter. In this incident, protestors stood up and made statements about the Israel-Gaza war despite not being authorized to do so, and in the face of the faculty member’s request that they desist from disrupting the class. The professor told us: “I immediately wondered if I was targeted [for being Jewish], because my class is 115 students not 300+. I was shaken at the time. I left the class until they left. It felt like a violent act. I can avoid the areas where there’s activity. But this is my classroom, it’s my work. It’s where I’m supposed to be. And it immediately places a strange relationship between me and the students.” The University did, some days later, issue a statement regarding classroom disruptions but the trauma of the event resonated deeply with the

affected faculty member who never learned whether the disrupting students were sanctioned in any way.

The third example involves a computer science teaching assistant who became well-known after October 7 for what some of his students (and others) felt was openly antisemitic expression. An undergraduate in that TA's section shared their exasperation: "I don't understand why the University isn't protecting its Jewish voices and I don't understand why you are allowing my academic experience to be diminished by this." The student was particularly troubled that someone with such manifest bias had grading privileges over them.

Finally, In the third week of winter quarter, masked students disrupted a course by "banging on "the windows with a flier and sliding the flier under the classroom door. The flier read, "You're being taught by a Zionist. Drop this Class." The flier also had a QR code that took students to a Google drive containing two files, with links to liked Instagram posts as evidence. One of the two co-instructors for the course is Jewish and wears a kippah. Of note, neither the instructor's area of expertise nor the course were in Jewish Studies. As the instructor stated in reflection after meeting with students and colleagues about the incident, "Students now felt unsafe in the space and in particular in my class as a result of my alleged views. Not trusting a professor to do their job well and thinking this professor will punish someone for not having the assumed same beliefs as the professor is itself antisemitic, as it plays into the stereotype of a conniving Jew with ulterior motives and alternative allegiances."

6.

Antisemitism and Anti-Israeli Bias in Social Media

“I got an anti-Israel direct message on Instagram from a random [graduate] student I had never spoken to, quoting Hitler.”⁶²
—Stanford Graduate Student

“I haven’t encountered as much overt antisemitism, but on Fizz it feels pervasive.... It’s clear that being Jewish puts you in a vulnerable position.”⁶³
—Stanford Undergraduate

For many college students, digital interactions and relationships are equally if not more impactful and meaningful than in-person communications and relationships. Therefore, the interactions students have online can tremendously impact their lives. This goes for staff and faculty as well, as so much of workplace communication now occurs over digital platforms, such as Slack and WhatsApp. It is not surprising, therefore, that many of the most disturbing interactions that students, faculty, and staff are having take place online in digital spaces. Sometimes, because the digital spaces allow for anonymity, as well as viral and high-volume dissemination, these interactions can overwhelm in-person interactions.

Several features of social media make this mode of communication particularly susceptible to incivility, bigotry, enmity, and polarization. Social media platforms have been designed to reward shock and outrage, and hence stark and binary depictions of reality. Moral outrage goes viral; nuance, subtlety, and carefully reasoned consideration of competing claims do not. Social media posts are generally short and punchy. Critical inquiry and civil discourse require extended and iterative processes of argument and reasoning. Posts that express outrage, shame, shock, and absolute conviction gain more likes and followers than ones that weigh both sides and seek to find common ground. Social media provide a shield and layer of separation between people, allowing for them to send hateful comments with more impunity. The problem is worse when the communication is anonymous and therefore completely devoid of any personal accountability.

The two direct quotes we have listed above are representative of what we have heard in our listening sessions: the way students have interacted online since October 7 has compounded perceptions of prejudice and feelings of social isolation. As one student shared, “I’ve lost friends because I shared how I felt about things they posted since Oct 7 and now they won’t talk to me.” In fact, several Jewish and Israeli students have reported being removed as social media followers or blocked by their classmates who post about the current political situation regularly. In some cases, they have been kicked out of social media groups—quite literally canceled. While each individual is entitled to determine who follows them on social media, the assumption underlying the targeted removal of Jewish/Israeli students from social media is twofold: 1) that because someone is Jewish/Israeli they must hold certain political beliefs, even in the cases of students who have never posted about this topic; and 2) these Jewish and Israeli students are not to be trusted.

⁶² Comment of a Stanford graduate student in one of our listening sessions.

⁶³ Undergraduate student, in a February 2024 listening session.

According to the statements made in our listening sessions, one area of digital communication that has been particularly harmful to Jewish students feeling targeted, isolated, and alone are listservs, dorm chats, and messaging groups. The dorm chats are particularly difficult because of the power differential between residents and RAs;⁶⁴ a strong political opinion by an RA is often not challenged because of fears of being canceled, marginalized, or ostracized. We have had reports of some RAs posting divisive and highly political comments frequently in all-house chats or all-student threads. Such comments might be appropriate for groups that choose to affiliate around these perspectives, but they represent an abuse of the position when broadcast to all students in a dorm.

The impact of the platform “Fizz social” has been specifically cited by many as the source of many of the most hateful comments. All comments on Fizz are anonymously posted and can be downvoted or upvoted anonymously. What makes Fizz particularly troubling for students who would like to see a more tolerant and civil climate on campus is the lack of accountability for posting insulting comments. One student commented, “Fizz is so hurtful because it is anonymous.” But this student also noted, “there are plenty of people who openly express the same opinions and there are no consequences there either.”⁶⁵

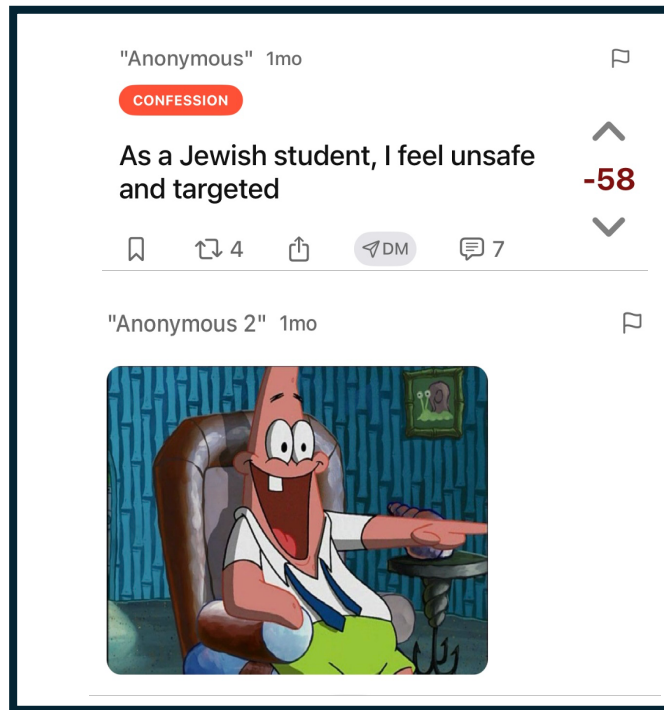
Many of the students and university administrators we have talked with have described Fizz as “toxic” because the anonymity of Fizz allows unedited and particularly pernicious language to circulate and fester. One post vowed, “Hillel and Zionists are about to lose their sh*t,” in an exchange about the coming ASSU vote on BDS. Another blamed “you guys” in reference to the Jews as responsible for incidents in the Gaza Strip, an anti-Semitic conflation of Jewish identity with the actions of the Israeli government. Another asked, in reference to the qualifying petition of a student senate candidate, “How are almost all of the 100+ signatories Jewish?” This is one of numerous statements we encountered over the course of our work where the question was raised as to how the campus would react if there had been a similar comment that replaced the word “Jewish” with a reference to another group that had endured racial hatred? It is no wonder that this specific medium has been identified as a powerful contributor to the degradation of a sharing and tolerant student culture.

Posts on Fizz often include antisemitic tropes, such as the use of the word “Zio” to refer to Jews as Zionists, as well as mocking the feelings of Jewish students when they are targeted or harassed. In addition to posts such as these, it is the ability of other students to upvote (an anonymous endorsement) or downvote (an anonymous putdown) that compounds the feeling of being targeted. For example, when a Jewish student posted about feeling unsafe after the October 7 Hamas attacks, one of the top comments included a picture of Patrick Star from “SpongeBob SquarePants” mocking the speaker, and the post itself received 58 downvotes (meaning 58 more students voted it down than up; see the post and reply below). Beyond the callousness of the pictorial reply, the numerous downvotes were seen as an expression of contempt for Jewish pain and trauma. In reply to the cartoon posting, a student posted, “I don’t think non-Jews understand this. It’s a confirmation of our worst suspicions. To know that many of [our] peers would cheer our deaths while many more tried to explain it away or make it part of some grand academic theory.... I

⁶⁴ RAs are the Resident Assistants in the dorms and student residences on campus. See the section on residential life below for more discussion.

⁶⁵ Undergraduate student listening session, February 2024.

have never been so unable to look so many of my peers in the eye. That did receive a net positive balance of 25 upvotes.



One of the most disturbing effusions of online hatred came in response to undergraduate journalist Theo Baker’s March 2024 article in *The Atlantic* magazine entitled, “The War at Stanford”. In the wake of that publication, Baker told a local Jewish newspaper, “I’ve gotten tons of death threats. I’ve gotten lots of people telling me I should be cooked alive, that I should be waterboarded, but with gas and then set on fire.” One Fizz post compared Baker to “Hitler’s propaganda writer.”⁶⁶ Baker also shared the memory of an image posted by a Stanford student on social media on October 8, the day after the Hamas massacre. It was an image from the Nova music festival, the worst site of terrorist violence on October 7. The student post attached a laughing crying emoji, which Baker interpreted as a celebration of the attack. “I just curled up into a ball for a little bit because I have no conception of how that can be OK with you,” Baker said.⁶⁷

Social media allows for the rampant dissemination of information, but as such also allows for individuals to circulate false information and to post uncited/unconfirmed claims. Social media has also served as a place where many students frequently post reductive infographics to share “facts” about the current situation. For some students, things have become so bad in that regard that they simply resort to muting feeds. A graduate student explains: “I have muted basically everyone in [my graduate] school on social media. I’ve seen disturbing things from popular student leaders. Like one posting “beware misinformation... that Hamas is treating hostages badly. They are not.” In this regard the dissemination of misleading and false information (disinformation) using

⁶⁶ Emma Goss, “Some Jewish Students at Stanford Are Learning to Hide Their Identities,” *J-The Jewish News of Northern California*, May 2, 2024, <https://jweekly.com/2024/05/02/some-jewish-students-at-stanford-are-learning-to-hide-their-identities/>.

⁶⁷ Ibid.

fake accounts is an issue of great concern and was flagged in a recent report by Cyabra, an organization focused on uncovering false information in the social media space. An article published online in October 2023 stated that one in four social media accounts taking part in the conversation about the war in Gaza were identified as fake accounts designed to spread pro-Hamas propaganda.⁶⁸

One may ask why students still post on social media despite its toxicity, especially on topics such as Israel and Gaza. While many individuals, Jewish, Israeli, or other, would prefer not to post on social media about this topic, there has been continuous social pressure for students to post and even social repercussions for not posting. An undergraduate reported in a listening session: “Social media is awful. I’ve unfollowed people because of what they’ve posted. There is a lot of performative activism...everyone is posting so I need to post.”⁶⁹ Further, a non-Jewish graduate student reported they felt pressure from classmates to post about the war in Gaza despite not knowing enough about the conflict to feel comfortable making public statements. This student expressed that the fear of being canceled for not posting was widely shared in their cohort.

⁶⁸ Rotem Baruchin, “1 in 4 Profiles are Pro-Hamas Fake Accounts,” Cyabra, October 11, 2023. <https://cyabra.com/blog/1-of-4-pro-hamas-profiles-are-fake-the-online-battlefront/>.

⁶⁹ Listening session for undergraduate students, February 2024.

7.

Antisemitism and Anti-Israeli Bias in Residential Life on Campus⁷⁰

“Everyone knows I’m Jewish. I had to leave our first mandatory house meeting during NSO early to go to Yom Kippur services, so I felt outed right away. People make side comments to me, but only in whispers and secrets.”

—Stanford undergraduate⁷¹

Stanford’s residential education program has long been a singular and distinguishing feature of a Stanford undergraduate education. About 97% of all eligible Stanford undergraduates live in University housing, and about 72% of graduate students live in University-provided housing.⁷² Perhaps even more important than the overall participation rate is the effort that Stanford puts into making its residential education program the cornerstone of a Stanford education. Indeed, Stanford prides itself on the strength and quality of its residential education program as it seeks to “...provide the undergrads on campus with a community experience within our larger research ‘university bubble’ by bringing together the conviction that living and learning are integrated and integral as a part of the undergraduate educational experience at Stanford University.”⁷³

Perhaps more than any other part of university life, student residences play a central role in students’ well-being. As such, students deserve to feel physically safe and respected within their university residences, and it is the university’s obligation to ensure that this occurs. As one Jewish undergraduate emphasized in a listening session, “Stanford controls every part of my life—it’s where I eat, sleep, work, study, date, and more. I don’t think they realize how totalizing that is, or how much power they have to shape students’ experiences.” Nowhere is that truer than in the residential communities that Stanford creates.

Unfortunately, as this Section outlines, Stanford often fails to provide a safe and supportive home for Stanford’s Jewish community within the Stanford residential education system. This failure occurs in different ways. In one instance students were threatened with physical acts of violence, and others have reported intimidation or vandalism in their residences. Other students have experienced Resident Assistants (RAs) failing in their obligation to foster a safe and respectful environment and to lead with integrity, either for their own reasons or due to insufficient training. In both scenarios, Stanford needs to do more to ensure both a safe and respectful climate within in its residential education system.

In the rest of this section, we document some of the issues that have arisen in the residences that have been a source of pain, grief, frustration, and anger for many of the Jewish students.

⁷⁰ Unless otherwise indicated, all student quotes in this chapter are from listening sessions with undergraduate students during February and March 2024.

⁷¹ February 2024 listening session.

⁷² “Stanford Facts: Student Life,” <https://facts.stanford.edu/campuslife/>. At any given time, however, some undergraduates are studying abroad.

⁷³ Stanford Residential Education Website, <https://resed.stanford.edu/about-resed>.

The Destruction of Mezuzot - Lynchpins of a Jewish Home

Traditionally, a Jewish home is marked by a mezuzah on its doorpost.⁷⁴ On a religious level, the mezuzah reflects the commandment to write G-d's words "upon the doorposts of thy house and upon thy gates."⁷⁵ But beyond being a religious obligation, the two-thousand-year-old tradition of hanging mezuzot also underscores and protects the sacredness and safety of one's living space. As Alex Schapiro of MyZuzah states, "The mezuzah is a symbol that connects, protects, and unites Jews. It's an external marker that Jews proudly live here."⁷⁶ Many Jewish students living in Stanford residences are therefore determined to continue this ancestral custom in their own dorm rooms. This custom serves as a key part of making the dorm room one's own, infusing it with the sacred, invoking its protection, and identifying proudly as Jewish in their living space.

Mezuzah Vandalism: Four Publicly Reported Incidents in the Past Two Years and More Unreported

A number of Jewish students have reported that the mezuzot that they affixed to their dorm room doorframes at Stanford have been destroyed or vandalized. At least four instances of this antisemitic act have been reported in just the past two academic years. In Winter 2024, Stanford students received a Clery report informing them that "...on the evening of 02/02/24, a mezuzah belonging to an undergraduate Jewish student was removed from the door frame of their residence and left on the floor." The previous Fall 2023 a Clery report was filed describing an attack on October 28, 2023, in which a "...mezuzah belonging to an undergraduate Jewish student was removed from the door frame of their residence."⁷⁷ The scroll and case were taken but the decorative cloth was left behind." Another Clery report filed in Spring 2023 informed students that "...sometime on the afternoon of 04/03/23, a mezuzah belonging to an undergraduate Jewish student was removed and broken . . . This incident occurred in the days before Passover."⁷⁸ The Passover incident was not the only one to occur in tandem with an important Jewish holiday. A previous Clery report filed in Fall 2022 shared that on "...September 27, a mezuzah was torn off a door frame of . . . two Jewish graduate students in a residence hall. It is significant that this incident occurred on the last day of Rosh Hashanah."⁷⁹

Beyond the four public incidents reported through Clery Act notifications over the past four years, our Subcommittee's Listening Sessions revealed that this kind of intimidation and harassment is more common than shared, with several Jewish students sharing experiences of mezuzah vandalism in their Stanford residences that have gone unreported.

These are not trivial examples of petty vandalism. When one's mezuzah is destroyed or desecrated, not only is a sacred object lost, but the sense of safety and pride it instills is shattered;

⁷⁴ Lesso, Rossie. What Is a Mezuzah and What Is It Used for?, The Collector (Nov 2, 2022). <https://www.thecollector.com/what-is-a-mezuzah-used-for/>.

⁷⁵ Deut. 6:9.

⁷⁶ Dave Roos. What's a Mezuzah and What's Inside the Case?, MyZuzah (May 11, 2021). <https://www.myzuzah.org/whats-a-mezuzah-and-whats-inside-the-case/>.

⁷⁷ Antisemitic Vandalism in Undergraduate Residence (10/28/2023), Stanford PIH. <https://protectedidentityharm.stanford.edu/news/antisemitic-vandalism-undergraduate-residence-10282023>.

⁷⁸ <https://protectedidentityharm.stanford.edu/news/antisemitic-vandalism-undergraduate-residence-04032023>.

⁷⁹ <https://protectedidentityharm.stanford.edu/news/antisemitic-vandalism-graduate-residence-09272022>.

there is an overt message that one's attempt to live openly as a Jew in one's own living space is imperiled. In many cases, the physical act of desecration was met with administrative indifference. One undergraduate whose mezuzah was torn down from their dormroom door reported that there was: "...no response from my dorm staff, no group emails, no support from those who supported others in their time of need. A mezuzah isn't about Israel, it is just a symbol of being Jewish. The university hasn't taken my issues seriously—they've been dismissive."

There are examples of positive responses to such physical acts of antisemitism. In one fraternity house, mezuzot were vandalized not once, but twice. In response to the dual incidents, the fraternity president met with Hillel at Stanford to plan a chapter meeting that would focus on the issue, determined to avoid future incidents and prevent Jewish students from feeling targeted. It seems that the conversation sparked positive change and the feeling in the house improved afterward..

Peer Pressure to Remove Mezuzot: Culture of Fear

In addition to the physical destruction of mezuzot by unknown vandals, some students have been pressured by dormmates to remove the mezuzot from their doorframes. These incidents demonstrate how challenging having a mezuzah in Stanford residences can be for Jewish Stanford students. One Jewish graduate student living in a Stanford residence described a difficult situation in which her roommate pressured her to remove the mezuzah she had hung on her door frame in October 2023. Her roommate was planning to hold a party in their shared room and told her that she was worried having a mezuzah on their door would make their classmates "uncomfortable" because it was somehow "a political statement" to have one. When the Jewish student refused to abandon an important (and apolitical) religious practice, and thereby hide her Jewish identity from their law classmates, her roommate was angry. But she was also fearful, understanding how negatively some people at Stanford might respond to the sight of a mezuzah. The roommate canceled the party she had planned, unwilling to let anyone see the mezuzah on their doorframe.

Antisemitic Graffiti Targeting Jewish Students in Their Dorms

There have also been numerous incidents of antisemitic vandals targeting the dormrooms of Jewish students by leaving hateful graffiti. We describe two such incidents below.

March 2023: A Drawing of Hitler and Swastikas on a Jewish Student's Door

On March 10, 2023, a Jewish undergraduate in Florence Moore Hall woke up to discover that overnight, someone had drawn an image of swastikas and the profile of Nazi leader Adolf Hitler on the whiteboard they kept on their door.⁸⁰ The student told *The Stanford Daily* that the incident was "really making this living situation feel pretty hostile to me. It's very unsettling thinking that I was in my room sleeping and someone was outside of my door doing this."⁸¹

⁸⁰ Nathan Solis, "Swastikas, image of Hitler drawn on Jewish student's door at Stanford" *Los Angeles Times*, March 13, 2023, <https://www.latimes.com/california/story/2023-03-13/swastikas-hitler-antisemitic-drawings-jewish-student-stanford-university>.

⁸¹ Carolyn Stein. Swastikas, "Drawing of Hitler Discovered on the Door of a Jewish Undergraduate," *The Stanford Daily*, March 12, 2023, <https://stanforddaily.com/2023/03/12/swastikas-and-drawing-of-hitler-discovered-on-the-door-of-a-jewish-undergraduate/>.

As Stanford administrators noted in their statement responding to the episode, this was “...a particularly brazen threat to an individual student, in what should be the privacy of their campus home,” acknowledging that this incident was unfortunately only “...one of several antisemitic incidents that have occurred this academic year.”⁸²



November 2023: Jewish Student’s “Safe Housing” Vandalized with “Free Palestine” Graffiti

In a less well-publicized incident less than a year later, another Jewish student who had been moved into Stanford’s designated “safe housing” after reporting feeling unsafe in their dorm, woke to find graffiti spray-painted on a wall of their “safe” house. This student was traumatized twice: first by the hateful graffiti, and second by the sense that the supposedly safe housing into which they had been moved was clearly not safe. Stanford’s “safe housing” is kept hidden to protect students with situations grave enough to warrant it from immediate threats to their safety. The Jewish student did not share the location of their new residence with anyone. Yet, on the morning of November 10, 2023, the student found that sometime the previous night, the words “FREE PALESTINE” had been spray-painted beneath the window of the safe-house to which they had moved – particularly so that they could find a safe refuge within the Stanford residential system. While the location of the graffiti could have been randomly chosen, the evidence and circumstances strongly suggest that the student was targeted for their Jewish identity.

As one observer noted in reporting on the incident, “Though it is not antisemitic to simply state ‘Free Palestine,’ the targeting of a Jewish student’s residence through vandalism with the phrase is clearly an antisemitic act that should not be tolerated on campus. It is free speech to shout ‘Free Palestine’ at a protest; it is not free speech to vandalize a Jewish student’s dormitory with the

⁸² “Message Regarding Nazi Swastikas Found in Student Residence,” *Stanford Report*, March 11, 2023, <https://news.stanford.edu/stories/2023/03/swastikas-found-student-residence>.

phrase.”⁸³ The University declined to send out a Clery Act notification regarding this incident, implicitly denying the antisemitic character of this targeting of a Jewish student.



Jewish Student’s Math Homework Vandalized with ‘Free Palestine’ Graffiti in Dorm Common Space

Another Jewish undergraduate described an incident in which they left their math homework out in a dorm common space for a few minutes, only to discover the words “FREE PALESTINE” scrawled across their homework assignment when they returned to the room. While the words “Free Palestine” are not antisemitic, vandalizing a Jewish dormmate’s homework assignment with the phrase certainly can be seen as such, and it can foster a sense of insecurity in a dorm setting.

January 2024, Ng House: ‘Israel’ Crossed Out on Dorm Globe, Replaced with Palestine

Even graffiti in residences that is not directly targeted at specific Jewish students can have the impact of making Jewish students feel unwelcome and afraid in their dorms. For example, on January 18, 2024, a Jewish student living in Ng House was passing by the big globe that is a fixture of the residence’s common space when they found that the name ‘Israel’ had literally been wiped off the map. Over the crossed-out word, “PALESTINE” was written instead. The student interpreted this act of vandalism to imply a desire on the part of the vandal to destroy Israel. In the wake of October 7, the student envisioned that included violence against Jews.

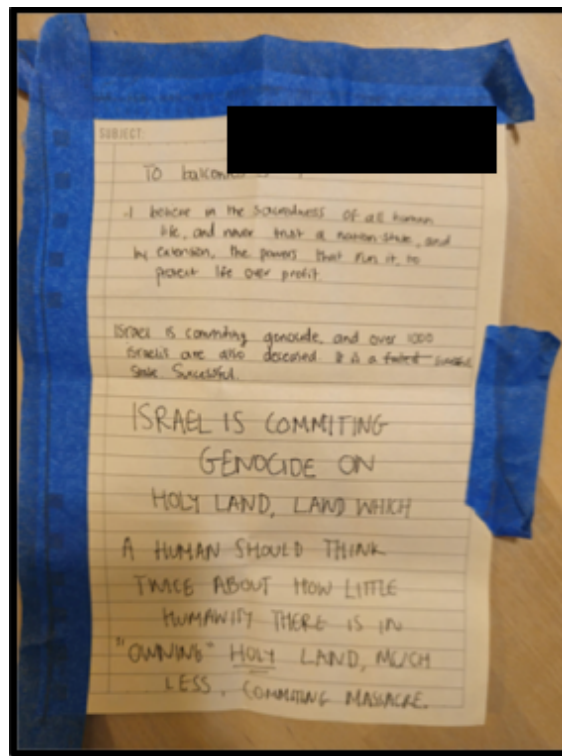
Harassment in Dorms

A kippah-wearing Jewish undergraduate reported that once on entering the bathroom of his Stanford residence, another student caught sight of him and exclaimed, “damn it!” Asking his dormmate what was wrong, he said “I always have bad luck when I see a Jewish person.” The same

⁸³ Julia Steinberg, Exclusive: Stanford Jewish “Safe Housing” Vandalized with Pro-Palestine Graffiti, No Stanford Response, The Stanford Review, Jan. 31, 2024,” <https://stanfordreview.org/exclusive-stanford-jewish-safe-housing-vandalized-with-pro-palestine-graffiti-no-stanford-response/>.

student reported that someone took down the mezuzah from his door and broke it. The student said that while the University was strongly responsive to the incident in which his mezuzah was torn down, he was disappointed by what he considered Stanford's lack of response to the more direct interpersonal issue he experienced in his dorm following his peer's hateful comments in the bathroom incident.

"The frequency and intensity" of targeting against Jewish Israeli students living in the McFarland Building of Escondido Village has been increasing to the extent that a Jewish Israeli student reported "feeling uncomfortable and unsafe in our apartments." After returning from Israel, the student has seen a steady stream of anti-Israel fliers posted specifically next to his door as opposed to other locations. On February 8, 2024, graffiti saying "F... Zionism" was scrawled on the entrance to the building. On February 21, 2024, a Jewish-Israeli student found a note (see anonymized photo below) accusing Israel of genocide for the alleged motive of "profit" and implying that Israelis and their supporters lack humanity. This note was posted on the entrance of the residence but addressed specifically to the fifth and eighth floors of the building, which are the two floors where the Israeli students are known to live. The student reported that there have been no replies to his PIH reports. The student said that the only solution offered to them was to move out of their apartment to another building.



Antisemitism involving Resident Assistants

A recurrent theme in our interviews and listening sessions with undergraduates involved the role of RAs as student leaders and role models who set the tone for dorm life. Stanford's Resident Assistants (RAs) are student employees tasked with the important job of creating an inclusive,

supportive, and stimulating residence community; they are some of the most respected students on campus by virtue of their positions and they are critical to the functioning of the residential education system. They perform a wide variety of counseling and mentoring functions and are critical to the cultures created in the different student residences across campus.

Technically, there are several different kinds of student assistants in the dorms, including theme associates for dorms that have an ethnic or programmatic theme. All are considered “residential student leader” positions⁸⁴ and all require significant training in advance of the school year. All “must support, adhere to, and comply with requirements under the law and University-wide policies, including reporting requirements.”⁸⁵ We note for now (and will return in the recommendations section) to the fact that the twelve specific policies listed on the Residential Education website as requiring compliance⁸⁶ do not include Title VI of the 1964 Civil Rights Act, which bars racial or ethnic discrimination in educational programming and requires universities to redress “hostile environments” in this regard.

Our Listening Sessions documented a variety of ways in which RAs failed to provide the level of care and leadership required by their jobs. These failures ranged from actual acts of antisemitism committed by RAs to a failure to respond adequately to acts of antisemitism committed by others. Those entrusted to build inclusive homes for all students have instead often created dorm environments hostile to Jewish residents, where their well-being is undermined and their safety feels at risk.

An Undergrad RA Threatened to “Physically Fight” Zionists on Campus

In one example of this phenomenon, in July 2018, an RA in an undergraduate dorm threatened in a social media post that they would “physically fight” Zionists on campus when they returned in the fall. “I’m gonna physically fight Zionists on campus next year if someone comes at me with their ‘Israel is a democracy’ bullshit,” they posted. “And after I abolish your ass I’ll go ahead and work every day for the rest of my life to abolish your petty ass ethno-supremacist, settler-colonial state.”⁸⁷ This threat, inappropriate in any circumstance, was especially damaging coming from an RA expected to set the tone for the residential community they lead.

Resident Assistants Have Cultivated Cultures of Fear and Suppression for Jewish Residents

The impact of hostile RAs on vulnerable Jewish students has been a recurring theme throughout our Listening Sessions. A Jewish student at a listening session explained that “our RA plugged the encampment sit-in, saying ‘it’s good vibes,’ at all our dorm meetings, including in front of our RFs. My RA posts very antisemitic content and then other students like and repost.” A great

⁸⁴ “Residential Student Leadership,” Stanford Residential Education, <https://resed.stanford.edu/neighborhoods/neighborhood-resources/get-involved/residential-student-leadership>.

⁸⁵ “Undergraduate Residential Student Leader Terms and Obligations of Appointment 2024-2025,” Stanford Residential Obligation (January 9, 2024), https://resed.stanford.edu/sites/g/files/sbiybj18956/files/media/file/final_2024-25_student_leader_terms_and_obligations_1-9-2024_0.pdf.

⁸⁶ https://resed.stanford.edu/sites/g/files/sbiybj18956/files/media/file/2023-24_student_leader_terms_and_obligations_7-13-2023.pdf.

⁸⁷ Jeremy Bauer-Wolf, “After Threats of Violence, Calls to Fire RA,” *Inside Higher Ed*, July 31, 2018. <https://www.insidehighered.com/news/2018/08/01/calls-stanford-ra-be-fired-after-he-threatens-fight-zionists>.

deal of the activity and commentary after October 7 was encouraged by the RA: "...lots of students have put signs on their doors about 'genocide,' with blood dripping down faces." As a result, residents of dorms reported that a culture of fear, repression, and even espionage has been fomented in response to the RAs' abuse of power. "One of the kids in my dorm was outed as Zionist by another student who told on them to the RA." This student was worried that they were next. "Everyone knows I'm Jewish. I had to leave our first mandatory house meeting during NSO early to go to Yom Kippur services, so I felt outed right away. People make side comments to me, but only in whispers and secrets" because they are afraid of backlash by the RA.

Some participants in our listening sessions suggested that the culture of fear and suppression transcends the actions of individual RAs. A Jewish student leader commented that "there is a culture of antisemitism in Florence Moore. After October 7, it was very tense. The specific issue was my direct RA, but it was not just my RA. Most students in most dorms don't have issues. But in Flo Mo it's endemic. It's a pity because Flo Mo is closest to Hillel and has Kosher dining... but it has an antisemitic environment."⁸⁸ Another undergraduate commented that "after the University's [December 7, 2023, social media] post [condemning calls for genocide of Jews or any peoples], my RA posted, and then at least 10 people reposted, content saying essentially that 'Jews don't need protection' because 'antisemitism isn't real.'"⁸⁹

Antisemitism Blind Spot in RA Selection and Training?

Given the growing prevalence of antisemitism in Stanford's residence communities and the reported instances of antisemitism by RAs, the Subcommittee inquired about the level of training that RAs receive in connection with antisemitism. Unfortunately, it appears that the answer is little to none. A current RA told us that during their mandatory RA bias training, the only scenario involving Jews addressed in the workshop concerned consoling a hypothetical Jewish student unhappy with a roommate who had hung up a Christmas wreath. This mock scenario is not only patronizing, implying that Jewish students are somehow too fragile and unaccepting of difference to respond appropriately to a roommate's Christmas tinsel, but it is also utterly irrelevant to the very real and serious issues that Jewish students often face in dorms and that RAs must be equipped to address.

Another Jewish undergrad employed as an RA told us bluntly, "...RA training is failing." Observing that "old antisemitic tropes" have become common in dorms and RAs often direct "dorm meetings to further their own political agendas," the student stressed that "there is a need to understand what is valid political discussion and what is hatred." The student lamented that "Stanford is failing in its mission to engender a culture of respect" in student housing and that the RAs were not given the tools or training to respond to this challenge.⁹⁰

Another undergraduate noted that "RAs need much more training in how to be upstanders. They get a little bit of guidance about how to call out bad behavior and handle microaggressions, but not nearly enough. Even when there is RA training, it is short, and we're given lots of links to resources, but not actual skills."⁹¹

⁸⁸ Subcommittee interview with freshman resident of Florence Moore, March 2024.

⁸⁹ Listening session with undergraduates, February 2024.

⁹⁰ Listening session with undergraduates, February 1, 2024.

⁹¹ Listening session with undergraduates, February 7, 2024.

In the co-ops, student RAs have substantial power not only over the culture of the house but over its membership, as well as the selection of their successors. Students applying to live in co-ops are all vetted by the RAs who will manage the house the following year and build their own complete roster of residents. Typically, a row house resident who re-applies to continue living in a house is always granted a spot in the dorm the next year by the RAs, unless they have been disruptive by failing to perform house duties or causing conflict.

A notorious incident occurred in one of Stanford's co-ops in May 2022. Not only were some current residents who had applied to remain in their housing for the following year rejected, but the identities of those ejected from the dorm did not appear random. Four out of five non-graduating Jewish residents of the house learned that the RAs had not approved them to remain the following year and they would have to leave the dorm. This prompted an anonymous letter to be posted at the row house which highlighted that "4 out of 5 Jewish re-applicants were rejected" in contravention of the "[House Name] tradition, and the tradition of most co-ops, to accept all current residents to pre-assign." At a house meeting organized to address the controversy, the RAs justified their decision not to allow 4 of 5 Jewish students to return to their dorm by claiming that the RAs were attempting to preference marginalized communities in selection—which apparently did not include Jews, who were removed from the house to "make space" for members of other communities. However, other white-presenting residents of the dorm had been allowed to remain the following year—it was particularly Jewish ones who were cleared out. Moreover, this row house is not an ethnic theme house so there is no reason that the RAs should have given preference to race and ethnicity. This incident was investigated by the University, but the students affected by the decision were not informed of the outcome of the investigation.

8.

Antisemitism and Anti-Israeli Bias as Perceived by Faculty and Staff

“I want more speech and I want more constructive speech. I don’t feel like the University is fulfilling its mission on this issue.... If we’re not having real discussions about hard issues here at the University, we are missing an important opportunity to engage.”

—Stanford Faculty Member

The subcommittee conducted more than 20 listening sessions for members of the university’s faculty and staff. Specific sessions were conducted for faculty and staff at each of the seven schools at Stanford while three listening sessions were conducted for university staff who are unaffiliated with a particular school unit. Over 90 faculty and staff attended these listening sessions. The overwhelming majority of these individuals identified as Jewish and/or Israeli. A few of the attendees openly identified as non-Jewish faculty and staff who expressed a desire to listen and learn from their colleagues’ experiences. The following themes emerged from these conversations.

FACULTY

Concerns about Free Speech

Of the various cohorts that the Subcommittee interviewed, Stanford faculty were the most concerned about the tensions between free speech (as guaranteed by the First Amendment and the Leonard Law) and hate speech, or more broadly, behavior inconsistent with an academic environment committed to the exploration of complex ideas or seeking to impose political or intellectual orthodoxy. The majority of faculty interviewed by the Subcommittee supported unfettered free speech on campus while also regretting the lack of dialogue between contending perspectives and raising questions about the regulation of increasingly venomous hate speech. The following comment, received at a time when there were competing tents located on White Plaza, underscores this tension, reflected the first concern:

I feel really strongly that I don’t want restrictions on pro-Palestinian speech or anti-Zionist speech at Stanford. I want more speech and I want more constructive speech. I don’t feel like the University is fulfilling its mission on this issue.... If we’re not having real discussions about hard issues here at the University, we are missing an important opportunity to engage.⁹²

But others focused on the increasing prevalence of protected but odious or hateful speech: “Professor [name withheld] uses ‘Zionists’ as a euphemism for Israelis. It’s hate speech. The term Zionist is just a way to obscure his hatred for Israel. Why is this not counted as hate speech? In a normal workplace he’d be dismissed. He shouldn’t be around students or advise students.”

⁹² All quotation of faculty in this chapter are from listening sessions conducted by the Subcommittee in February and March 2024.

Faculty felt strongly that the University needed to clarify issues that have arisen around free speech, hate speech, and protected speech that appears to violate the Fundamental Standard. In this regard, they felt that the work of the Ad Hoc Committee on University Speech, appointed by the Faculty Senate, is most important.⁹³ One faculty member commented, “Free speech should be allowed in a way that’s consistent with the constitution and the charge of the university as a place where people express opinions. But I also would like to see a policy by which the University encourages debate where people are not disrupted. There should be rules of conduct.” Another argued that the University had “failed on a normative level” to make clear what kind of speech violates its core principles. This faculty member and others want the University leadership to provide clearer guidance on “what is taboo on campus” in an ethical sense, even if it is legally permitted.

Lack of Enforcement of University Rules

Like every other constituency we spoke with, the vast majority of the faculty we interviewed expressed the concern that the University needs to define its rules clearly and then enforce them. The faculty we spoke with repeatedly cited the tent encampments⁹⁴ that were allowed to stay despite restrictions on overnight camping in White Plaza. As one professor simply stated it, “The University needs to uphold its rules of conduct. It lets bad behavior go on.” Faculty expressed frequent concerns about where and when protests could be held (time, place, and manner issues) and the disruption they presented to teaching and classes. The following comment is typical of many that we heard:

There is a policy about the time, place and manner of demonstrations, forbidding disruptive demonstrations in the Quad. My office is in the main Quad, and four times now there have been extremely loud demonstrations in that area, yelling disturbing things and preventing me from being able to do my work. There is also teaching going on in our building. Everyone is disrupted by it. I wrote to the Provost’s office about it. The reply in essence was: I am so sorry but on such a decentralized campus there is nothing we can do about it. It’s these little things, but they add up to a situation where there are no ground rules for the expression of opinion. And then there have to be consequences for violating those rules.

Many faculty stressed this point about the need to take disciplinary action against protestors who violate “time, place, and manner” restrictions on speech. For example: “The Stanford Law School should explore the strongest form of time, place, and manner restrictions consistent with maintaining a law school community inclusive of everyone’s free speech and point of view. It must also be clear about the consequences of a violation.”

Sense of Alienation

Some faculty expressed a sense of feeling alienated from the university after the events of October 7. “I feel completely alienated from the University; I feel like I’m in the worst place in the

⁹³ The Ad Hoc Committee released its report as we were concluding ours. We have met with the leadership of that committee and found broad alignment in our approaches.

⁹⁴ The tent encampments referred to during the listening session were the first encampments.

US.” This faculty member went on to describe how they visit their home country every year, “and it’s a pretty antisemitic place,” but it felt like a vacation during their recent visit compared with Stanford. Faculty also articulately conveyed how the campus climate has eroded and how quickly that seems to have occurred: “I was happy living here before October 7. I knew there were antisemites and there were people who hated Israel, but it was striking how there were banners celebrating October 7 on campus. In a comment that is chilling in its implications for a Jew living in America, another faculty member told us, “I live on campus. This makes it hard. I used to walk around with my kids. Now I can’t go to many parts of campus.”

In general, while most faculty did not express concerns about direct physical threats, many expressed feelings of profound shock and sadness that the University they love had become so unwelcoming. “Things go back before October 7, but the days immediately after were startling and harrowing, not because I felt physically insecure, but because I was shocked walking around campus and seeing celebrations of the terrorist atrocities. Maybe that shouldn’t have shocked me, but it did.” What was perhaps most unsettling was the lack of outreach and sympathy from colleagues at Stanford. Some of it was attributed to simply a lack of understanding: “There are many thoughtful compassionate, well-read members of this community who don’t understand how a lot of Jews at Stanford experienced the days immediately after October 7.” This observation was not unique to the Jewish faculty we spoke with. The following comment was made by a senior faculty member and leader in the School of Engineering, who is not Jewish: “After October 7, I reached out to an Israeli colleague and asked how he was doing. I was shocked to hear from him that I was the only person [in the School to do so]. It feels sad that there was so little empathy and support. I think that we do have a serious problem on this campus. I presume that some of the Muslim students and faculty also feel isolated and not supported and I think it’s a terrible shame. We have this wonderful intellectual community where there are these obvious schisms and people feel abandoned.”

Finally, many of the comments from Israeli faculty reflected a profound sadness that the campus climate had changed in a profoundly negative and potentially lasting way: “I am very upfront about my Israeli identity. I always felt very safe at Stanford. I never had conflict with other faculty. The Main Quad rally with chanting ‘from the river to the sea’ was right outside my office window. I live on campus, and I no longer feel safe taking my Hebrew-speaking children to Arrillaga Dining (which I used to do once a week). I no longer bring them to the campus because of the presence of the tents in White Plaza. Something profound happened to the Israeli community on campus post-October 7, and I think Stanford needs to do something about it.”

For some faculty members, the apparent insensitivity to the needs of the Jewish community, and the Jewish presence on campus, are reflected in how Stanford manages its academic calendar. They cited in particular the occasions when classes began on Rosh Hashanah or Yom Kippur, and also instances when important meetings and events were scheduled on those days. The conflict with the academic calendar has been addressed by the Faculty Senate and should not be a problem going forward, but some conflicts within schools and departments may remain.

Need for an Institutional Stance on Antisemitism

Some faculty expressed concern about the University’s unwillingness to take a more visible and public stance denouncing antisemitism. One faculty member pointedly asked, “Why on earth can’t an interim president whose been at Stanford for a really long time say we don’t tolerate antisemitism?” Many of the comments reflected intense disappointment that the University

leadership did not issue a clearer denunciation of terrorism in the Middle East: “The University’s silence suggests that Jews don’t count, the University leadership is cowardly. The University should take a stand, articulate its values, and enforce them in a consistent manner regardless of who it’s about.” Other faculty acknowledged the value of a general policy of institutional neutrality or restraint in commenting on national and international issues, but even so, they felt the University should have spoken out more clearly about the impact of the October 7 terrorist attacks on Jewish and Israeli students, faculty, and staff at Stanford.

Other comments were more specific about Stanford: “The DEI infrastructure at Stanford has shown itself to be completely cynical and actually non-constructive to the goal of making students feel included and equal at Stanford because no one would stick up for my right to worry about American hostages being held hostage, my Jewish faith, etc. Why don’t Jewish students and faculty count?” Ultimately, these faculty would like to see “antisemitism explicitly added to the list of factors that are against University policy; people can still engage in it if they want, but then you’d run afoul of University policy.”

Impacts on Educational Experiences

Faculty expressed strong concerns about the impact of the current campus conflicts on the educational experience of students. Some faculty talked about the COLLEGE incident while others talked about the disruption to classes on the first day of Winter Quarter. Many faculty expressed the view that the University needs to provide education on antisemitism and not avoid the topic, even if it makes people uncomfortable: “A colleague said they are teaching a class that engages with a broad comparative perspective on laws and a student was angry about the one reading in the course on Israel. They found it ‘triggering’ and offensive since they shouldn’t have to read about that country.” They also felt that we needed to use this crisis to develop programs that promote tolerance and understanding. We want to highlight this comment from a law professor, which is reflective of many that we heard across the University:

We need to create students who are curious and humble. I am worried about graduating nuanced careful thinkers who are able to engage with the subtleties of discourse, acknowledge complexity, approach questions with humility. These are crucial skills for lawyering.

Faculty also spoke to a desire for more substantive educational content about issues involving the Middle East and the Israeli-Palestinian conflict: “Aside from the small nascent Israel program at FSI, there is very little counterbalance against the flood of anti-Israel propaganda. We need more teaching about the history and facts of Israel. That requires investment in a program.”

Positive Experiences at Stanford after October 7

We were encouraged that the GSB is regarded by its faculty as being a “relative haven” for Jews and Israelis: “The consensus that I pick up from my students is that the GSB is the best place/least worst place on campus with respect to antisemitism.” Most of the faculty have not encountered overt antisemitism at the GSB and there seems to be a lot of support there for Jewish and Israeli students. Following the eruption of polarizing conflict on campus after October 7, the School held two student-led events, one by the Jewish community and one by the Muslim community, each attended by more than half of the GSB student population. That said there were

some comments made about the GSB leadership that are consistent with views expressed by other faculty regarding institutional response following October 7.

We also did not hear of any extremely negative personal experiences of antisemitism from faculty in the School of Engineering or the Doerr School of Sustainability. There were, however, disruptions to Computer Science Classes taught by two faculty members on the first day of Winter Quarter which were quite traumatic to the faculty members involved (see below and 5 for more detail).

Some faculty we engaged were aware of the various initiatives on campus to improve the quality of discourse and the capacity for thoughtful, civil disagreement. At the same time that our Subcommittee (and the Committee on Muslim, Arab, and Palestinian Communities) have been wrestling with the difficult and painful issues of incivility, bias, and polarization on the campus, Provost Jenny Martinez, Dean of Humanities and Sciences Debra Satz, and other University leaders have sought to enhance these efforts and bring them into closer, more coherent interaction with one another.⁹⁵ As we explain in our conclusion, these efforts to cultivate the skills and values and elevate the priority of civil discourse represent one of the most important ways we can combat antisemitism and other forms of intolerance on campus.

Negative Personal Experiences at Stanford after October 7

The problems we heard about regarding antisemitism and a hostile academic environment for Jewish faculty and students were concentrated in four schools: Education, Law, H&S, and Medicine. No faculty from the Graduate School of Education signed up for the listening sessions in that School, yet two of the most disturbing reports of antisemitism and hostility toward Jewish and Israeli students came from the GSE.

We did hear of some particularly troubling events, some quite recent and others much older, from faculty regarding their departmental experiences. The first was relayed by a faculty member who had experienced a shocking incident some years back. He had not come forward with this story before:

A few years ago: A colleague of mine—we had been friends—were chatting, complaining about the department. [My colleague] said to me, “The problem with this department is that there are too many Jews in it. I said, “You know I am Jewish and Israeli, don’t you?” [The colleague] was surprised and said, “Yeah but you are not one of those types of Jews.”

⁹⁵ These efforts have been building over several years through the work of the Stanford Civics Initiative (<https://civics.stanford.edu/>) led by Professor Josh Ober; the McCoy Family Center for Ethics in Society, with its Intercollegiate Civil Disagreement Program (<https://ethicsinsociety.stanford.edu/undergraduate/intercollegiate-civil-disagreement-program-fellowship/>); the Law School’s ePluribus Project (<https://law.stanford.edu/education/only-at-sls/epluribus-project/>); the Deliberative Democracy Lab (deliberation.stanford.edu); the Spring Quarter undergraduate course on “Democracy and Disagreement” (<https://news.stanford.edu/stories/2024/02/healthy-democracy-needs-dose-constructive-disagreement/>); the new Hoover Institution Center for Revitalizing American Institutions (<https://www.hoover.org/research-teams/center-revitalizing-american-institutions/>); and the ongoing work of the COLLEGE program and other efforts under the Office of the Vice Provost for Undergraduate Education (VPUE).

A second story was relayed by a faculty member who has been at Stanford for some time: “40-50 years ago Jews weren’t in my department. And 10 years ago, I remember hearing stories in a faculty meeting about the hiring of the first [department] professor that was Jewish. And they had a debate. It was in 1964, between two very eminent professors in that department. And there’s a fear that we might not be welcome again”.

Some faculty have been actively targeted by students, ostensibly because they are Jewish: “A Jewish professor in my department was boycotted. She teaches a class for first-year graduate students. Half of the 20 students in the class said they didn’t feel safe being in the room with her. The chair decided to cancel the class. In the end, they [the protesting students] won.” Finally, a faculty member told of a department at Stanford where an email had been sent seven weeks previously to around a dozen faculty including the chair. The letter stated that the department should “Put an end to Jewish dominance.” The chair accelerated it up the chain and it was taken to the Dean’s office. Nothing was reported back.

Class Disruptions

Two members of the Computer Science Department had their classes disrupted by protests on the first day of Winter Quarter, 2024. Both attended a listening session in early February barely a month after the disruptions. “In the fall quarter I suddenly felt completely alone and scared and did not know who to go to for help.” Both noted how isolated they felt after these experiences and criticized the University leadership for not being more forthright in condemning and sanctioning such disruptive behavior. Both expressed concern that their fellow faculty members did not properly support them in the aftermath of these disruptions and how personally unsettling these experiences had been. “Colleagues did not say anything about me being scared for months going into my lecture hall. I went a long time without a single colleague asking how I was doing.”

In particular, as Jewish members of the faculty, they did not want to be left to report and process these disruptive incidents on their own; both were looking for more support from University leadership in their departments, schools and from central University leadership. “I don’t want to be the face of shutting down free speech, especially as the Jewish professor. I didn’t video the disruption because I didn’t want to be seen as doxxing either.”

STAFF

Lack of Empathy and Support

Many Jewish and/or Israeli staff experienced a noticeable silence and lack of empathy at the university after the terrorist attacks in Israel on October 7. Non-Jewish colleagues echoed similar observations. For many this was the first time they had experienced this at Stanford. As one staffer, who had been a graduate student at Stanford, wrote, “As a former graduate student, I was here when the Tree of Life shooting happened [in October 2018] and then here as a staff member when October 7 happened. [In 2018] I had at least one Jewish professor and a Jewish student friend and we could empathize with each other and connect. I had friends who were not Jewish who expressed

sympathy. I felt very supported, and that violence was recognized. That was not really what happened on or after October 7.”⁹⁶

Others also reinforced the sense that many of their colleagues chose not to say anything after the October 7 massacre, notwithstanding the extreme emotional upheaval many were experiencing. This was stated quite poignantly by one staff member who said, “It was shocking how much emotion I felt after October 7. I have family in Israel. I was surprised by how deeply I felt while at work. I got exactly the same reaction from colleagues. It was like nothing was happening. There was no empathy.” For many, the reaction to Israel and Israelis was shocking and unexpected. Some encountered open hostility, which stunned them, given the brutality of the October 7 attack. As one staff member said, “The reaction was almost like, ‘I’m sorry, but Israel has done things to all those people in Gaza, too, for many years.’ Does that justify this? Everyone was just very quiet. There was fear—an ‘I don’t want to talk about it’ attitude.”

The sense that one could not express support for Israel and Israelis, and that not being able to honestly support one’s colleagues was antithetical to the ethos of Stanford was well articulated in the following comment:

The silence of support for anyone who is Israeli is palpable – our Israeli students experienced bullying online and then in-person at one of our program’s events. Every time an Israeli spoke up for their humanity, they were verbally assaulted by other students. There was an extremely noticeable void of support; only students who were not Jewish spoke out, and some of those people were bullied into silence, too. That was personally upsetting. The void of support is so upsetting. Can we rise above the politics of the situation and support each other as individuals? The response was antithetical to the mission and values of our program.

These views were not just expressed by Jewish and Israeli staff members. Non-Jewish staff members who attended the sessions expressed similar views. “I am not Jewish, but I work with a lot of wonderful colleagues that are Jewish. There has been a silence, and an absence of acknowledgement from others.” Finally, some Jewish staff members expressed great disappointment with the lack of direction from management about appropriate ways to talk about the issues in the workplace. This only increased their feelings of isolation and marginalization. “With that silence there was no place to have empathy. And our management didn’t go anywhere near the topic. So, I think I discovered I was the only Jew in my office. I realized I live outside my Jewishness at Stanford. It’s just never touchable or knowable.”

Feelings of Trauma and Being Unsafe

Many Jewish and/or Israeli staff are experiencing feelings of trauma and isolation due to what has happened on Stanford’s campus since October 7. Some expressed a fear for their physical safety and the sense that Stanford is somewhat tolerant of bullying and intimidation. One staff member stated, “I feel traumatized by it [what’s happening on campus], almost on a daily basis. I am keeping track of the things going on. I have two college-age kids and they are not experiencing it to this degree. I feel it’s severe on Stanford’s campus compared to elsewhere. I’m not sure what that is

⁹⁶ Quotes in this section are from comments made by Stanford staff during listening sessions and interviews in February and March.

attributed to....Something about the culture at Stanford that has made it okay to bully and harass Jews in general.”

Others shared that the hostile environment they perceive on campus and/or in their particular workplace minimizes their desire to spend time on campus and increases their appetite for remote work. One staff member shared “I will not come to campus. When the administrators set a policy, and then negotiate the policy with students, I do not trust anything they are saying. I feel completely unsafe and unsupported. You do not need to be there (on campus) in person to feel unsafe.”

Moreover, some emphasized the negative impact of the environment on their overall performance at work, from being unhappy to not being able to perform their duties because they are unable to function. “I cannot help but burst into tears a few times a day...I’m crying regularly in the bathroom, not sure if I can return to work. There has been no acknowledgement, no outreach for how people are feeling after moments of trauma.” Others have recounted how they have felt physically ill at work because of the emotional trauma and the mental toll they have experienced, as well as the relentless attention the situation has received in the media. “This situation has impacted not just the language used at Stanford – it’s on the radio, so many news articles, it’s on social media – it’s pervasive. It’s very hard to comprehend the insidious nature of this language and you cannot escape it. It weighs on you and you bring that to work.”

For some staff the emotional toll has made them reluctant to come to work on campus, and they feel that the university has not done enough to help them deal with their situation at work, and because they feel that the university is not enforcing its own policies. Others did still come to campus but purposefully avoided the encampments around White Plaza because of the messaging and slogans. “I’m on campus four days a week. And I have purposefully avoided that area [White Plaza]. It was the pictures in the *Daily*, and a lot of anecdotal information [that people were saying Hamas was not a terrorist organization] that made me want to avoid the area. I walked by it a couple times when it first started, and I decided I didn’t need to see it.”

Staff (and faculty) members also feel unsafe or psychologically stressed when their roles call upon them to manage or mediate between students who express militant and uncompromising positions on the Israeli-Palestinian conflict or who behave toward their fellow students in ways that are uncivil and intolerant but protected as freedom of speech. A senior administrator of one program that has been troubled by conflict among students this past year commented to a Subcommittee member, “For the first time in my many years at Stanford, I began to feel physically unsafe.”

Personal Experiences of Antisemitism or Anti-Israeli Bias

When staff members were asked whether they had personally experienced antisemitism or anti-Israeli bias, there were a few reports of explicit incidents of antisemitism and anti-Israeli bias. More commonly, the Subcommittee heard comments that reflected a general ignorance about Jews and Israelis. These comments concerned identity and how Jews are perceived: “Jews are categorized explicitly as white, whether or not that’s true, often it’s not. There is a perception of all Jews [being] in power, which is an antisemitic trope and makes it easier for people to dismiss it.” Others expressed severe disappointment with the lack of empathy toward Jewish staff and the challenges

they face: “It feels that when Jews complain about harassment that they are being whiny, I think it’s due to the association with whiteness and power. Sometimes it’s true, but sometimes it’s not.”

One common theme that emerged was the failure to distinguish between being Jewish and being Israeli. The following comment was illuminating: “I have a colleague who has not been around many Jewish people, and she is less educated about Jewish people compared to others at Stanford. We were talking about something I had done with my cohort while in graduate school where we each brought in food related to our cultures...and she asked me, ‘did you make an Israeli dish?’ I told her, ‘No, I am not Israeli’. She responded, ‘But you’re Jewish...isn’t that the same thing?’ Being Jewish and being Israeli... were equated by her. Anything you could criticize Israel for, you are putting on people who have a Jewish religious identity. I don’t think she meant harm by it, but I think it was a lack of education.”

Professional Obligations and Personal Identity

As we did with students, we heard from staff members who had submerged their Jewish identity since October 7. For example: “Identifying as a Jew or Israeli right now is scary. I even took the ‘Jewish’ off my religious affiliation in my Stanford Health profile. You never know where you’ll feel safe or be put on the defensive.”

Many Jewish and/or Israeli staff members noted a deeply painful tension between their professional obligations and their personal identity as Jews since October 7. They spoke poignantly of how their professional obligations or intentions were at times compromised by their own personal sense of insecurity. Others worried that their constituents would not seek their help or trust them if they were open about their Jewishness. The following two comments illustrate both internal conflicts:

I feel closeted [as a Jew], and paranoid...I serve students and my strong belief is that I’m here to serve all students and so I feel paralyzed because if I share how I feel on these issues there are students who won’t see me, and then I feel guilty that I’m betraying my identity. Every time a staff member says genocide...I just stay quiet.... I’m a big boy. I don’t need to feel safe. Can I do my job and serve all students? It’s just unbearable at a certain point.

And:

If I’m public with my Judaism, students won’t come to see me but then I also feel like I’m letting down the Jewish students. As a person of color who works with students, I’ve always felt closeted about my Judaism.

Some of the staff have limited their activities and professional activities on campus because they felt that if people knew they were Jewish it would compromise their effectiveness: “I was asked to be on a university committee and I said no because it was public, and I felt some students wouldn’t feel safe with me. I don’t want to be seen as biased because of my commitment to my job.” Others were clearly wrestling with the question of when it is safe to speak out on an issue and reveal that they are Jewish. One staff member, who felt unprotected by the University in this regard stated: “We had students who told us that our staff should remain neutral. As a Jewish person who considers some of the content (that students have shared) to be antisemitic, I do not want to work

here. What protection do I have here as a staff member? I reached out to HR, and I was told you do not have any protection. It's forced me to consider taking a leave, which would be career damaging." And another who also was feeling uncertain about how safe it was to be open about their identity in the workplace stated the following: "I went to a Board of Trustees meeting (because of my professional position) and I was contemplating if I should wear my pin (with the American and Israeli flags), and the fact that I was contemplating made me wonder, shouldn't I feel free to express myself?"

Sense of Not Being Understood or Appreciated as a Jew

Many of the staff we interviewed expressed frustration that their identity, customs, and practices as Jews were not fully understood or appreciated. The issue is particularly acute around the celebration of holidays. The following two comments illustrate this frustration: "When people don't clock you as Jewish...they say things. Someone made a comment about why the holiday party wasn't called the Christmas party because 'everyone in America celebrates Christmas'. I get annoyed that I have to take off for holidays in December that I do not celebrate. I want to take off for the high holidays and Purim and I have to take my own vacation. I took time off without pay one year, but I HAD to take time off in December. I can sit at home and do my work on Christmas, but the university is closed." Another said, "Time and time again things get scheduled on a holiday. The all-hands with my department was on Yom Kippur one year."

Other frustrations were expressed about the lack of institutional support for the Jewish community from Stanford. The events of October 7 and following were particularly difficult for many staff who did not feel they got the support they needed to cope. This in turn evoked a comparison with how some staff saw the rest of the Stanford community being treated: "It is a little disconcerting that there has been a vacuum of any kind of support for the Jewish community. Silence has spoken volumes in terms of a lack of immediate messaging [from the university] following October 7. The rhetoric against Jews and Jewish people, often cloaked with the terms of Zionism and Zionist, ...if you substituted any other group, it would be shut down so hard or fast (women, trans, or any group with a history of being marginalized). It is acceptable and amplified when it's Jews." Some university employees expressed disappointment in the university calendar and vacation policies for those in non-majority religions. "In spring of 2021, they [IRDS⁹⁷] did a campus climate survey. They didn't ask a single question about antisemitism. Not a single one. It was around diversity and belonging. I called up IRDS and asked why was antisemitism not mentioned? It was intentionally not included, I was told. Being Jewish is seen as a religious choice by many, it's not seen as a racial and ethnic identity."

Lack of Enforcement of University Rules

Many Jewish and/or Israeli staff members expressed frustration at a perceived lack of enforcement of university rules and a perceived lack of overall institutional support after October 7. This issue is dealt with in detail in other parts of this Report, but the following quotes illustrate the frustration of staff members. Some staff members denounced Stanford's failure to enforce announced rules: "I went to the antisemitism panel, and they said they would remove students after one outburst. And the outbursts went on for a while and they did not remove them. We don't

⁹⁷ Stanford Institutional Research and Decisions Support, which among other things conducts surveys of members of the Stanford community. <https://irds.stanford.edu/>.

enforce rules.” Others expressed concern about workplace issues: “At [X] program, it’s been really ugly. It’s been very difficult to navigate, with zero proactive and reactive institutional support. I proactively reached out to my bosses and HR – there has been such a void of guidance for the kinds of support or recourse staff could take when coming across antisemitic rhetoric amongst students in our work environment every day.”

Lack of Civil Discourse

It is not just Stanford students and faculty who are deeply troubled by the perceived lack of civil, open-minded, evidence-based discourse on campus. Many staff members made comments like the following: “We’ve lost something so precious in the nuance of living together. That’s the piece that makes me feel unsafe.” And: “We have a shouting culture right now. It’s bigger than us.” Staff lamented, for example, the inability to appreciate the distinctions between governments and people, or between Judaism as a religion or religious identity and Zionism as an expression of political autonomy: “I think there’s a big distinction between governments and their people...I’ve had short, supportive conversations with colleagues, and I’ve tried to convey the distinction. We should be treating other people kindly. I don’t have much more to say beyond that. I want to show people that the community cares.” Yet another staff member complained about: “The ignorant comments. The conflation of being Jewish with being Jewish Zionist, it’s the conflation of being Palestinian with a terrorist. The black and white thinking...”

Some of the staff members focused on the lack of space given to those who wished to grieve and were not able to: “We have a world full of people grieving. Unresolved grief turns into grievance.” Many noted the professional and social consequences of free expression at Stanford and called for strong university action to increase open and respectful dialogue: “We need to open dialogue that helps people see that fear and anger is not going to accomplish anything here. Investment in mental health services. Internal community engagement. Investment in staff groups – it should be something that helps people talk to each other.” Finally, in looking to the way forward, we found the following comment particularly instructive: “There’s a model for giving people space to discuss; but those discussions have to have rules, things you sign up to agree to do. The one thing we should be good at is educating, but we’re not really doing it. We can be doing a much better job of that. The institution has a fear that a lot of people aren’t ready to engage, but by not engaging we’re missing out on a huge opportunity.”

Positive Experiences at Stanford after October 7: the GSB

There were some Jewish and/or Israeli staff members who noted a positive experience in their workplace after October 7, most notably at Stanford’s Graduate School of Business. The following comments illustrate how effective the GSB programs on inclusivity have been in making the staff members feel well integrated and respected: “I’m very fortunate I have a very supportive manager and people who work around me.” And: “Quite a few colleagues came by my office and asked if I was okay, and expressed real concern, which was very heartwarming.”

Of particular note is the work of senior administrators at the GSB in creating this environment. It has taken proactive planning and involvement, and it appears to have made a meaningful difference. The following comment sums up the work of this group at the GSB very well: “The [GSB DEI administrator] made a huge difference and brought a message of community and diversity. He has done it in a way that has made things very comfortable. He’s very concerned

about diversity relations. We've had group sessions, management training sessions, etc., and when you walk out you learn how important it is to listen. It's made us more aware of where people come from (and their perspectives)." There was a sense that the rest of the university should learn from the GSB and adopt and emulate its practices and programs to increase the sense of inclusion and belonging at Stanford: "The GSB is almost like a safe haven compared to the rest of campus. I'm fortunate to have very supportive and respectful colleagues."

It is instructive to consider why the experiences at the GSB are more positive. Colleagues have explained that the culture of the Graduate School of Business rests on two pillars: curiosity and perspective-taking. Faculty, staff, and students are trained both implicitly and explicitly to approach any situation or environment with curiosity. In order to better understand the Jewish alumni experience after October 7, one GSB staffer whose role is to interface with alumni read several books about the history of the Arab-Israeli conflict, including primary sources like the Balfour Declaration. GSB faculty, staff and students are trained in the importance and methodology of perspective taking and the complexity of identity. Employee trainings are buttressed by staffers whose role is not only to advocate for DEI but to facilitate discussion and understanding of how identity influences people's opinions, experience, and information processing. Rather than being siloed in their own DEI infrastructure, staff members who are charged with overseeing affinity groups (whether students or alumni) integrate into the various student and alumni services. This results in staffers who have a greater awareness of the needs and particularities of various affinity groups, so that all groups' needs are approached consistently. Courses on perspective taking and communication are part of the GSB curriculum, teaching students how to communicate with others who have different lived experiences.

9.

Antisemitism and Anti-Israeli Bias as Perceived by Graduate Students⁹⁸

“Everyone says YOU when talking about Israel to me! ‘You are killing babies.’ ‘You are destroying homes.’ ‘You are committing genocide.’ Who is ‘you?’ I didn’t do anything!”

— Stanford Law student

While graduate and undergraduate students have shared many common experiences over the past months, some distinctive features of the graduate experience have resulted in unique challenges for this specific population of students. For one, many graduate students in doctoral programs have an extended relationship with research mentors, lasting up to 7 years in some cases.⁹⁹ This is quite distinct from undergraduates, few of whom develop such a deep relationship with a single faculty member, and none of whom sustain it for anywhere near that length of time. While these longitudinal relationships are critical to mentorship in the academic realm, this leads to a challenging power dynamic if a student faces discrimination at the hand of their mentor, and there are limited viable avenues for reporting such behaviors without hindering one’s research progress. Similarly, many research groups and graduate program cohorts at Stanford are smaller, tight-knit social and academic communities.

For many graduate students, these labs and cohorts are not only their professional community but their social one as well. While undergrads typically find community outside of their direct area of academic interest, graduate students may be more socially limited because their residential patterns and the more limited nature of their extracurricular activities provide fewer opportunities to interact with peers outside their school or department. These constraints create an environment that can amplify interpersonal dynamics and make it nearly impossible to avoid individuals who have been antisemitic or displayed anti-Israeli (or other) bias. Many graduate students have reported feeling torn between their desire to report specific instances of discrimination and their fear of damaging their professional reputation with faculty and peers or of isolating themselves socially among their fellow graduate students.

The Response to October 7

While antisemitism at Stanford has previously been well-documented,¹⁰⁰ many current graduate students noted a sharp rise in both overt and subtle discrimination following the attacks on October 7. For them, October 7 created a distinctly more challenging and difficult experience of being Jewish. Graduate students in various schools and departments expressed fear for their safety or social acceptance if they disclosed their identity as Jews. Even in the GSB (which, as we noted

⁹⁸ Quotations in this chapter are from graduate student listening sessions and interviews that stretched from December 2023 through March 2024.

⁹⁹ “Frequently Asked Questions for PhD Applicants,” Stanford Electronic Engineering, <https://ee.stanford.edu/admissions/phd/faq>.

¹⁰⁰ “A Matter Requiring the Utmost Discretion,” https://news.stanford.edu/data/assets/pdf_file/0020/127406/TASK-FORCE-REPORT.pdf.

above, has had one of the better climates on campus) a student shared that “it feels safer to hide that I’m Jewish.” Others worried for the safety of their Jewish peers: “I personally don’t think I’ll be physically harmed, but that’s because I’m a 200-pound white man, but I have friends who don’t live in my body.”

Some Jewish and Jewish Israeli students experienced subtle discrimination in their academic and social spaces. A Jewish Israeli scholar spoke with sadness of “the people who used to be my friends who won’t say hello.” This experience is unfortunately not uncommon. Many Jewish and Israeli students reported individuals making assumptions about their political or ideological beliefs on the basis of their identity and consequently treating these students differently.

In particular, graduate students have felt isolated, tokenized, and exhausted amidst this hostile environment. At one of our listening sessions, a student shared, “I feel like I’m a representative of the Jewish people all the time.” In many research groups and cohorts, there may only be one or a handful of Jewish students, increasing the pressure on these individuals to represent the entire group, which is an unfair and impossible responsibility for any one person.

Students expressed utter shock at the swift and clear rise in antisemitism on campus even in the days immediately following October 7, a time where many Jewish graduate students had hoped for support and allyship from their peers. A law student commented, “The thing that had torn apart and divided my community worse than anything I have ever seen was the death of innocent Jews. That’s not something I expected.”

Fear of Speaking Up

After experiencing discrimination, many Jewish and Israeli graduate students were afraid to speak up about these instances for two main reasons: the belief that nothing would happen and the fear of retaliation. “Antisemitism is the form of hate that gets the least resistance,” a student powerfully pointed out.

Many graduate students pointed to the lack of enforcement mechanisms when students appeared to be targeted and discriminated against: “The problem is a lack of any mechanism to support us. Adults have a very broad reading of the Leonard Law. We have no mechanism to protect us. There is nothing that reinforces the normative codes of respect and civility. People need to be held accountable.”

Jewish students make it clear that they “don’t want special treatment,” but rather, when reporting discrimination and antisemitic actions, they just want “to be treated like everyone else.” Students pointed out the double standard that is applied when Jewish students report their experiences with antisemitism, often consisting of contextualization, questioning, and gaslighting by their peers. Several graduate students explained that they believed that this behavior was justified by notions about Jews having privilege, and stereotypes about Jews and power which have served as justification to ignore the suffering of Jewish people historically.

On top of this widely held belief that nothing would be done in response to reporting antisemitism, the fear of retaliation emerged in several listening sessions across our graduate schools. It was particularly troubling to find this sentiment among law students, who will join a profession that must play a crucial role in enforcing laws against identity-based discrimination and harassment.

One law student flatly declared, “A lot of Jewish students are not here at this listening session today because we fear that if you do dare to share, people will use it against you not only personally but professionally.” Students worried that if they reported or called out antisemitism there would be no consequences and even worse, that faculty, peers, and friends would likely “disown” them or deny them professional or academic opportunities.

Lack of Equity and Inclusion

While Stanford’s commitment to the principles of equity and inclusion have been emphasized over the past few years, many Jewish students have felt that despite being a minority group subject to discrimination, there has been little to no effort to include Jews in this work. Antithetical to these pillars is the harsh reality: the onus is on Jews to speak up for themselves as opposed to the onus being on everyone else to create inclusive spaces or at the very least to adjust their behavior when told they are not being inclusive. An H&S graduate student highlights a key hypocrisy: “...the legal bar of violation is applied to antisemitism, but for all other minorities the bar is lower, meaning microaggressions are condemned and addressed.”

There has also been an explicit effort to exclude Jewish and Israeli students from social justice efforts on the basis of their identity. Many Jews and Israeli students report being explicitly told by classmates that they do not care about Diversity, Equity, and Inclusion if they are Zionists. A Stanford Law student shared an incident in which a law student shared a poster for a panel on gender-based violence on October 7, and a survivor of sexual assault wrote in the chat “that it is important we put instances of sexual assault in their context.” As a Jewish woman, this student found this to be incredibly upsetting and described the incident as “purposeful dehumanization.” This story is unfortunately not unique as many Jewish and Israeli women have noted that principles of believing and supporting survivors has not been applied equally to Jewish and Israeli victims of sexual violence.

Systemic Antisemitism

Some graduate students we spoke with felt that the antisemitism they confront is so insidious and deeply rooted that it can only be described as “systemic.” One law student put it this way, “The level of antisemitism that is tolerated on campus makes me think that Stanford is institutionally antisemitic.” An H&S graduate student lamented that despite systemic antisemitism being analogous to other systemic forms of bias in society, this notion has never been discussed or even acknowledged. Despite the substantial evidence that antisemitic stereotypes are embedded in our culture, that antisemitic behavior is normalized, and that Jews face systemic barriers to reporting discrimination, institutional and social leaders have not been as forthcoming in acknowledging and seeking to dismantle this systemic oppression.

Ironically, the claim that Stanford is institutionally antisemitic has not only been leveled as a grave criticism of the University but also as an excuse for failing to take remedial action. In response to a graduate student complaint detailing one of the most serious situations of antisemitism that we have encountered in the six months of our work, a high-level administrator in a school responded, “At the end of the day, antisemitism is institutional, there is nothing I can do about it.”

Tension and Discrimination in Academic and Professional Spaces

At a listening session, an H&S graduate student put it simply, “I’m tired, I just want to be a student.” Unfortunately, this has not been a reality for many Jewish and Israeli students. Nevertheless, the tense social environment on campus has permeated academic and professional spaces for our graduate students, disrupting the academic experience for many. Some of the students have pointed out the “time, place, and manner” for protest challenges that need to be addressed. A law student commented, “In the classroom we all deserve to be able to learn. We all deserve to study in library without people shoving pamphlets at us accusing Israel of genocide. The human walls in the hallways are intimidation. A line must be drawn somewhere. I would exclude the library, classrooms, and hallways from protest.”

Additionally, a major concern that has emerged has been the use of official school emails, Slack channels, and student group listservs to share political perspectives that are often one-sided, hurtful, and perceived as antisemitic by many (see Chapter 6). Graduate students in the School of Medicine report that they are unable to escape the constant barrage of harmful rhetoric targeted against Jews because they must rely on these communication channels to fulfill their academic obligations. We acknowledge, however, that it is not just one side of the polarized debate around the Israel-Palestine conflict that perceives some posts to be hurtful or intemperate, and that there is a more general need for care and civility in online and other discourse.

A graduate student in H&S described the dispiriting experience they were having in their program. They felt that they were totally isolated in their graduate program with “no room” to talk about their feelings post-October 7. Their emotions were still very raw four months after the massacre, and they often had to stop to compose themselves while speaking. Things got so bad that they could barely bring themselves to go to class. At the core of their extreme discomfort was the way identity politics had come to dominate the community, while featuring hateful political commentary about Jews and Israelis. A reading that was assigned in a required class felt like a set-up to criticize Israel in that it legitimized terrorist violence. Even after a conversation between the student and the professor, the student still feels the awkwardness and unpleasantness “in the air” between the student and their program colleagues and senses that there is no real room for dialogue.

Anti-Zionism and Antisemitism

Despite efforts by many student activists to decouple antisemitism and anti-Zionism, many Jewish and Israeli graduate students feel that the very actions of those perpetrating antisemitic discrimination are the ones further reinforcing a clear connection between these concepts. A Stanford Law student observed, “The truth is a lot of the problems we’ve had at the law school with antisemitism have been about Israel. They are linked. We can’t talk about one without the other.”

In a blatantly antisemitic incident in December of 2023, law students complained that the Jewish Law Students Association (JLSA) was holding a Hannukah event in public, because they viewed it as Zionist and “disgusting” to celebrate Hannukah. They maintained that it “upset” the law school community when Jewish students were seen lighting a menorah and eating traditional jelly donuts. The event was not arranged to be anything but a celebration of a Jewish festival, yet it nevertheless caused controversy.

Moreover, many students have repeatedly conflated Jews and Israelis with the Israeli government and have targeted individual students with this belief. A School of Medicine Masters student got an email saying, “YOU and Israel are responsible for genocide,” addressed to them directly. According to a law student, “Everyone says YOU when talking about Israel to me! ‘You are killing babies.’ ‘You are destroying homes.’ ‘You are committing genocide.’ Who is ‘you?’ *I didn’t do anything!*”

Shirking Accusations of Antisemitism

In the School of Medicine, several emails went out regarding the Israeli-Palestinian conflict with statements at the beginning of the emails stating that the authors were not antisemitic, in an effort to exempt them from any risk of being accused of antisemitism. Ironically, the authors of the emails often had not done their due diligence to ensure the contents of their emails were in fact not antisemitic.

One Jewish graduate student in the School of Medicine stated the view that non-Jews should not get to publicly define what is and is not antisemitic and should not be able to make a blanket statement that they are not antisemitic or that their advocacy is not antisemitic. This behavior would never be tolerated for other forms of discrimination, yet it seems to be accepted at face value with regard to antisemitism.

10.

Antisemitism and Anti-Israeli Bias in the Stanford Public Square

White Plaza functions, in essence, as a “free speech zone.” It is widely recognized as a space appropriate for community events and for protests of all kinds, including tables, banners, and rallies.¹⁰¹ As such, it is more open to visitors to the campus, and to their desire to exercise public speech, than other parts of the campus that are considered academic and residential spaces. Thus, it is expected that protests in White Plaza may be louder, more assertive, and more persistent than would be considered appropriate in areas of the campus reserved for study, teaching, research, and residential life.

The experience of Stanford’s public square has been a challenging and controversial one since the October 7 Hamas attacks on Israel. Despite a University rule forbidding overnight encampments without explicit permission from the Provost or her designee, Stanford has seen two protracted encampments in White Plaza that have affected the campus climate and the perceptions of many Jewish and Israeli students, faculty, staff, alumni, and visitors. Both the Fall-Winter Quarter encampment stretching across a wide swath of the upper end of White Plaza (which ran from October 20, 2023 to February 16, 2024) and the Spring Quarter encampment (on a more compact square of grass in the lower end of White Plaza) were declared by the University to be unauthorized and in violation of its rules. Protestors agreed to disassemble the former after tense negotiations when the University threatened to enforce its ban. The Spring Quarter encampment, which was still ongoing as this report was being finalized, was more contained than the former and attracted less attention, but both persisted in defiance of university rules, and the latter played host to more overt expressions of antisemitism over the course of time.

Many of the signs and slogans that have dominated the pro-Palestinian protests in White Plaza since October 7 have voiced vehement criticism of Israel, its policies, and its war in Gaza. While many Jewish and Israeli students and others have found it upsetting, accusations that Israel is an apartheid state, that it is guilty of war crimes or even genocide, or that it pushed Palestinians off their land in 1948 are all claims that can be subjected to logical, historical, and legal debate in a university. Similarly, calls to “stop the siege,” to “divest now,” to cut U.S. military aid to Israel, and to “Free Palestine” can also be subjected to critical inquiry and rational debate. But the encampments and other protests have, at times, gone beyond these lines of argument and advocacy to call, implicitly or even explicitly, for violence, as in “Death 2 Settler Colonial Projects,”¹⁰² “Long Live Palestine, Die Israel,”¹⁰³ “Decolonization is not a metaphor,”¹⁰⁴ and numerous calls and chants for Intifada, as well as occasional expressions of support for Hamas and the Popular Front for the

¹⁰¹ The university since at least 1979 has identified White Plaza as the “free speech zone,” though there remains some confusion as to whether this limits Stanford’s obligations to the external community to one area. See Bernadette Meyler et al, Ad Hoc University Speech Committee Report, p. 10.

¹⁰² A sign observed in the White Plaza encampment on April 29.

¹⁰³ Scrawled in chalk in White Plaza.

¹⁰⁴ Scrawled in chalk in White Plaza.

Liberation of Palestine.¹⁰⁵ Additionally, the chant of “From the river to the sea, Israel will be Arab”¹⁰⁶ is hard to view as anything other than a call for ethnic cleansing.

There have, however, been some chants and banners that many Jews and Israelis on campus have experienced as, implicitly or even explicitly, calls for violence against Jews and Israelis. The use of the word “intifada” has also been a flashpoint on campus. While some of the students chanting or posting “Intifada, Intifada, long live the Intifada,” may be unaware of its meaning and historical significance, in the context of the Israel-Palestine conflict, the word connotes violent resistance. The original sense of the word “intifada” was “shaking off” but the modern sense is “popular uprising.”¹⁰⁷ Most Israelis, large proportions of Jews worldwide, and many experts on terrorism understand it to mean a call for violence against Jews and Israelis, often associated with the suicide bombings, of which many were carried out by Hamas, of the second intifada from 2000-2005. In contrast, the dominant usage of the word by some Palestine solidarity activists means “uprising” and originated in the 1987 popular Palestinian demonstrations against the Israeli military occupation of the West Bank and Gaza.¹⁰⁸ Many activists on campus have stated that their intent in using the word is that of revolution and not violence.

We have been advised that all these forms of speech fall within the protection of the First Amendment, meaning that Stanford cannot punish them (see the discussion in the final chapter). However, they contribute to a highly tense, polarized, uncivil, and even hostile climate on campus, and at times they have morphed from general calls to specific threats or wishes for violence against individual students (see social media below).

The White Plaza protests have also featured versions of the infamous antisemitic blood libel that Jews were drinking the blood of non-Jewish children—in this case the baseless and outrageous allegations that Israel was harvesting the organs or skin of Palestinians (see photo below from a White Plaza protest).

¹⁰⁵ Both of these have been designated by the U.S. Department of State as Foreign Terrorist Organizations. <https://www.state.gov/foreign-terrorist-organizations/>. Providing material (as opposed to rhetorical) support to them is illegal under U.S. law. <https://www.law.cornell.edu/uscode/text/18/2339B>.

¹⁰⁶ Chanted in Arabic in a rally on Meyer Green that also featured the elegant phrase, “F*ck Zionism.” <https://www.blueandwhitetent.org/stanford-antisemitism-gallery?pgid=lqszi9ew-41b38032-ccc4-45f6-b4ee-4302e793e31c>.

¹⁰⁷ Hans Wehr, *A Dictionary of Modern Written Arabic*, 4th ed. (Wiesbaden: Harrassowitz, 1979), 1157.

¹⁰⁸ <https://www.vox.com/2018/11/20/18080066/israel-palestine-intifadas-first-second>; <https://forward.com/culture/573654/intifada-arabic-israeli-hamas-war-meaning-linguistics/>; Matthew Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad* (New Haven: Yale University Press, 2006), 12: (“From September 29, 2000, through March 24, 2004, Hamas executed 52 suicide attacks, killing 288 people and wounding 1,646 more. In total, Hamas conducted 425 terrorist attacks during this period, killing 377 people and wounding 2,076”).



In comparison to the first sit-in at White Plaza, the second one has increasingly allied itself with radical outside groups, hosted antisemitic and pro-dictator speakers and shown support for terrorist organizations. One of the sponsors of the sit-in is the Bay Area chapter of the Party for Socialism and Liberation.¹⁰⁹ The PSL officially supports (among other things) the Russian invasion of Crimea,¹¹⁰ the Chinese Communist Party,¹¹¹ the government of North Korea¹¹² and Hamas's October 7 attacks.¹¹³ Additionally, the sit-in held an event with Nodutdol, a pro-North Korea, pro-Hamas pressure group¹¹⁴ that has also praised the People's Front for the Liberation of Palestine (PFLP) as "freedom fighters."¹¹⁵ A Nodutdol Instagram post from a speech at the encampment in White Plaza showed an individual reading a statement equating Israel with the Republic of Korea (South Korea) as imperialist "puppet states" that "continue to serve as proxy regimes" to subjugate "the Palestinian and Korean masses."¹¹⁶

¹⁰⁹ Who frequently hosts events at the sit-in and regularly features on the sit-in's official Instagram page. *See* <https://www.instagram.com/p/C6Plo1RvkLx/?hl=en>.

¹¹⁰ PSL Statement on Russia's Military Intervention in Ukraine. PSL (Feb. 24, 2022), <https://www.liberationnews.org/psl-statement-on-russias-military-intervention-in-ukraine/>.

¹¹¹ Yee, Amanda, Revolution and Counterrevolution: Remembering Tiananmen 34 Years Later, PSL (June 3, 2023), <https://www.liberationnews.org/revolution-and-counter-revolution-remembering-tiananmen-34-years-later/>.

¹¹² Gowans, Stephen, Why North Korea Is Developing Nuclear Weapons, PSL (Feb. 23, 2013), <https://www.liberationnews.org/why-north-korea-is-developing-html/>.

¹¹³ PSL Statement: Free Palestine, Free All Palestinian Political Prisoners, End All U.S. Aid to the Israeli Apartheid Regime! (Oct. 7, 2023), <https://www.liberationnews.org/psl-statement-free-palestine-free-all-palestinian-political-prisoners-end-all-u-s-aid-to-the-israeli-apartheid-regime/>.

¹¹⁴ Nicholas Eberstadt, "The Pro-North Korea Movement in America Today," American Enterprise Institute, October 2023, <https://www.aei.org/foreign-and-defense-policy/the-pro-north-korea-movement-in-america-today/>.

¹¹⁵ Nodutdol Statement: Koreans for a Palestinian Liberation, <https://nodutdol.org/koreans-for-palestinian-liberation/>.

¹¹⁶ https://www.instagram.com/reel/C7MwBv6ut_B/?igsh=MTc4MmM1YmI2Ng%3D%3D. This is propaganda from what is widely considered to be the single most politically repressive regime in the world, and one of four regimes in the world designated by the U.S. State Department as a State Sponsor of Terrorism. <https://www.state.gov/state-sponsors-of-terrorism/>.

On May 22, the sit-in invited as a speaker Imam Amir Abdul-Malik Ali, who has been described by the Southern Poverty Law Center as “a charismatic imam who promotes anti-Semitism, violence and conspiracy theories.”¹¹⁷ Ali claims Jews were responsible for 9/11,¹¹⁸ wishes to establish a theocratic state in the United States,¹¹⁹ has praised Osama bin Laden,¹²⁰ and has repeatedly said he supports Hamas and Hezbollah.¹²¹ By the definitional examples of antisemitism offered in Chapter 2 of this report, at least parts of Imam Ali’s characteristic discourse is overtly antisemitic.

The sit-in itself has also directly shown a willingness to praise terrorist organizations. On May 10, the sit-in held a movie screening of “Red Army/PFLP: Declaration of World War,” a propaganda film for the PFLP, which, along with Hamas, was one of the architects of the October 7 attacks.¹²² Both groups have been listed as Foreign Terrorist Organizations by the Department of State.¹²³ The sit-in has also posted on their official Instagram photos of Leila Khaled,¹²⁴ a member of the politburo of the PFLP.¹²⁵ A non-student participant in the sit-in was also spotted wearing a headband with the logo of Hamas.¹²⁶ Overall, this shows an increased willingness of the sit-in and many of participants and leaders to align with outside hate groups, invite antisemitic speakers, and directly praise recognized terrorist organizations.

The growing radicalization of the protest activity in Stanford’s public square was revealed on May 20 when, “as part of a protest march on campus, a group of individuals entered an engineering building where students were present and working in labs. The marchers vandalized the building, appeared prepared to barricade themselves in it, and posed a threat both to sensitive research and to “the health and safety of our community.” President Saller made clear that any students who were involved face immediate suspension and possible criminal charges.¹²⁷

The Openness of the Stanford Campus to External Actors

Stanford policy recognizes that some areas of the campus, such as White Plaza, eating areas, and facilities hosting public events, are “typically open to visitors. However, University policy states: “Even in these locations, visitors must not interfere with the privacy of students, faculty, and staff, or with educational, research, and residential activities. Visitors may not be in academic or residential parts of the campus except by invitation, and those who violate University rules may be denied

¹¹⁷ <https://www.instagram.com/p/C7QWAAInf2E/>.

¹¹⁸ Heidi Beirich & Brian Levin, *Grown at Home*, INTEL. REP., Aug. 24, 2011. <https://www.splcenter.org/fighting-hate/intelligence-report/2015/grown-home%E2%80%82>.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

¹²¹ Sabiqun and Anti-Semitism on Campus, ADL (Nov. 14, 2011), <https://www.adl.org/resources/backgrounder/sabiqun-and-anti-semitism-campus>.

¹²² PFLP-GC, Counter-Terrorism Guide, DNI (Dec. 2022), https://www.dni.gov/nctc/ftos/pflp_gc_fto.html.

¹²³ For whom material support constitutes a federal crime. 18 U.S.C. §2339 B.

<https://www.law.cornell.edu/uscode/text/18/2339B>.

¹²⁴ https://www.instagram.com/p/C6-mFfxuq9T/?hl=en&img_index=1.

¹²⁵ Leila Khaled: In Her Own Words, ADL (Oct. 2, 2020), <https://www.adl.org/resources/blog/leila-khaled-her-own-words>.

¹²⁶ Kaushikee Nayudu and Jessica Zhu, “Stanford Forwards Encampment Photo with Hamas Headband to FBI,” April 30, 2024, <https://stanforddaily.com/2024/04/30/stanford-forwards-encampment-photo-to-fbi/>.

¹²⁷ President Richard Saller, Statement to the Faculty Senate, May 23, 2024, <https://news.stanford.edu/stories/2024/04/white-plaza-updates>.

permission to be present even in more open areas. Finally, visitors are required to establish their identity upon the request of a University official.¹²⁸

Although determinations are increasingly difficult to make because of individuals' efforts to mask their identities, it is well known both to the University administration and to Stanford students and staff that some of the individuals who have participated in protests and encampments in support of pro-Palestinian protests on campus have no affiliation with Stanford University. We have heard of a few instances where students were followed back in the direction of their residences by individuals who appeared to be unaffiliated with Stanford, and who asked questions about Stanford and how it functions. In at least one instance, a parent became concerned for the safety of their daughter, a Stanford student. A protestor in the current White Plaza encampment who has been wearing a headband associated with Hamas, is believed to be unaffiliated with Stanford, and is apparently a recent graduate of another California university.¹²⁹

Recent revelations of extensive external participation in disruptive protests at numerous U.S. universities underscore the problem. New York City officials revealed that 29 percent of those arrested in campus protests at Columbia University in early May "had no connection with the university."¹³⁰ Of the 100 people arrested at Washington University in St. Louis on April 27, only 23 were students (and four were employees). At Arizona State the day before, only 15 students were among the 72 arrested in unauthorized protests. When around 100 protestors were arrested around the same time at Northeastern University (in Boston), the *New York Times* reported; "a university spokesman said the demonstration had been 'infiltrated by professional organizers' and someone had used 'virulent antisemitic slurs.'"¹³¹ Majorities of those arrested at New York University and the University of Texas at Austin in late April were not students.¹³² A detailed analysis by the *Dallas Morning News* of protests at the latter campus (and UT Dallas) found: "Many of them were alumni who graduated in recent years. Others included local residents who are activists, photographers, performing artists and nonprofit workers. Some were students from other nearby colleges."¹³³

It is not only pro-Palestinian protests that have drawn the participation, and in some cases the provocation, of actors with no affiliation to the universities in question. At UCLA, Chancellor Gene Block blamed outside "instigators" (some of them carrying pro-Israel paraphernalia) for a violent assault on a pro-Palestinian encampment that plunged the campus into chaos. "Footage showed mostly male counter-demonstrators, many of them masked and some apparently older than

¹²⁸ Stanford University, "Campus Visitors: Policy Statement," <https://bulletin.stanford.edu/academic-polices/student-conduct-rights/campus-visitors>.

¹²⁹ Patrick, Reilly, "Stanford submits 'deeply disturbing' photo of campus anti-Israel protester wearing Hamas headband to FBI," *New York Post*, May 2, 2024, <https://nypost.com/2024/05/02/us-news/stanford-submits-deeply-disturbing-photo-of-campus-anti-israel-protester-wearing-hamas-headband-to-fbi/>.

¹³⁰ Amy Julia Harris, et al., "Outsiders Were Among Columbia Protesters, but They Dispute Instigating Clashes," *New York Times*, May 5, 2024. <https://www.nytimes.com/2024/05/04/nyregion/columbia-protests-arrest-agitators-israel.html>.

¹³¹ All details in these three sentences are drawn from Patricia Mazzei, "As Colleges Weigh Crackdowns on Protesters, Questions About Outsiders Linger," *The New York Times*, April 28, 2024. <https://www.nytimes.com/2024/04/28/us/college-campus-protests.html>.

¹³² Erin Ailworth et al., "Hundreds of Protesters Arrested as Universities Blame Outsiders for Escalating Violence," *The Wall Street Journal*, May 1, 2024. <https://www.wsj.com/us-news/education/columbia-ucla-college-protests-police-25418aa5>.

¹³³ Marcela Rodrigues et al., "Who's Behind the Pro-Palestinian Protests on Texas College Campuses?" *The Dallas Morning News*, May 15, 2024. <https://www.dallasnews.com/news/education/2024/05/15/are-outside-agitators-behind-pro-palestinian-gaza-protests-at-texas-colleges/>.

the students.”¹³⁴ The Stanford campus faced the risk of a physical clash on Sunday, May 12, when pro-Palestinian and pro-Israel groups held simultaneous dueling rallies, initially located in White Plaza before one moved (at the urging of Stanford security officials) to a different part of campus.¹³⁵ While students predominated in both protests, the presence of outsiders with their own agendas complicates such a situation and may make it more difficult to predict and control.

¹³⁴ Dani Anguiano et al., “UCLA Chancellor Condemns ‘Instigators’ Who Attacked Pro-Palestinian Camp on Campus, May 1, 2024.” <https://www.theguardian.com/us-news/2024/may/01/violence-erupts-ucla-university-campus-clashes-rival-gaza-protest-groups>.

¹³⁵ Udagiri, “Pro-Israel Protestors Rally,” supra note 8.

11.

Antisemitism and Anti-Israeli Bias as Perceived by Alumni and Parents

“Stanford seems to have lost its moral compass in its failure to take a clearer stand against antisemitism. It is no longer the University that I have known and loved.”

—Comment in a listening session for Stanford alumni

As part of the Subcommittee’s work, we actively solicited the input of parents and alumni, and we spent a considerable amount of time assessing their reaction. We conducted several formal listening sessions to which over 1,000 alumni were invited; close to 100 alumni and parents participated in at least one of those sessions. In addition, we met with the leadership of the Stanford Jewish Alumni Network on several occasions, and we also received numerous email comments and phone calls from interested alumni and parents.

We found the input from these groups to be important and salient in several ways. First, these cohorts of alumni and parents of current students had access to information that might not be easily accessible to University administrators or faculty. Many parents of current students told us that their children did not feel comfortable reporting their experiences of antisemitism to Stanford administrators, but they did express their concerns about physical safety, “cancel culture” and feelings of exclusion to their parents. Based on the level of detail that we received, we found these comments credible.

Second, the acute level of concern expressed by alumni across a wide range of classes was significant. We heard many different alumni articulate their concerns for Stanford’s future, and many explicitly questioned whether their own support for Stanford would diminish as a result of what they were perceiving. Few alumni stated unequivocally that their support for Stanford was permanently ending. But numerous alumni indicated in various ways that their support was at risk, or that they were withholding financial support until they had a better sense of how the University would address these issues. As serious as these comments were, they may actually understate the degree of concern, because we were unlikely to be hearing from alumni who had already made the decision to end their support of the University. That said, we perceived that the alums who did speak with us were actively interested in helping Stanford navigate through these difficult times, and they were keenly interested in how Stanford was going to respond.

The depth and breadth of alumni concern on these issues has significant consequences. One of the University's greatest strengths has been the loyal and consistent support of its alumni base. Obviously, one manifestation of this support has been financial; Stanford enjoys deep, wide, and meaningful financial support across the breadth of the alumni population. But this alumni support is more than just financial. Stanford alumni are proud apostles for Stanford; they know Stanford’s history and speak eloquently and powerfully about the role of Stanford in their own lives and in the development of our country. They are important stewards of and ambassadors for the message of Stanford. And that appears to be at risk. We heard troubling indications from many alumni that they were, for the first time in recent memory, reconsidering their emotional support for the University. We heard comments that ranged from “I don’t recognize Stanford anymore” to “Stanford seems to

have lost its moral compass in its failure to take a clearer stand against antisemitism. It is no longer the University that I have known and loved.”¹³⁶

Similarly, we have heard frustration from parents who expected Stanford to lead by example and be a role model for other schools. Several parents reported regretting sending their children to Stanford. One parent said: “I wish I would have spent the money saved for my daughter’s college on another school that handles antisemitism better.” We have also heard parents say they “...talked their neighbors out of sending their children to Stanford.”

Concerns Raised

We heard a wide array of concerns raised in our communications with alumni and parents. Many are consistent with what we heard from other stakeholders; some were expressed differently or with different degrees of urgency. But for the reasons identified above, we believe that all the concerns raised by alumni and parents were both credible and trenchant.

Safety

Virtually every conversation we had, particularly in the days immediately after October 7, started with concerns about the physical safety of students. The threat of physical violence against Jewish students is very real to many, most notably to parents of current students. Parents living in the Bay Area described organizing a network to help students who felt threatened find accommodation off campus. They provided support in other ways including in one extreme situation, escorting an undergraduate student who was threatened on Fizz to the police station to file a claim and then supporting them while they spent several days off campus. The overt expressions of antisemitism outside Tresidder Memorial Union on the night of January 24 frightened many parents and even caused some Stanford alumni to draw parallels to ugly acts in Germany in the 1930’s. And the reaction captured on social media after the event was frequently cited by parents as *prima facie* evidence for why they were concerned about their children’s physical safety.

The concerns about physical danger at Stanford have been compounded by acts occurring on other campuses, such as the event at Zellerbach Hall at UC Berkeley on February 26, 2024, where Jewish students had to barricade themselves inside a building when a mob of protestors stormed a gathering.¹³⁷ This incident, along with others at schools like UCLA and Columbia, were cited by many parents as examples of how safety issues could quickly spin out of control.

Of equal concern were issues that implicated mental health and security. We heard numerous reports of students feeling psychologically unsafe on campus, unable to express their Jewish identities, either in words or in religious manifestations such as wearing a kippah, without fear of being ostracized, shunned, or directly criticized. The looming threat of being marginalized solely because of their religious identity was real and widespread. Several parents echoed concerns that we have heard from many Jewish students—that in many student circles on campus, you can be welcomed as an openly Jewish student only so long as you are clearly anti-Zionist or at least critical

¹³⁶ All quotations and summaries of statements in this chapter are from alumni and parent listening sessions we conducted in February and March 2024.

¹³⁷ Salvador Hernandez, “Pro-Palestinian Protesters Shut Down Event Organized by Jewish Students at UC Berkeley,” *Los Angeles Times*, February 27, 2024, <https://www.latimes.com/california/story/2024-02-27/pro-palestinian-protesters-shut-down-event-organized-by-jewish-students-at-uc-berkeley>.

of Israel. In its bluntest and most poignant form, this was expressed by one parent in the form of a quote from their child at another university: “They hate me, and the only way for them not to hate me is for me to hate myself even more.

In addition to concerns about physical manifestations of Jewish identity or support for Israel, many parents relayed their children’s fears over their freedom to express themselves in class without retribution from other students or even faculty. Many raised the episode in the frosh COLLEGE seminar (see Chapter 1), in which an instructor was reported to have singled out Jewish students, as inexplicable and utterly inconsistent with what they expected of Stanford. Many who addressed this issue sought a clearer expression from the University leadership that such abuse of a position of classroom leadership was unacceptable. The alumni reaction, based on the contemporaneous press reports of the incident, was clear and unequivocal in calling for more leadership from University leaders. There was almost universal sentiment among the parents and alumni who addressed this issue that the University cannot permit positions of academic leadership to be exploited in the classroom for political ends, particularly when the classrooms involve first-year students, and that the University failed in not speaking out more clearly.

Residential life

We heard from many parents of current students concerns about the environment in the residences. Many parents stated that their children reported having to self-censor their comments about issues involving the war in Gaza or run the risk of marginalization in their residence. Similarly, we heard disheartening reports of religious symbols such as mezuzahs being defaced or torn down inside University residences, of swastikas being drawn on students’ dorm corridors, and anti-Israeli posters hung on their bedroom walls. One parent stated “[my child] believed that [residence] was a surrogate home. That no longer feels true.

And while many recognized the difficulty in assigning individual culpability for discrete actions, they were highly critical that senior University officials did not immediately speak out in clearer condemnation of these actions. Several noted how quickly the University had spoken out in the past when odious examples of racial intolerance, such as the discovery of a noose, were discovered and asked why no comparable statements of denunciation were made here.

Parents frequently echoed student comments about the roles played by the RAs. Many, particularly those who were also alumni, recognized the singular role that RA’s play in structuring residential life in the dorms and houses and how vital the RA’s are to creating residential culture, particularly in all-frosh dorms. If those RAs were not creating a sense of community and tolerance, but rather were using their positions to advocate for certain political positions and to ostracize those who disagreed, that created an unwelcoming if not hostile environment.

Academic activities

Several parents raised concerns about the shift of focus on campus from academic activities to political activism and “obsession with marching, chanting, and targeting Jewish students directly or indirectly.” They were concerned about their students being distracted from learning due to the frequent antisemitic events and toxic continuous activity on Fizz. They also raised concerns about the emotional impact these events have on their ability to focus on school activities. They felt that

Stanford has an ethical responsibility and hopefully a desire to create an amicable campus of students focused on learning and that it is failing to do so.

Civil Discourse

One of the most common subjects raised by alumni and parents was the need for enhanced civil discourse informed by facts, history, and rationality rather than emotion. While many candidly recognized that the issues underlying the war in Gaza were difficult and that there were no simple political solutions, a significant number bemoaned what they perceived as uncivil speech and behavior on campus. Many also honestly recognized that for many students, these are not issues that they have studied deeply or have had long histories with, thus making it easier to protest by slogan rather than by analysis.

But most called upon the University to do more to encourage a process of rational civil discourse. While we did not encounter any alumni or parents who were prepared to ignore the First Amendment rights of students or faculty to protest and express their concerns, many did note that the University should do a better job of articulating the fundamental rights and obligations of members of an academic community to engage in respectful debate. To be fair, there is a wide range of views on this subject. Some believed that the University needs to do more in outlining what is acceptable speech and what is not; several alumni observed that the University has no obligations under the First Amendment (or the Leonard Law obligations), and that sanctions could easily be fashioned to punish constitutionally unprotected speech.¹³⁸ Others believed that this approach was not within the purview or capability of the University, and the University would be better served by modeling a more nuanced approach, such as creating platforms to showcase civil discourse on uncomfortable issues.

One issue for which there was almost universal agreement was a common frustration over what is perceived to be inconsistent enforcement of the rules and a failure to hold people accountable when they “violate” the rules of procedure that govern conduct on a university campus. The University’s decision not to enforce the rules barring overnight protests in White Plaza was frequently cited as an example of the institution’s failure to be consistent, as the University allowed certain student groups to camp overnight in White Plaza without ever coherently explaining why that was allowed in the face of a rule precluding such overnight camping.¹³⁹

Some alumni called upon the University to be much clearer and more predictable about what behaviors it would tolerate and what it would not. These alumni coupled their call for clarity with a recommendation that the University be much more prepared to hold students and others accountable when those lines are crossed. One parent remarked, “This is not that different from good parenting. Tell your kids what you expect them to do; be clear about where the lines are; and be prepared to take fair and consistent action if they cross the lines.”

¹³⁸ These alumni make a compelling moral case but are not correct in their interpretations of the constitution, as it has been interpreted. “Under current First Amendment jurisprudence, hate speech can only be criminalized when it directly incites imminent criminal activity or consists of specific threats of violence targeted against a person or group.” American Library Association, “Hate Speech and Hate Crime,” <https://www.ala.org/advocacy/intfreedom/hate>.

¹³⁹ Note that these comments were made about the first encampment in White Plaza before it was taken down.

Clarity of leadership voice

One issue frequently expressed by alumni concerned the “tone at the top”. While this was expressed in different ways, it referred to a desire to hear senior University Administration officials take a stronger stance against direct and implicit antisemitism, particularly in the immediate aftermath of the events of October 7. Many wondered whether the University, as reflected in the senior leadership, truly understood the levels of pain and fear that existed in the Stanford Jewish community in the immediate aftermath of October 7, and the level of concern that persists today. A parent wrote: “Other groups are protected from ‘microaggressions’. Jewish students are experiencing macro aggressions to their face: accusations of committing genocide, feeling harassed for being Jewish, which is all in violation of Title VI.”

By contrast, many parents who attended Family Weekend commended the University for removing and disciplining the students who disrupted the proceedings in Memorial Auditorium and for working with local law enforcement to issue them citations.¹⁴⁰

Expectations of the University going forward

Despite the many concerns that were raised, parents and alumni we spoke with also expressed optimism, tinged with concern, about how the University was going to move forward. Several alumni voiced the expectation that Stanford could be a leader in this area, as it has been in so many others. Others urged the University leadership to consult closely with peer institutions and NGOs (such as the ADL, AJC, or Hillel International) to outline a set of best practices that could be deployed across a range of concerns (such as free speech, dormitory living, public displays of protest, constructive dialogue, and increased educational opportunities).

One of the most common shared objectives for the future was the enhancement of respectful discourse. Most alumni recognized the intensely difficult nature of the policy and political debates raging over Middle East policy, but they uniformly expressed deep concern over the way disagreements were being expressed on campus. They urged more educational efforts to teach students about how to engage in deeper analysis of history and policy alternatives, while also learning the skills to hold difficult conversations about highly charged subjects without devolving into ad hominem attacks on those holding a different position.

Most alumni and many parents that we spoke to were generally uninformed about recent efforts on campus to teach and model respectful discourse. Relatively few parents had heard about the recent initiatives for first year students in the mandatory COLLEGE program, and even those alumni (and parents) who had heard of it were generally uninformed about the details. The University is working hard to publicize this initiative and the Subcommittee commends these efforts. For those who had considered the upside of the COLLEGE curriculum and approach, there was cautious optimism that it could be a key component of a much greater scaffolding. But even among those alumni and parents who were reasonably well informed about COLLEGE, there was still a sense that while this program was necessary, it was not sufficient.

There was almost universal agreement that Stanford needed to lay out a much more comprehensive approach—one that combined the best practices that can be gleaned from other

¹⁴⁰ Dilan Gohill, “Pro-Palestine students interrupt Family Weekend Session,” *Stanford Daily*, February 29, 2024, <https://stanforddaily.com/2024/02/24/pro-palestine-protest-family-weekend/>.

peer institutions with the unique spirit that animates Stanford. The comprehensive approach has to be multi-pronged; it must address problems of “cancel culture” in the classrooms and in the living spaces; it must teach a means of disagreeing (even strongly) without denying the humanity of those that you disagree with; and there must be many more opportunities for education about deeply difficult issues.

As appears to be the case for many stakeholders in the Stanford community, our alumni and parent populations are deeply troubled by the rise in antisemitism in America, the world, and at Stanford. The level of concern is high. The stakes for Stanford are enormous. Our alumni are watching what the University does closely. But if Stanford can craft a robust and multi-pronged response that addresses the many facets of this insidious issue, it will find a deep reservoir of support for this effort among our alumni and parents.

12.

Diversity, Equity, and Inclusion

The Subcommittee’s listening sessions revealed that many Jewish and Israeli members of the Stanford community experienced harm to their identities because of actions or communications by others on the campus. In some instances noted above, the communications were antisemitic epithets or unlawful actions (such as removing a Mezuzah from a student’s dormitory room). In many others, however, although the sense of harm was visceral, the behavior was ambiguous. In some instances, statements of legitimate and protected political speech, such as supporting Palestinians or criticizing Israel’s conduct of its war in Gaza, were deemed harmful.

The adverse consequences of the focus on identities

Like other universities, Stanford has often responded to harms of these sorts through Diversity, Equity, and Inclusion programs that focus on the particular identities of those who experience them. While DEI programs, at their best, explore and support the intersectionality of identities, in practice they have often drawn distinctions among identity-based groups based on their status as oppressed (as distinguished from oppressor) or colonized (as distinguished from colonizer). This imposition of a rigid and artificial binary conception of identity has been one of the frequently expressed concerns in our listening sessions and interviews. Besides reducing complex social and political phenomena to slogans in utter contradiction with the university’s mission of critical inquiry, this binary formulation has reinforced negative stereotypes of certain groups, including Jews and Israelis.

For example, a discrimination complaint filed several years ago by Jewish employees of Stanford University’s Counseling & Psychological Services (CAPS) asserted that Jewish staff were “pressured to attend the DEI program’s racially segregated ‘whiteness accountability’ affinity group, which was created for ‘staff who hold privilege via white identity.’” They alleged that the program “erased Jewish identity. There was no space for these Jewish employees to share their lived experience, to raise their concerns about anti-Semitism. When they tried, they were attacked.”¹⁴¹

Without commenting on the accuracy of these allegations (which have been settled in confidence), such divisive characterizations are an inevitable byproduct of identity-based DEI programs. We heard pleas by Jewish and Israeli members of the Stanford academic community that they just want their identities to be recognized along with those of people of color and LGBTQ+ people. At the same time, we heard the concern expressed by a Black faculty member that Jewish people’s sensibilities should not be privileged above those of people of color.

¹⁴¹ Elizabeth Redden, “DEI Training Gone Wrong?” *Inside Higher Ed*, June 15, 2021, <https://www.insidehighered.com/news/2021/06/16/eoc-complaint-against-stanford-alleges-dei-program-created-hostile-environment>. Along similar lines, a faculty member at the Stanford Graduate School of Education was reported to have explained in a one-on-one discussion with a Jewish graduate student that whether or not Jews are white, “Zionists are the in-group upon which white supremacy depends.” The trigger for this intervention was that the student hadn’t included “white supremacy” in her mock classroom assignment about Israel, even though she did include discussion of the concepts “settler colonialism,” “apartheid”, and “occupation.”

Toward a pluralistic approach to inclusion and belonging

As the Harvard political theorist Danielle Allen wrote in *The Washington Post* in December 2023, “Across the country, DEI bureaucracies have been responsible for numerous assaults on common sense, but the values of lower-case-i inclusion and lower-case-d diversity remain foundational to healthy democracy.” Allen suggests pluralism as the paradigm or foundation for a truly inclusive and robust community of discourse. As a way forward she offers what she calls “a framework of confident pluralism— inclusion and belonging, academic freedom and mutual respect.” Describing the agenda of Harvard’s 2018 Presidential Task Force on Inclusion and Belonging, which she co-chaired, Allen writes:

We grounded the work in a broad commitment to pluralism. We wanted a diversity of views on campus, and we recognized that the sources of diversity are myriad. We cared as much about viewpoint and religion as any other source of diversity.... Pluralism is important because it can avoid the binaries of anti-racism and achieve a broader vision of understanding that considers the heterogeneity of our culture and the emergence of excellence within it.

We knew this endeavor would require addressing challenges of emergent conflict. We recommended cultivating Skills for Difficult Conversations to equip everyone on campus — students, staff, and faculty and academic personnel — with skills to engage across difference, support freewheeling debate, productively navigate difficult conversations, and make space for minority viewpoints (whether of religious students, conservative students, or students from underrepresented identity groups or backgrounds). We wanted our university to take the lead in developing the requisite education — in argument, in moral reasoning, in civic education.¹⁴²

A pluralistic framework does not call for ignoring identity. Rather, it provides a framework where identity is construed broadly and understood as the source of creative scholarship and education rather than the basis for exclusion and fragmentation. The goal is to facilitate critical discourse while creating the conditions for inclusive participation. This approach promotes interactive discussions designed to make students with diverse identities and viewpoints grapple with difficult issues—even when the process makes them uncomfortable. For this to succeed, however, students must feel that they are genuinely included in those discussions—that they *belong* at the table.

Belonging, in this context, does not imply the cozy feeling of being with like-minded people. Rather, as social psychologist Geoffrey Cohen defines the term in his book *Belonging*, it refers to “the feeling that we’re part of a larger group that values, respects, and cares for us—and to which we have something to contribute.”¹⁴³

¹⁴² Danielle Allen, “We’ve lost our way on campus. Here’s how we can find our way back,” *Washington Post*, December 10, 2024, <https://www.washingtonpost.com/opinions/2023/12/10/antisemitism-campus-culture-harvard-penn-mit-hearing-path-forward/>.

¹⁴³ Geoffrey L. Cohen, *Belonging: The Science of Creating Connection and Bridging Divides* (New York: W.W. Norton, 2022). This and the next paragraph are borrowed from Paul Brest, “Reviving Critical Community on Campus,” *Chronicle of Higher Education*, January 9, 2024, <https://www.chronicle.com/article/reviving-critical-community-on-campus>.

Cohen and his colleague Greg Walton coined the term “belonging uncertainty” to refer to the “state of mind in which one suffers from doubts about whether one is fully accepted in a particular environment or ever could be.”¹⁴⁴ Belonging uncertainty inhibits students’ full participation in discourse and is a pervasive problem on American campuses, including Stanford. While students of color and LGBTQ+ students often experience belonging uncertainty, no one is immune. First-generation and low-income students, as well as religiously, socially, and politically conservative students at predominantly liberal universities (like Stanford) also question whether they are full and welcomed participants in their institutions. Recent events have exacerbated belonging uncertainty among Jewish and Muslim students. More broadly, the phenomenon contributes to an epidemic of loneliness among young people.

¹⁴⁴ Geoffrey Cohen, “Understanding and Overcoming Belonging Uncertainty,” *Behavioral Scientist*, October 10, 2022, <https://behavioralscientist.org/understanding-and-overcoming-belonging-uncertainty/>.

13.

Failures in University Responses

“Why haven’t there been clear consequences, and why aren’t those shared?... I don’t understand why you are allowing my academic experience to be diminished by this.”

—Stanford undergraduate

During the listening sessions, students, staff and faculty voiced a general dissatisfaction and disappointment with how the university was responding to reported acts targeting their protected identities of being Jewish or Israeli, and to perceived acts and expressions of antisemitism. Often this disappointment was deeply felt and better described as disillusionment and even despair with the failure of the University to respond effectively and expeditiously to the bias they reported experiencing.

This disenchantment dates back well before October 7 to what came to be seen as a standing pattern in recent years: the university’s perceived reluctance to address or resolve disturbing incidents. Examples of this include antisemitic vandalism and mezuzah desecrations that were barely investigated in some instances and for which accountability was never established. Other repeated requests to assess antisemitism on campus and reform policies to reflect it have been basically ignored. A good example of this is the ASSU Resolution passed in February 2019 requesting the formation of a campus task force to deal with this issue. The development of IDEAL (campus-wide assessment of DEI needs), a praiseworthy and necessary endeavor, unfortunately did not include religious minorities in the evaluation, even though hateful actions against religious minorities (and particularly antisemitism) were among the most common incidents reported to the PIH system. Unfortunately, the lack of transparency and accountability in that system eroded trust in it, as has been documented elsewhere in this report (notably Chapter 6 on Social Media). This apparent attitude of “Jewish complaints don’t count” forms the backdrop to the atmosphere of dismissal and inaction into which October 7 exploded.

In a larger proportion of the incidents of bias that were shared with us, students, staff, and faculty reported these to their RAs, RDs, supervisors, deans, chairs, and other people assumed to have authority to help. In these cases, the quality of the response a person received from reporting their incident, and their satisfaction as to how well the incident was handled, heavily depended on the understanding, skills, and capability of the individual who happened to be assigned to receive the report. As a result, from what we heard, some reports met with indifference or dismissiveness while others were handled in a fashion that felt supportive and restorative.

For some the experience has been so bad that one Stanford Law professor observed that it felt to them like the “...university system is designed to bury complaints about antisemitism in a black hole. Universities have corporate incentives to bury problems and make sure no one ever finds out what’s going on. Students feel like it gets them nowhere and it does get them nowhere.”¹⁴⁵

¹⁴⁵ Law School listening session, January 26, 2024.

Protected Identity Harm Reporting

Unfortunately, how, to whom, and when to report incidents is not readily apparent to the community. It is also unclear how incidents are categorized or interpreted by the University and if that affects to whom it should be reported. Many people use the Protected Identity Harm (PIH) system as a catch-all place for reporting, and sometimes incidents were reported directly to the Department of Public Safety (DPS). The PIH Reporting process is the University's process to address incidents where a community member experiences harm because of who they are and how they "show up in the world."¹⁴⁶ During the Fall quarter of 2023 there were 112 singular events reported to the PIH system, 69 of them were targeted at Jews/Israelis.¹⁴⁷ During Winter quarter (2024), there were 34 singular events reported and 16 of them were targeted at Jews/Israelis. The data for Spring quarter was not available at the time of publication of this report.

In the PIH reporting system, there are two paths for reporting an incident: *The Data Route* and *The Connection Route*. If one elects to use *The Data Route* then the reporter is solely interested in letting the University know about an incident for data collection purposes. If one elects to use *The Connection Route* then the reporter is interested not only in sharing data but in getting a response and potential restoration pathway directed towards themselves or a community.¹⁴⁸ The Connection Route is targeted towards students. In this route, once a student submits their form and indicates they want a connection, the PIH staff person reaches out to them to discuss their issues and concerns. If restoration is also requested, they receive guidance and resources to assist in processing the incident and providing solace.

Students have routinely expressed disappointment with the PIH system for its inability to solve the problems they were facing. The following statement during a listening session was typical: "The PIH system is awful and a barrier to reporting—bureaucratic, non-responsive; even the police investigation never circled back to share any results."¹⁴⁹ While the reporters appreciated someone listening to their issues, the fact that the current system does not mandate further action is a source of frustration. There was also dissatisfaction with the response of The Department of Public Safety (DPS) to specific incidents. In particular, once an incident was determined to be a hate crime by DPS, there was often no follow up with the incident reporter. "Follow up from the PIH system is terrible. We don't trust that it is a secure way to report (assume our names etc. will be shared)."¹⁵⁰ As a result, the targets of the incidents are left not knowing what or how anything was being investigated, making accountability and closure impossible. There was also concern expressed about whether the identity of the reporter would be kept confidential.

Lack of Public Support from the University and Community

There was a sense among many of those that we interviewed that the University could have done more to acknowledge the pain and hurt that a significant fraction of the community was suffering after October 7. Many contrasted this with the response of the University to the murder of

¹⁴⁶ PIH website - <https://protectedidentityharm.stanford.edu/>.

¹⁴⁷ A report of a Protected Identity Harm incident is one in which a person feels they have been targeted because of one of their protected identities.

¹⁴⁸ <https://protectedidentityharm.stanford.edu/process/restoration>.

¹⁴⁹ Undergraduate listening session, February 1, 2001.

¹⁵⁰ Undergraduate listening session, February 1, 2001.

George Floyd. As one Jewish law student opined at the January 26 session, “The University response was bad. Institutional neutrality should be our credo but when the University made responses to every other issue, it feels insincere that neutrality comes only now. It does concern our community.” While much has been written and discussed about the concept of “institutional neutrality,” for many the lack of acknowledgement by the university, especially in the days immediately following October 7, was disturbing. “It is a little disconcerting that there has been a vacuum of any kind of support for the Jewish community. Silence has spoken volumes in terms of a lack of immediate messaging following October 7.”¹⁵¹

We note, however, that the University leadership has expressed its concern. In the days and weeks following October 7, President Richard Saller and Provost Jenny Martinez met and spoke “with Jewish students, faculty, and alumni who are grieving and who identify connections between the wanton violence of the Hamas attack against civilians, Hamas’ professed aim of destroying Israel, and centuries of antisemitic violence, displacement, pogroms, and other genocidal projects,” as the Provost described their outreach.¹⁵² This and other general statements reiterated “that Stanford stands against antisemitism and recognizes the deep historical roots of this form of hate and the ways in which Jewish students, faculty, and staff are affected by this historical legacy and its current manifestations.”¹⁵³

Jews were also deeply disappointed at the failure of the broader community to respond. One undergraduate we heard from at the February 1 listening session was representative in telling us that “after sharing my experiences of antisemitism, I have been really let down not just by the university’s response, but by my friends, too.” Many students we spoke with lamented how their peers minimized, dismissed, played down, and excused campus antisemitism. The lack of response or empathy was keenly felt by faculty colleagues as well. Said a faculty member with great sadness: “The response from my colleagues after details about October 7 came out was shocking (a CS faculty thread). What fraction of the class felt like ‘yay!’ about October 7? I asked myself this before teaching class.”

When other community members *have* gone out of their way to express concern for the well-being of Jewish people on campus, it has made an incredibly positive impact. One undergraduate at the February 7 listening session recounted with great appreciation that their academic advisor “was incredibly helpful” to them after October 7, “reaching out preemptively and emailing me multiple times asking how I was doing and if I needed support or extensions.” Sadly, there have been few stories like that one, and those who had positive intentions in being supportive were often frustrated by the lack of support or guidance for their efforts.

The general consensus from students, staff and faculty in the listening sessions was at best confusion and lack of clarity as to what an appropriate expected response would be from the University when reporting antisemitic incidents, and at worse great disappointment and dissatisfaction with the response they received. Often reporters were left with a feeling that the

¹⁵¹ Staff listening session, February 16, 2024.

¹⁵² Provost Martinez’s Remarks to the Faculty Senate, November 2, 2023, <https://news.stanford.edu/stories/2023/11/provost-martinezs-remarks-faculty-senate>.

¹⁵³ Ibid. For a summary of other elements of the University’s response, see President Richard Saller’s letter to ADL CEO Jonathan Greenblatt, February 28, 2024, <https://news.stanford.edu/stories/2024/04/stanford-letter-to-adl-on-university-efforts-to-combat-antisemitism-and-bias>.

University did not particularly want to have to respond. “Stanford seems to be more worried about its image than about solving the antisemitism issue.”¹⁵⁴

Failure by the University to Report, Respond and Share Information.

A law student expressed that she was very disappointed that she “only ever found things out about antisemitism on campus through Hillel that should have been covered in *The Daily* and sent out through campus emails.” She was concerned that “the University purposefully keeps Jews from finding out about what each other are experiencing.”¹⁵⁵

The Stanford undergraduate whose dormmate told him in his residence bathroom that it is always “bad luck when I see a Jewish person” told us that the “lack of University response is deeply troubling and disheartening”. The undergraduate was surprised by the lack of institutional response to this interpersonal dorm issue, especially since he had found the University responsive when his mezuzah was torn down and destroyed. “This has been an issue for me every year I have been here,” he told us, “and I now will always associate antisemitism with Stanford.”¹⁵⁶

Another challenge due to Stanford’s decentralized nature is that there is often hesitancy and confusion among staff as to who should handle reports. Hence, a report of an incident may get passed around and referred to a variety of people who think they themselves lack the agency to respond to a student’s issue, or that it is someone else’s responsibility. This extends the time until the student hears back from anyone, because there is an assumption that someone else is better suited in role or rank to respond.

The frustration with the lack of communication by the university, and the lack of response to PIH reports, combined with the perception that the university is not enforcing its policies, or not enforcing them in a consistent fashion is captured by this final comment made during an undergraduate listening session.

I am frustrated by lack of action and communication by the University. I could list incidents (blood libel posters, a friend followed after the antisemitism event and shouted at, etc. etc.). What I’m concerned about is that there is not any attribution from the University; bad behavior is not called out (like the disruptions of the engineering classes). Less the White Plaza stuff, but the things that really disrupt the functioning of the University. Why haven’t there been clear consequences, and why aren’t those shared? Like the 40 kids at MIT on academic suspension...none of that is happening here and I don’t understand why. I don’t understand why the University isn’t protecting its Jewish voices, and I don’t understand why you are allowing my academic experience to be diminished by this.¹⁵⁷

¹⁵⁴ Undergraduate listening session, February 1, 2024.

¹⁵⁵ Law School student listening session, January 26, 2024.

¹⁵⁶ Undergraduate listening session, February 1, 2024.

¹⁵⁷ Undergraduate listening session, February 7, 2024.

Institutional Impediments to Achieving Accountability

The most important mechanism at Stanford for imposing “clear consequences” for bad student behavior is the Office of Community Standards. All colleges and universities have their procedures and mechanisms for determining whether students have violated their rules and if so, what the consequences should be. We researched the institutional arrangements for referring, assessing, and if necessary, punishing students for misconduct at twelve peer institutions of higher education in the United States. We were unable to interview officials at these universities, and we do not present this as any kind of definitive study. However, we were able to learn enough about their procedures and structures to confirm what we had heard anecdotally: Stanford is an outlier in its institutional arrangements for assessing student responsibility for misconduct and imposing serious penalties. Among its peers, no university makes it more difficult to impose clear and meaningful consequences—in other words, serious punishment—for rule-violating conduct than does Stanford. Our detailed findings are presented in Appendix II.

Some at Stanford who are familiar with the process, and how it has worked or not worked to punish various forms of conduct (most often, cheating), have expressed concern with the fact that students constitute a majority of the hearing panels (two of the three members for “Mid-Level Review” and three of the five members for “High-Level Review”).¹⁵⁸ In addition, the voting rules for determining responsibility, and if there is a finding of responsibility, then penalties, are such that in either level of review, two student members can block punishment.¹⁵⁹ Moreover, for High-Level cases, Stanford requires the highest standard of proof—“beyond a reasonable doubt”—which is not matched by any other peer institution and which is difficult to achieve in the absence of the kinds of investigative resources that public prosecutors can bring to bear.

It remains to be seen whether this institutional arrangement is capable of imposing serious penalties (such as suspension or in extreme cases expulsion) for egregious violations of the Fundamental Standard and other university rules that are not protected by the First Amendment. The uniqueness of Stanford’s situation is further underscored by the quasi-constitutional nature of the current structure, which is formalized in a charter, recently revised as “The Stanford Student Conduct Charter of 2023.”¹⁶⁰ Under the terms of this charter, amendments may only be proposed by a majority of the Board on Conduct Affairs (which consists of six students, six faculty, and three administrators¹⁶¹), and they must then be approved by the Undergraduate Student Senate, the Graduate Student Council, the Faculty Senate, and the President. In other words, this is a very difficult structure to change. The President of Stanford retains the authority to suspend or expel a student in order to protect the safety of the campus, but it is expected that this will only be used in extreme circumstances.

¹⁵⁸ Students also chair the hearing panels.

¹⁵⁹ On the three-member Mid-Level panels, both of the student members are required to block the imposition of a penalty, presuming the faculty or staff member is in favor. On the High-Level panel, two of the three student members can block a decision, even if the other student and the two faculty or staff members agree.

¹⁶⁰ <https://communitystandards.stanford.edu/policies-guidance/stanford-student-conduct-charter-2023>.

¹⁶¹ More specifically: “The Board is composed of six student members appointed by the Undergraduate Senate and Graduate Student Council of the Associated Students of Stanford University, six faculty members appointed by the Senate of the Academic Council, and three University administrators appointed by the Provost.” Ibid.

14.

Summing Up: The Centrality of Norms

Although hate and hateful speech can and should be sanctioned via administrative procedures, more lasting behavior change results from a shift in normative standards—people behave in the ways that they think others expect them to behave. The concerted effort to combat racist and sexist speech at universities is such an example; racist speech has by all accounts been drastically reduced in common discourse. This reduction is not due to the threat of punishment by the institution, but by the fact that racist speech, even in passing, is viewed by university community members as strongly counter-normative. Although the concerted effort at combating racist speech began well before, the murder of George Floyd galvanized and accelerated the university community’s adoption of “anti-racist” norms on campus and brought to the fore the immense cost of both explicit and implicit biases. These norms were buttressed by strong messages from the University administration after every incident that could be characterized as unambiguously, intentionally racist (e.g., writing the “n” word on a black student’s dormroom door). The message was clear: racism is considered unacceptable on Stanford’s campus, and racist speech would be addressed either with institutional or social sanction. And although much work in this regard remains to be done, there has been real progress.

In contrast, one of the most striking changes since Hamas’ attack on October 7 has been a normalization of antisemitic and anti-Israeli speech on campus, which curiously began prior to the Israeli military’s response in Gaza. This change has been expressed through both actions and indifference. Perhaps more insidious—and more indicative of a reality in which antisemitism is normatively acceptable—has been the community’s seemingly indifferent response even to blatant antisemitism. This “impression of indifference” has manifested itself in two ways. The first is the perception of institutional non-response or lackadaisical response to complaints raised by Jewish students, alumni, faculty, and staff about antisemitic incidents. The unfortunate outcome to this is that many of the community members we interviewed viewed the perceived lack of response and sanction to mean that the University views antisemitism as within the bounds of normative behavior. Although characterizing Stanford University as an antisemitic institution is both incorrect and unfair, the consistent non-response communicates to the Stanford community, however unwittingly, that the institution acquiesces to expressions of antisemitism and anti-Israeli bias.

The second, and more worrisome outcome, is the indifference of some students, RAs, and faculty, to expressions of antisemitism targeted at their peers. In this regard, we were able to uncover very few (if any) incidents in which students who had endured antisemitic attacks received anything close to public, unprompted support by their peers. On occasions, peers would express their support and sympathy for the targeted student after the incident, but only in private to avoid being marginalized or harassed themselves. In other words, along with a lack of institutional sanction for antisemitism, there is virtually no informal, social sanction for expressions of antisemitism, which suggests that antisemitism is no longer considered outside of the bounds of accepted behavior at Stanford University. Indeed, there is evidence that the opposite has become true—that expressions of antisemitism and anti-Israeli bias serve as means of identification and social acceptance (for example, by having to utter the words “F*ck Israel” to gain entrance into a student party).

For these reasons, unless antisemitism reclaims its non-normative status in campus speech, Jewish students, faculty, and staff will not be comfortable identifying as Jews on Stanford's campus. In the listening session many of the community members openly asked whether Stanford was sensitive to the needs of Jews, and whether it was accepting in general of Jews. Fears were raised that Jews will either leave, avoid Stanford altogether, or find ways to balance being at Stanford by suppressing their Jewish identity. All three of these outcomes leave Stanford a poorer institution.

Part of the reason, perhaps, for the perception that Stanford is more tolerant of antisemitic behavior and speech than it should be is the continual tension around the First Amendment, the Leonard Law, and what is defined as allowable, unwelcome, and hateful speech. Norms are, therefore, particularly important in a campus environment in which free speech is sacrosanct and defended vigorously by University leaders and community members alike. Although "free speech" is the legal standard by which speech on campus is governed, Stanford has defined norms of speech that do preclude certain kinds of expression. For instance, while there is no law prohibiting the use of the n-word, or other forms of hate speech, as a community we rightfully consider it censurable behavior because of the racist history that it invokes. This censure is expressed both in interpersonal communication between campus community members and by the strong, public stance that the institution takes against it. Antisemitic tropes, symbols, and narratives have not met with anything like the same level of both informal and public censure at Stanford.

In Stanford's case the University has adopted a code, The Fundamental Standard, first set out in 1896 (and updated in 2023), which stipulates what the institution views as normative behavior. In the section labeled "Understanding the Fundamental Standard," the University's website explicitly states that the Fundamental Standard is more restrictive than what free speech allows: "Just because speech is protected does not mean that it is ethical or consistent with our values." This clarification speaks directly to the role of norms in governing speech, and explicitly states that on Stanford's campus speech is governed by community norms, even when those norms are stricter than what the law provides for. Students are free to express themselves even if those expressions are outside the bounds of community values, but the institution makes a clear statement that non-normative speech has no place at Stanford. Put otherwise, the Fundamental Standard is a principle that allows the community to self-govern what behaviors it considers acceptable versus unacceptable. Given this, there are many in the Jewish and Israeli communities at Stanford who have expressed the view that free speech seems to be the bound of behavior when it comes to antisemitism rather than the Fundamental Standard itself. This in itself could be regarded as a form of antisemitism because it treats speech about Jews as subject to a different set of constraints than about other groups.

As the columnist Thomas Friedman has recently observed, a society's norms are like the tropical mangroves that "filter toxins and pollutants..., provide buffers against giant waves, ... [and] create nurseries for young fish to safely mature," literally holding the shoreline in place. Socially and politically, strong norms perform a similar role in societies and institutions. He observes, "civility itself also used to be a mangrove"¹⁶²—as did norms of pluralism, tolerance, and critical inquiry. If we are not to lose our own institutional shoreline—our norms—it is vital that we renew our commitment to them.

¹⁶² Thomas L. Friedman, "How We Have Lost our Moorings as a Society," May 28, 2024, <https://www.nytimes.com/2024/05/28/opinion/trump-civility-society.html>.

Part III

15.

Conclusions and Recommendations¹⁶³

Our Report describes a vast array of specific incidents and manifestations of antisemitism and anti-Israeli bias on the Stanford campus. But the most serious problem revealed by our investigation is even more pernicious than a swastika drawn in the middle of the night on a dorm whiteboard, or a mezuzah torn down from a doorway, or explicitly antisemitic language, imagery, or remarks. The most existential problem at Stanford is the emergence of a general atmosphere in which Jewish and Israeli members of the Stanford community are denied dignity and respect based solely on their Jewish identities, denied treatment and protection afforded to other minority groups, and afforded equal respect and inclusion only if they denounce Israel in various ways and forms.

At the end of this chapter, we offer several recommendations specific to the circumstances of Jewish and Israeli (or Israeli-born) Stanford students and community members. But we believe that the problems in the Stanford campus climate extend well beyond the bias and harassment experienced by Jews and Israelis specifically. Rather, they involve more general principles of the nature and functioning of universities. To address antisemitism and anti-Israeli bias—or for that matter, other forms of prejudice—we must address the broader campus culture and climate.

To combat these forms of bias effectively, Stanford must work comprehensively, energetically, and imaginatively to generate a campus culture where all members of the community are: 1) physically secure; 2) free to express their opinions and beliefs; 3) tolerated and respected for their beliefs, even when such beliefs diverge strongly from those held by others; 4) equally treated and protected; 5) accountable for their speech and behavior; and (6) engaged in a process of education about complex and difficult issues that is characterized by rigorous inquiry based on facts and reason without devolving into personal animus, particularly that which is based on intolerance. These six principles are foundational to a healthy, thriving university community.

A FRAMEWORK FOR COMBATING ANTISEMITISM AND ENSURING A HEALTHIER CAMPUS CLIMATE

We believe the way forward for Stanford lies in affirming six core principles:

1. **Safety:** Stanford must create and maintain a campus environment where students (and other members of the campus community) are safe from physical harm and protected to the greatest extent possible from harassment and intimidation based on their identities. This commitment to physical safety does not mean that community members can be cordoned

¹⁶³ This chapter presents the consensus conclusions and recommendations of the Subcommittee. It should not be presumed that all Subcommittee members agree with all recommendations. But each of our recommendations has at least substantial support among the members.

off from beliefs or speech that they find difficult or uncomfortable. It is neither possible nor desirable for a university to coddle students so that they are never exposed to speech and ideas that diverge from their own beliefs. Fundamental to the mission of a university is the need to challenge students to confront new and potentially uncomfortable ideas. This notion was emphasized during the panel discussion on free speech at the May 9 Academic Council meeting.

But that culture of challenge can and should co-exist with a culture of mutual tolerance and respect. Stanford can and should impose content-neutral “time, place, and manner restrictions” on political speech. Stanford can and should challenge expression that demeans people based on their identities. Stanford can and should preserve student residences as zones where students can feel physically secure, included, and respected in their “home away from home.”

- 2. Free Expression:** Freedom of expression is one of the bedrock principles upon which a university rests. The First Amendment gives a very wide berth to rights of free expression, and in California, the Leonard Law prohibits private universities from punishing students for expression protected by the First Amendment.¹⁶⁴ This means that many categories of student speech that are offensive and in violation of Stanford’s Fundamental Standard nevertheless cannot be punished by the University.

However, there is considerable distance between silence and discipline. To protect their learning environment, universities have the right to restrict speech to certain times and places, and to certain forms (for example, no artificial amplification of voice in certain areas)—what are called “time, place, and manner restrictions.”¹⁶⁵ In addition, university leaders can engage in speech to proclaim the type of community they seek and condemn the speech that is inconsistent with it. Indeed, the university’s own constitutionally protected freedom of speech permits this.

Beyond this, universities have an obligation to cultivate the habits and understandings of good citizenship, which include appreciation for the responsibilities that accompany rights. In its original (1896) formulation, the Fundamental Standard underscores the respect for the rights and dignity of others as a core element of good citizenship (see below). The First Amendment does not protect the heckler’s veto, but rather the speech of the interrupted person. Obstructing the free expression of others, for example by disrupting speeches and lectures, is not protected speech under the First Amendment and should be subject to university discipline.

- 3. Tolerance and Pluralism:** A core foundation of higher education is encountering, wrestling with, and nurturing diverse ideas, theories, and perspectives. As President Saller and Provost

¹⁶⁴ The Leonard Law, enacted in 1992 and amended in 2006, states: “No private postsecondary educational institution shall make or enforce a rule subjecting a student to *disciplinary sanctions* solely on the basis of conduct that is speech or other communication that, when engaged in outside the campus or facility of a private postsecondary institution, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution” (emphasis added).

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=94367.

¹⁶⁵ See “Freedom of Expression at Stanford,” and “Elaborations for Full Speech Activity on Campus,” and distinct from “Dormitories,” in Bernadette Meyler et al., “Ad Hoc Committee on University Speech Report.”

Martinez wrote in their April 3 open letter to admitted undergraduates, “A rigorous liberal education depends on questioning your assumptions and seeing if they hold up.”¹⁶⁶ Orthodoxy—which rejects questioning, doubt, and open-ended debate—is antithetical to the intellectual and personal growth that universities exist to cultivate. To perform their essential mission of advancing knowledge and preparing informed, autonomous, tolerant, and effective citizens, universities must not simply allow but protect and celebrate differences of all kinds, in identities, philosophies, and political and social opinions. This is what we mean by *pluralism*, a condition in which people of different cultures, identities, and political beliefs live “together in a society but continue to have their different traditions and interests.”¹⁶⁷ The acceptance of pluralism is fundamental to democracy, and it in turn requires a culture of tolerance, civility, empathy, and mutual respect.

Tolerance does not mean acceptance or agreement. Neither does it mean passivity in the face of cruelty or intolerance. The “paradox of tolerance,” as Karl Popper observed, is that the absence of rules and constraints can put freedom and pluralism at risk.¹⁶⁸ But as learning institutions and vital pillars of democratic societies, universities must allow different voices and ideas to be heard, and then subject them to the critical scrutiny of rational, evidence-based argument. Moreover, as institutions seeking to produce (in the language of the Fundamental Standard) “good citizens” (and hence good people), universities must call forth tolerance in the sense of “respect” for “the rights and dignity of others, regardless of personal characteristics,” such as race, religion, gender, nationality, or sexual orientation.¹⁶⁹

Promoting the readiness and capacity to engage across differences through civil discourse, including having difficult conversations with diverse others, is one of the most important missions of a university, and should be a major priority for Stanford. This requires continued university-wide efforts to generate a culture in which disagreement can be expressed without devolving into personal hostility or intolerance. As the Stanford Law School’s ePluribus Project models,¹⁷⁰ thoughtful and open-minded “engagement across differences in experience, belief, and viewpoint” not only leads to better decision-making, it is also essential to reducing the political and social polarization that threatens contemporary democracies. And hence, it is vital to combating bigotry of all kinds—a legal and moral imperative.

4. **Equality:** All groups should be treated equally regardless of their race, color, ethnicity, ancestry, religion, or national origin. This is not only a moral imperative of a good society; it is a legal requirement of all educational institutions in the United States. Title VI of the 1964 Civil Rights Act states: “No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”¹⁷¹

¹⁶⁶ <https://news.stanford.edu/stories/2024/04/letter-to-admitted-undergraduates>.

¹⁶⁷ <https://www.britannica.com/dictionary/pluralism>.

¹⁶⁸ Karl Popper, *The Open Society and Its Enemies* (London: Routledge, 1945; Princeton: Princeton University Press, 2020).

¹⁶⁹ See The Fundamental Standard, Basic Value 1, <https://communitystandards.stanford.edu/policies-guidance/fundamental-standard>.

¹⁷⁰ <https://law.stanford.edu/education/only-at-sls/epluribus-project/>.

¹⁷¹ www.govinfo.gov/content/pkg/USCODE-2008-title42/html/USCODE-2008-title42-chap21-subchapV.htm. The national origin category applies to students “with citizenship or residency in a country with a dominant religion or distinct religious identity,” which includes Israelis, as well as students from many Muslim-majority countries. Technically this provision applies to all schools that receive federal financial assistance, but that is most colleges and universities.

One of the most frequent complaints we heard from Jewish and Israeli students (and other community members) is that the University fails to call out, rein in, or sanction expressions of bigotry and hatred against them that would never be tolerated had they been directed at any other minority group. Under Title VI, all groups have an equal right to study and work in an environment that is not hostile to them based on their identity, and Stanford has a legal obligation to take action to correct “a hostile environment based on race, color, or national origin.”¹⁷² And this requires Stanford to enforce its rules and norms equally across all racial, religious, and ethnic groups.

- 5. Accountability:** Rules, norms, and general behavioral expectations are meaningless unless they are enforced – and enforced consistently. Under the Leonard Law, Stanford cannot subject students to “disciplinary sanctions” for First Amendment protected speech. However, Stanford can discipline students for failing to observe “time, place, and manner” restrictions on speech, and for behavior that intimidates, harasses, or injures students based on their identities. Stanford must be more consistent in holding students accountable for violations of its rules (including the Fundamental Standard) that do not fall within First Amendment protections. Disruption of classes and of the rights of others to speak at campus events, as well as violation of time, place, and manner restrictions on protest activities, should result in disciplinary sanctions consistently applied.

Not only students but all members of the University community should be accountable for their words and actions. Even when accountability cannot result in punishment because of First Amendment protections, it can be morally invoked in pursuit of reflection, education, and the creation of a more inclusive and welcoming environment for all. Anonymous speech and action—including social media platforms that hide the identity of users, and physical masking at protests—undermines a culture of accountability and mutual respect and should be discouraged as much as possible.

The University itself must also be held accountable for its actions—including its failure to respond to the rising wave of antisemitism we have documented. Accountability requires ongoing and widely understood mechanisms for monitoring and ensuring compliance. The existing mechanisms at Stanford have been overwhelmed by the frequency and intensity of this emerging problem. With regard to antisemitism and anti-Israeli bias, we believe this requires a standing University committee.

- 6. Education:** A fundamental obligation of a university is to educate. The painful experiences of this past academic year have revealed a woeful lack of knowledge and understanding of antisemitism, the Jewish experience, and the facts and issues in the Israeli-Palestinian (and broader Middle East) conflict. New efforts at education are needed in four respects. First, Stanford should do a better and more systematic job of providing opportunities for students, faculty, staff, and community members to become educated about all forms of antisemitism

United States Department of Education, Office of Civil Rights, “Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics,” May 7, 2024, <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf>.

¹⁷² U.S. Department of Education, “Dear Colleague Letter,” p. 3.

and anti-Israeli bias. (And for staff who may have to confront these issues in engagement with students, such as RAs and TAs, some of this education should be incorporated into existing training programs). Second, Stanford should offer more instruction on the Israeli-Palestinian conflict that presents diverse perspectives and offers opportunities for informed and thoughtful consideration of the issues. Third, Stanford should embark on a systematic effort to cultivate in its students the habits and skills of conducting difficult conversations across differences. A particular priority should be placed in providing this experience to the incoming freshman class, beginning with online programming before they even arrive at Stanford. And finally, Stanford should train its own teaching staff in the methods of teaching critical inquiry, including providing the tools to stimulate honest debate about the most difficult topics without devolving into personal attacks.

SPECIFIC RECOMMENDATIONS

1. Safety

Protected Identity Harm and Documentation of Incidents of Bias

The PIH system should be overhauled. Too many of those we interviewed expressed a lack of confidence in the existing system, particularly because of concerns that the current system is too opaque. When members of the campus community report an incident of identity-based harm, they deserve an explanation of whether and how the complaint was resolved, whether any individuals were found responsible for the actions, and if so, whether there was any accountability imposed for the act or statement of bias. Hence, the system should be revised to provide more appropriate feedback to those who initiate complaints. We welcome the Provost's appointment of a committee, chaired by Professor Diego Zambrano, to consider changes in the PIH system.

In addition to being more responsive to individual complainants, the University should periodically release a comprehensive compendium of all reports it has received of antisemitic and anti-Israeli bias (as well as other forms of racial, religious, and nationality bias), what determination was made in each case, and what if any action was taken.

Such reporting would not only increase a culture of transparency and accountability, but this reporting over time will also help the University determine whether the problem of antisemitism and anti-Israeli bias is getting worse. Under the current system, the data are invisible to the general Stanford community, and there is no way for the administration or the community in general to assess whether additional interventions or remedial measures are necessary.

Student Residential Life

Residence staff face a difficult challenge in balancing contending goals. These include ensuring that their students feel secure and nurtured, supporting and enriching the educational experience, enabling students to develop autonomy over their individual and group lives, and offering opportunities for spontaneity and fun to balance the rigors of academic life. At the same time, the residences are one important place where "students can grow in their ability to understand

and negotiate difference.”¹⁷³ We offer the following recommendations in a spirit of recognizing the acutely challenging nature of the residential education mission.

As our listening sessions made clear, student residences have an enormous impact on the overall experience, including the health and well-being, of Stanford students, particularly undergraduates. It is therefore vitally important that these residences offer a safe, welcoming, and inclusive second “home” for students. Student residences should refrain from imposing any political orthodoxy or tolerating the projection of any identity bias that leaves any dorm residents feeling marginalized and unsafe.

Resident fellows and residence staff should foster an inclusive environment where all residents of a dorm can feel safe and respected, regardless of their identity, religious beliefs, or political views. This is important for all dorms and residences, but it is especially so for freshman dorms (or dorms with numerous freshmen in them), because the freshman year can be a time of greater emotional challenge and vulnerability. It is important for RAs (and other student residence staff) to be available to and supportive of all the students in their dorm. Thus, they should take care to avoid politicizing their role as RAs.

The University should enhance the training of both the Resident Fellows and Resident Assistants to understand the prevalence of antisemitism, and to train this staff to respond appropriately to manifestations of antisemitism or anti-Israeli bias. The University should publicize and consistently enforce its rules on the display of political posters, banners, flags, or symbols on the interior and exterior of student residences. Students should be free (as they now are) to express their views through the display of such materials in their rooms and on their doors. Posting on bulletin boards is also allowed if the materials posted “clearly identify the name of the individual or organization responsible for the content.”¹⁷⁴ Our concern is with displays (particularly on the facades of buildings) that give the appearance of the dorm or residence having endorsed a “group” political view.

The selection of residence staff for the Row houses should be restructured so it is not purely at the discretion of the incumbent RAs. Staff selection should be conducted in a fair manner that reduces the likelihood that residence staff might exacerbate the problems of intolerance or be seen as perpetuating any kind of political orthodoxy or bias.

Student Mental Health

Students who become the targets of specific acts of antisemitism, or other forms of identity bias, may suffer serious psychological harm, causing depression, anxiety, and other psychological issues. They need help in addressing these, but the system they turn to for support has its own institutional stresses. We recognize the enormous burdens that have been placed on our mental health counselors at Stanford from the years-long trend of increasing mental health issues among adolescents and college students, and more recently due to the social and psychological stresses caused by Covid. We cannot evaluate whether the staff of Counseling and Psychological Services (CAPS) of the Vaden Health Center is sufficient in size and training to address challenges to student

¹⁷³ <https://resed.stanford.edu/>.

¹⁷⁴ Residence Agreement Policies and Procedures, <https://rde.stanford.edu/studenthousing/residence-agreement-policies-and-procedures-2023-24>.

mental health and well-being that stem from antisemitism and other forms of bias. But this question should be examined in relation to all forms of bias against identity groups on campus. With respect to antisemitism, CAPS should include staff who understand the Jewish community and religion, and who are educated in the nature and history of antisemitism, so that they can bring to their counseling a fuller awareness of the symbolic and historical implications of antisemitic speech and acts, and thus of the psychological injury that flows from these acts.

In rare instances, students who have directly experienced an incident of antisemitism in their dorm may request a transfer to another dorm. This is an obvious challenge for a university that is already at maximum capacity in most student residences, particularly in the middle of the quarter. Students who have elected to make these moves may need additional support and consideration, including involvement of residence staff to ensure a smooth and welcoming transition, and careful consideration of the assignment of a roommate, to the extent possible.

The Openness of the Stanford Campus to External Actors

Stanford is an open campus, and it is neither practical nor desirable to close it to individuals from outside the Stanford community of students, faculty, staff, alumni, and family members. Moreover, Stanford policy recognizes that some areas of the campus, such as White Plaza, eating areas, and facilities hosting public events, are “typically open to visitors.” However, University policy states: “Even in these locations, visitors must not interfere with the privacy of students, faculty, and staff, or with educational, research, and residential activities.” Visitors may not be in academic or residential parts of the campus except by invitation, and those who violate University rules may be denied permission to be present even in more open areas. Finally, visitors are required to establish their identity upon the request of a University official.¹⁷⁵

At a time of rising political polarization around the Israel-Palestine issue, with protests on some college campuses escalating toward increasingly brazen and disruptive defiance of university rules, and even becoming violent, it is vital for the safety of the campus that the University be able to identify whether participants in protests that violate university rules are in fact Stanford students (or faculty or staff). It is entirely reasonable for Stanford to be less tolerant of outsiders participating in illicit protests and especially encampments than it is of student participants.¹⁷⁶

The question of whether “outside agitators” are hijacking, escalating, or provoking campus demonstrations is a deeply controversial one, with a long lineage of political assertions and denials dating back to the Vietnam War era. Often, the allegation is made to discredit protests or rob them of student ownership and authenticity. One need not deny the sincere and passionate conviction of students involved in protests to be concerned about the possibility that 1) external organization and funding may affect the content, tone, and tactics of protests in ways that make them less susceptible to civil discourse and compromise; 2) outsiders with strong political views are drawn to participate in campus protests because that is “where the action is;” 3) the presence of outsiders incline protests to

¹⁷⁵ Stanford University, “Campus Visitors: Policy Statement,” <https://bulletin.stanford.edu/academic-polices/student-conduct-rights/campus-visitors>.

¹⁷⁶ We note here as well the argument of the University Speech Committee of the Faculty Senate that the University’s obligation to uphold the freedom of expression of external visitors in White Plaza and other “free speech zones” of the campus does not rise to the same level as its obligation to Stanford students, faculty, and staff, especially if those visitors are interfering with the educational purpose of the University.

greater militancy because outsiders are not subject to internal university discipline and accountability; and therefore 4) the presence of significant numbers of outsiders in campus protests could constitute a significant risk to the safety and emotional health of the campus.

We therefore urge the University to carefully review its policies and practices concerning the presence of non-Stanford-affiliated individuals at campus protests (and particularly, protracted encampments) and to evaluate whether it has adequate resources for verifying people's connection to the campus and removing visitors who violate its rules.¹⁷⁷

Staff Support

Beyond its existing provision of mechanisms to receive staff complaints and provide staff support for situations of stress and unfair treatment, the University should provide an office or facility that staff (and even faculty) can contact when they feel emotional stress or social injury due to perceptions of antisemitism or anti-Israeli bias. We have no view as to whether this would be within the Faculty/Staff Help Center or somewhere else; what is important is that Jewish faculty and staff have knowledge that such a support function exists and trust that they will be heard and supported if they use it. Staff also need to know where they can go to receive guidance and support on how to respond when they encounter antisemitic speech and actions.

We also recommend that a Jewish affinity group be formed alongside other identity-based staff affinity groups. This will help Jewish staff and faculty feel a better sense of belonging and less isolation.

2. Free Expression

Freedom of Expression and Its Boundaries

We support freedom of speech. It is critical to the functioning and indeed the core mission of a research and teaching university. The combination of the First Amendment (with its settled judicial interpretations) and the Leonard Law (which may still be subject to future litigation) preclude Stanford from banning or punishing speech that is political in content, and such protected speech can include speech that is antisemitic or anti-Israeli. However, First Amendment protection does not extend to hate speech that calls for specific violence against individuals or classes of people. Such constitutionally unprotected speech can and should be consistently sanctioned by the University. In addition, time, place and manner restrictions should be clearly stated and consistently enforced.

The First Amendment protections do not extend to speech that disrupts classes, public events, or essential university business, including meetings, research, and writing in the vicinity of classrooms, public events, and academic and staff offices. Such speech can and should be sanctioned. Time, place, and manner restrictions banning audible demonstrations and political

¹⁷⁷ As the Ad Hoc University Committee on Speech has explained, "While Stanford may have obligations under California law to permit freedom of expression for non-community members on campus, the scope of its obligations to the general public is not as extensive as that to Stanford students and other community members." Bernadette Meyler et al., Ad Hoc University Speech Committee Report, p. 10.

banners from the Quad and from the vicinity of other academic buildings should be strictly enforced.

In addition to more clarity around sanctions and when they will be consistently imposed, University leaders should exercise their own free speech rights to call out and condemn antisemitic and anti-Israeli speech on campus (as well as other open expressions on campus of hate or profound disrespect for others based on their personal characteristics, such as race, religion, nationality, or sexual orientation). This is a prime example of speech that may be legally permitted but is nevertheless “reprehensible” (to use a term in the University’s official reflection on this difficult question).¹⁷⁸ By this standard, it would be appropriate to call out an antisemitic epithet or a comment disparaging Israelis as a nationality group but inappropriate to call out a criticism of Israel’s behavior toward Palestinians or its conduct of the war in Gaza.¹⁷⁹

The University has previously adopted this policy with regard to expressions of racism and racial bigotry; it should apply that same standard to expressions of antisemitism and anti-Israeli bias. Such condemnations of expressions of bias against religious or nationality groups are consistent with the Academic Freedom Statement’s prohibition of “institutional orthodoxy” because they address matters vital to the collective health and well-being of the campus community.

The University should enforce its rules and regulations about the time, place, and manner of speech. The failure to do so has contributed to a culture of impunity that has undermined respect for the Fundamental Standard and its moral appeal for better, more civil and mutually respectful discourse.

Encampments as a Form of Protest

The legitimacy of protracted encampments as a form of protest, and its relationship to the vital principle of free expression, have been the focus of much recent debate on university campuses across the U.S. There are complex moral, legal, practical, and sometimes public health issues involved. Stanford rules forbid overnight encampments that have not been specifically authorized by the Provost or her designee.¹⁸⁰ Both the Fall-Winter Quarter encampment stretching across a wide swath of the upper end of White Plaza (which ran from October 20, 2023 to February 16, 2024) and the Spring Quarter encampment (on a more compact square of grass in the lower end of White Plaza) were declared by the University to be unauthorized and in violation of its rules. Protestors agreed to disassemble the former after tense negotiations when the University threatened to enforce its ban. The Spring Quarter encampment, which was still ongoing as this report was being finalized, was more contained than the former and attracted less attention, but both persisted in defiance of University rules. Should that be a concern?

We note here the recent statement of University of Chicago President Paul Alivisatos:

¹⁷⁸ “Freedom of Speech and the Fundamental Standard,”

<https://communitystandards.stanford.edu/resources/additional-resources/freedom-speech-fundamental-standard>.

¹⁷⁹ Conceivably, a student might claim that being called out is tantamount to being “punished” within the meaning of the Leonard Law. We would be skeptical about such a claim, and hope that the University would resist it if the issue should come before a court.

¹⁸⁰ <https://bulletin.stanford.edu/academic-polices/student-conduct-rights/camping>.

There are almost an unlimited number of ways in which students or other members of the University can protest that violate no policies of the University at all; the spectrum of ways to express a viewpoint and seek to persuade others is vast. But establishing an encampment clearly violates policies against building structures on campus without prior approval and against overnight sleeping on campus.... For a short period of time, ...the impact of a modest encampment does not differ so much from a conventional rally or march.... [But] disruption becomes greater the longer the encampment persists.¹⁸¹

We think encampments are a legitimate concern for Stanford, for many reasons. Many think the failure to enforce rules about extended encampments has contributed to a campus environment that is perceived as hostile by many Jewish and Israeli community members because of both the offensive nature and the constancy of the messaging. Jewish and Israeli students have been distressed by some of the messaging, for example, praising groups like Hamas and the Popular Front for the Liberation of Palestine, which have both been formally designated as Foreign Terrorist Organizations by the Department of State,¹⁸² or calling for intifada. We have noted in Part II how the second encampment has hosted increasingly militant and antisemitic activity the longer it has gone on. Protracted protest encampments also raise safety concerns like those we have discussed above. Further, they contradict the principle of equality, since groups that are willing to violate the rules get more visibility and attention while students who abide by the University's time, place and manner restrictions are disadvantaged in their access to and persuasive potential in the public square (in particular, White Plaza). Finally, many students, faculty, staff, and alumni have expressed to us concern that the University's inability to enforce its rules forbidding unauthorized overnight camping has generated a larger climate of impunity and contempt for rules and norms, which contradicts principles of good citizenship and the social contract that binds together a community. At the same time, we recognize that physically removing an encampment that generates a low level of disruption may involve costs that can be judged to outweigh, for a period of time, the benefits, and we acknowledge that accountability for violating the rules may also be imposed retrospectively at a time less likely to generate confrontation.

3. Tolerance and Pluralism

Combating Intolerance

One way to promote a culture of tolerance and inclusive respectful critical discourse is to model it pervasively in programs throughout the university. Where necessary, one can “call in” students or other members of the University community for behavior inconsistent with those norms. “Calling in is an invitation to a *one-on-one or small group conversation* to bring attention to an individual or group's harmful words or behavior.”¹⁸³

When calling in seems an inadequate response, the alternative is “calling out”—“bringing *public attention* to an individual, group, or organization's harmful words or behavior.”¹⁸⁴ In the context of the University, calling out is often most effectively done by administrators, ranging from resident fellows and deans to the president and provost. However, an administrator's calling out someone

¹⁸¹ <https://president.uchicago.edu/en/from-the-president/messages/240429-concerning-the-encampment>.

¹⁸² <https://www.state.gov/foreign-terrorist-organizations/>.

¹⁸³ https://edib.harvard.edu/files/dib/files/calling_in_and_calling_out_guide_v4.pdf.

¹⁸⁴ Ibid.

must not violate the Statement on Academic Freedom’s prohibition of “institutional orthodoxy” or the Ad Hoc University Speech committee’s recommendations on restraint in institutional position-taking.¹⁸⁵ An administrator must not condemn a student for making a statement of reasonably contestable facts or values.

To clarify and reinforce community norms, the university has a legitimate interest in declaring that certain conduct violates the Fundamental Standard, even when it is protected by the First Amendment.¹⁸⁶

Promoting Mutual Tolerance, Respect, and Civil Discourse

The problems of antisemitism and anti-Israeli bias are intertwined with a broader campus culture that affirms and tolerates diversity, but to date, the University’s efforts in affirming and tolerating diversity have not thoughtfully confronted the invidious issues of antisemitism and anti-Israeli bias. Stanford’s efforts to encourage diversity, equity, and inclusion have understandably focused on the inclusion of historically marginalized people of color—such as African Americans, people of Hispanic or Latinx heritage, Asian-Americans and Pacific Islanders, and Native Americans. But these efforts have not attempted to include religious minorities, such as Jews and Muslims, within the ambit of this endeavor. We have concluded that this constrained view of diversity works to the disadvantage of Stanford and to various segments of the community, and that it violates fundamental principles of equal treatment.

Stanford aspires to be—and to be known for being—a university where difficult questions are discussed and debated based on history and facts rather than emotions. Stanford must work harder to create a culture where disagreement can be expressed without devolving into personal animus, political intolerance, or social exclusion. This requires comprehensive efforts to promote the norms and skills of mutual respect, tolerance, and civility, with a pedagogical emphasis on the method of critical inquiry. As formulated by John Dewey, critical inquiry is “the active, persistent, and careful consideration of any belief or supposed form of knowledge in the light of the grounds that support it and the further conclusions to which it tends.”¹⁸⁷ As a persistent process, critical inquiry is always inching closer to truth but never quite there. One must keep in mind as many alternatives for argumentation as possible and as much nuance as coherence can withstand.

Critical inquiry and rational, evidence-based debate can only thrive in a civil climate for discourse. Stanford’s Provost, Jenny Martinez, made this point memorably in remarks to the May 9 annual meeting of the Academic Council. “The goal of civil discourse isn’t enforced agreement or

¹⁸⁵ Following this recommendation, University leaders would not be able to comment on the Israeli-Hamas war without violating the principle. Denunciations of hate speech, including anti-Semitic or anti-Israeli statements, would not run afoul of these principles. “Stanford University’s central functions of teaching, learning, research, and scholarship depend upon an atmosphere in which freedom of inquiry, thought, expression, publication, and peaceable assembly are given the fullest protection. Expression of the widest range of viewpoints should be encouraged, free from institutional orthodoxy and from internal or external coercion.” <https://doresearch.stanford.edu/policies/research-policy-handbook/conduct-research/academic-freedom>.

¹⁸⁶ It is, however, an open question whether an adjudication by the Office of Community Standards that a student’s protected speech violates the Fundamental Standard constitutes a disciplinary sanction even if the University imposes no material consequences.

¹⁸⁷ John Dewey, “The relation of theory to practice in education,” in *Third Yearbook of the National Society for the Scientific Study of Education*. Ed. C. S. McMurray (Chicago: University of Chicago Press, 1904), 9–30 (quoted at p. 10).

consensus, but understanding and genuine engagement with one another in a pluralistic society,” she said. “We hope to support our students in building the skills of engaging across difference that are fundamental tools to their learning here at Stanford and to their participation in civic life.”¹⁸⁸ However, as the Vice-Provost for Undergraduate Education, Lanier Anderson, indicated in that same Academic Council meeting, “despite encouraging survey data about students’ willingness to engage in difficult conversations with each other, they remain uneasy about discussing controversial topics,” for fear of online and other forms of backlash.¹⁸⁹

Beyond the COLLEGE curriculum, Stanford currently has many more specific programs and courses that seek to develop and promote civil discourse, for example:

- Stanford Civics Initiative¹⁹⁰
- Center for Revitalizing American Institutions, Hoover Institution¹⁹¹
- Intercollegiate Civil Disagreement Fellowship, McCoy Family Center for Ethics in Society¹⁹²
- Deliberative Democracy Lab, CDDRL, FSI¹⁹³
- ePluribus, Law School¹⁹⁴
- The course on Democracy and Disagreement, School of Humanities and Sciences¹⁹⁵
- Peer mediators in the Office of Inclusion, Community and Integrative Learning¹⁹⁶

To these and similar initiatives we recommend adding a comprehensive program to begin developing in all incoming members of the freshman class the norms and skills of critical, mutually respectful discourse. We believe there is great promise in beginning this program online during the summer with several sessions in which incoming frosh engage in discussions within small groups that encompass significant diversity across social, cultural, and geographic lines. An organization that has been designing and implementing these conversations for two decades explains that it seeks “to transform the way [college students] engage with difference by experiencing first-hand the art of constructive civil discourse and nurturing their ability to be empathetic, to listen to radically different opinions, to think critically, and to collaborate effectively with others.”¹⁹⁷ That is the type of experience Stanford should be advancing. And it should strive to make room for a significant political minority on campus: students with politically conservative views.

To design and implement a pluralist framework of academic civil discourse at Stanford we can leverage the above (and other) projects to build a shared culture around a community of practice. We will need to situate the universal principles of academic freedom in Stanford’s distinctive institutional and textual traditions, including the Fundamental Standard.

¹⁸⁸ “Vigorous debate, civil discourse key to Stanford’s academic mission, leaders say,” *Stanford Report*, May 9, 2024, <https://news.stanford.edu/stories/2024/05/academic-council-meeting-focuses-on-building-capacity-for-civil-discourse->

¹⁸⁹ The quote is a summary of his remarks, in the May 9 *Stanford Report* article, *Ibid*.

¹⁹⁰ <https://civics.stanford.edu/>.

¹⁹¹ <https://www.hoover.org/research-teams/center-revitalizing-american-institutions>.

¹⁹² <https://ethicsinsociety.stanford.edu/undergraduate/intercollegiate-civil-disagreement-program-fellowship>.

¹⁹³ <https://deliberation.stanford.edu/>.

¹⁹⁴ <https://law.stanford.edu/education/only-at-sls/epluribus-project/>.

¹⁹⁵ <https://humsci.stanford.edu/events/democracy-and-disagreement-1>.

¹⁹⁶ <https://icil.stanford.edu/icil-programs/peer-mediators>.

¹⁹⁷ Soliya Campus Dialogue Program, <https://soliya.net/campus-dialogue>.

Rebuilding institutional culture is no small feat. It is challenging for any institution, let alone one with what sociologists call a “loose” institutional character—a decentralized infrastructure and an entrepreneurial ethos. It requires a multipronged educational strategy that engages community members on every level: New Student Orientation, dorm community building, new faculty onboarding, and staff training, to name just a few. In fact, this process should begin early in the student recruiting process, and Stanford’s admissions materials should stress this philosophy. Stanford should reinforce this message in its communications with entering students (as the President and Provost did in their April 3, 2024, letter to admitted undergraduates).¹⁹⁸ Stanford should continue these efforts immediately after students commence their time on campus, and New Student Orientation should stress the imperative of rigorous debate and discussion without personal animus. Participation in discussion programs to foster these skills and norms should be required of all incoming freshmen and should continue to be embedded in the COLLEGE program. Stanford should also consider ways in which these programs can also be embedded in the curriculum beyond the first year. Discussions in sections and classrooms, and in conversations outside of classes, should cultivate the Stanford brand of respectful listening, evidence-based argument, and discussion based on logic, reason, and appreciation for moral complexity and ambiguity.

Social Media

Stanford must recognize that there are external and technological forces that facilitate an atmosphere that allows antisemitism to flourish. The use of social media, and particularly those forms of social media that permit anonymous posting and doxxing, can be powerful accelerants of a toxic culture, and Stanford must confront these challenges directly. As part of Stanford’s commitment to a culture of tolerance and diversity of opinion, Stanford must rigorously evaluate the implications and impact of social media, particularly those forms of social media, such as Fizz, predicated upon anonymous posts. There is no pedagogical or compelling reason why Stanford must host these formats. Given the prevalence and toxicity of the antisemitic and anti-Israeli bias that arise on such platforms, Stanford should assess the implications of hosting a platform that so easily facilitates this divisive behavior. Stanford (on its own, or in partnership with other universities) could perform a national service by engaging the leadership of Fizz to strengthen content moderation and the reporting system for violations. Stanford and other universities have leverage here. They can make clear that if elementary issues of trust and safety are not seriously addressed, they are prepared to deny access to the platform on their wireless networks and to raise their concerns about trust and safety of the platform directly with their students.

Stanford has both an ethical and a legal obligation to take this matter seriously. The 2018 ruling of the U.S. Circuit Court of Appeals for the Fourth Circuit in *Feminist Majority Foundation vs. Hurley*¹⁹⁹ implies (according to one summary) that “educational institutions have an obligation to curtail the use of online social media that constitutes student-on-student harassment.”²⁰⁰ Slack, the online communication system where a number of antisemitic incidents have been reported, is an official university licensed enterprise system, which imposes on Stanford a higher standard for

¹⁹⁸ President Richard Saller and Provost Jenny Martinez, “Letter to Admitted Undergraduates,” April 3, 2024, published in the *Stanford Report*, April 17, 2024, <https://news.stanford.edu/stories/2024/04/letter-to-admitted-undergraduates>.

¹⁹⁹ 911 F.3d 674, 693 (4th Cir. 2018). <https://casetext.com/case/foundation-v-hurley>.

²⁰⁰ David Kimball, “Federal Appeals Court Addresses Student-On-Student Harassment on Social Media,” <https://www.robinsonbradshaw.com/newsroom-publications-440.html>.

moderation of content. Fizz requires a “single sign on,” meaning that one logs in with Stanford credentials, a system that is currently enabled by Stanford IT.²⁰¹

Institutional Statements and Position Taking

We endorse the perspective of the Faculty Senate Committee on University Speech emphasizing the importance of institutional restraint. Stanford University should not take positions on political questions that do not bear directly on the health and well-being of the campus community or its individual members.

The Stanford name and brand should not be used to endorse or promote positions on political or partisan issues, or to promote hatred or bias against individuals based on their race, religion, ethnicity, nationality, gender, sexual orientation, or other features of their identity.

4. Equality

As noted above, equal treatment is not simply an ethical requirement of universities; it is a legal requirement under Title VI of the Civil Rights Act of 1964. The Department of Education (DOE) has interpreted Title VI to encompass discrimination based on students’ (i) shared ancestry or ethnic characteristics; or (ii) citizenship or residency in a country with a dominant religion or distinct religious identity.²⁰² The latter would certainly include Israel. On May 7, 2024, the DOE’s Office of Civil Rights published a statement that surfaced three important contexts in which universities would be liable for not fulfilling obligations of Title VI.²⁰³

1. Singular incidents are vulnerable to Title VI claims.
2. Universities must be vigilant about contexts in which “Zionists” is used as a proxy for Jews overall.
3. Discipline needs to be meaningful. Half-measures do not meet obligations to protect Jewish students and incidents of certain severity require the separation of the perpetrator from the campus community.

Clarity and Consistency of Rules, and Equal Treatment

Stanford should ensure that all its rules regarding campus activity and the treatment of various groups on campus are clear and consistently applied. The University should respond to reports of bias against Jewish and Israeli students, faculty, and staff with the same vigor and vigilance as it would in response to bias against other identity groups on campus.

This issue of enforcing clear and equal treatment is a matter of critical concern to many members of the Stanford community. Along with ensuring the physical safety of students, and the

²⁰¹ Feminist Majority Foundation vs. Hurley dealt with Fizz’s predecessor Yik Yak and ruled that the university had failed to denounce the harassing content in this online space. From a technological point of view Yik Yak was less connected to university spaces because it had no institutional connection but could be blocked from the WiFi.

²⁰² <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-shared-ancestry-202301.pdf>.

²⁰³ “Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics.” <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf>.

need to create a more pluralistic environment characterized by tolerance of differing points of view, the question of consistent enforcement of university rules was the concern most frequently raised with the Subcommittee. Particularly among alumni, the issues of disparate enforcement and what will be tolerated when expressed as antisemitism (as distinguished from other forms of bias such as anti-black or anti-LGBTQ speech) was frequently raised. The support of large segments of the alumni population seems inextricably intertwined with this question of disparate treatment.

Both the perception and reality of equal treatment are vitally important. Especially in the present atmosphere where groups are pitted against each other, students are hypersensitive to perceived differential treatment and may, indeed, see differential treatment where it doesn't exist.²⁰⁴ The news is replete with claims of differential treatment at universities throughout the United States, including Stanford. Acknowledging that there are inevitable ambiguities in the applicability of regulations concerning the time, place, and manner of protests, we believe it is essential that the University make every effort to act, and to be perceived to act, even-handedly in its application of regulations pertaining to protests. In other words, "time, place, and manner" restrictions must be "viewpoint neutral."

Rethinking Diversity, Equity, and Inclusion

As noted earlier in Part II, there is growing concern—and not only at Stanford—about aspects of DEI programs that are divisive. The Subcommittee finds itself in a Catch-22 situation. The Subcommittee's charge is to assess how members of the Jewish and Israeli communities are weathering the storm of antisemitism and anti-Israeli attacks and to make recommendations to mitigate the consequences of such conduct. In the short term, we recommend that Jews and Israelis be added to the panoply of identities recognized by DEI programs so that the harms they are enduring are treated with the same concern as those of BIPOC²⁰⁵ and LGBTQ+ members of the community.

In the longer-term, however, we make a different recommendation. We believe that this identity-driven approach to belonging and inclusion is anathema to the University's educational mission, and that it ultimately works to the detriment of the very groups it seeks to aid. Among other things, these DEI programs tend to propagate oversimplified histories and promulgate ideologies about social justice without subjecting them to the critical inquiry that is a core aspect of a university education.

In other words, the Subcommittee has been charged with recommending how to counter antisemitism and anti-Israeli bias within a fundamentally flawed system, and thus has been unwittingly tasked with recommending how to fix the very system that has failed our Jewish and Israeli community members, among many others. In that spirit we offer the radical proposal of moving from DEI programs as presently constituted to a pluralist framework that benefits

²⁰⁴ The general psychological phenomenon was first described in Albert H. Hastorf and Hadley Cantril, "They saw a game; a case study," *The Journal of Abnormal and Social Psychology*, 49, 1 (1954): 129–134. <https://doi.org/10.1037/h0057880>. See also R P Vallone, L Ross, M R Lepper, "The hostile media phenomenon: biased perception and perceptions of media bias in coverage of the Beirut massacre." *J Pers Soc Psychol.* 1985 Sep;49(3):577-85. doi: 10.1037//0022-3514.49.3.577.

²⁰⁵ Black, Indigenous, and People of Color.

individuals from *all* backgrounds, including Jews and Israelis, who are not currently protected, and indeed are disadvantaged, by DEI.

We believe the best approach lies in Harvard Professor Danielle Allen’s call for “a framework of confident pluralism—inclusion and belonging, academic freedom, and mutual respect.”²⁰⁶ Only a pluralist framework that encourages rigorous and purposeful exchange of ideas within a respectful paradigm will produce authentic understanding of differences without uniformity of thought. In addition to Danielle Allen’s “confident pluralism,” other models from Stanford scholars move in this direction, including Frank Fukuyama’s notion of identity grounded in classical liberalism.²⁰⁷

5. Accountability

The Foundational Role of the Fundamental Standard

Stanford University has norms and rules about the type of behavior it expects from its students. We have suggested that these need to be strengthened and clarified in some respects. But the core principles, along with the authority to enforce them, are as old as the University itself. The Fundamental Standard reflects the shared culture within which norms of inclusive, respectful critical discourse are situated. It presents an aspiration of values for all members of the university community that has always occupied a central role in the university’s institutional identity.²⁰⁸

Although we have quoted from it earlier in this report, we believe this language is so foundational that it bears repetition:

Students at Stanford are expected to show both within and without the University such respect for order, morality, personal honor and the rights of others as is demanded of good citizens. Failure to do this will be sufficient cause for removal from the University.²⁰⁹

The Stanford website for the Fundamental Standard elaborates the University’s basic values:

1. Students are expected to respect and uphold the rights and dignity of others regardless of personal characteristics or viewpoints.

²⁰⁶ <https://www.washingtonpost.com/opinions/2023/12/10/antisemitism-campus-culture-harvard-penn-mit-hearing-path-forward/>. See Chapter 12 for fuller consideration of the problem and approach.

²⁰⁷ Francis Fukuyama, *Identity: The Demand for Dignity and the Politics of Resentment* (Farrar, Straus and Giroux, 2018).

²⁰⁸ The first extant mention of the Fundamental Standard appears reads, “In the government of the University the largest liberty consistent with good work and good order is allowed. Students are expected to show both within and without the University such respect for order, morality, personal honor, and the rights of others as is demanded of good citizens. Failure to do this will be cause for removal from the University” (25). The Leland Stanford University Sixth Annual Register, 1896-1897, Special Collections and University Archives, Stanford University Libraries. Jane Stanford evidently found the outline of values in the Fundamental Standard insufficient and petitioned the Board of Trustees in 1902 to clarify: “It shall be the duty of the Board of Trustees to make general laws providing for the government of the University, and to provide for just and equitable rules of discipline.” *Address to the Trustees* (October 3, 1902): 3. See also Rocky Nilan, “The tenacious and courageous Jane L. Stanford,” in *Sandstone & Title* (1885)..

²⁰⁹ <https://communitystandards.stanford.edu/policies-guidance/fundamental-standard>.

2. Students are expected to uphold the integrity of the university as a community of scholars in which free speech is available to all and intellectual honesty is demanded of all.
3. Students are expected to respect university policies as well as state and federal law.

In the end, Stanford's aspirations for speech and respectful discourse transcend the objectives of the First Amendment and the Leonard Law. Just because speech is constitutionally protected does not mean that it is ethical or consistent with Stanford's values. It is important for us all to understand the complex interplay between protected speech and building an inclusive campus. So, when issues of hateful speech arise, we can choose to engage in dialogue instead of censorship. Similarly, it is important for all community members to understand that we have a "duty of care" for the language we use in the campus community of discourse.²¹⁰

Among the listed examples of Fundamental Standard violations are:

- Physical assault
- Hate crimes
- Hazing
- Theft of property or services
- Threats
- Violations of Stanford's Anti-Doxxing Policy²¹¹

Punishment for such violations is the last resort, but it must be regarded as a live possibility, if only to deter some actors from engaging in egregious misbehavior.

Student Accountability

We recognize the rights of students, faculty, and staff to engage in protests to express their views on controversial issues of the day. However, to achieve many of the recommendations described above, Stanford must have the ability to enforce its own rules and norms, provided that such rules and norms do not inappropriately thwart political discourse. One hallmark of any fair system is the ability to sanction conduct that violates the rules and norms of the community. Stanford must be able to rely upon its own system of compliance and enforcement to create a regimen of consistent and fair application of its own rules.

Stanford should not rely solely on external law enforcement action or criminal referrals to hold its students accountable for actions that violate its rules. As a starting point, Stanford should ensure that its internal accountability procedures operate predictably and expeditiously to hold students accountable when they violate the rules of the University. Furthermore, while the identity of students who are held accountable should be protected due to privacy concerns, there should be transparent public reporting of decisions made and penalties imposed so that the consequences of rule violations can become widely known. There should also be transparency about the circumstances that led to the discipline, consistent with Stanford's Clery Act obligations, so the community has an accurate view of the nature and extent of the problem of antisemitism on

²¹⁰ Susanne Nossel, *Dare to Speak: Defending Free Speech for All* (New York: Harper Collins, 2020).

²¹¹ <https://bulletin.stanford.edu/academic-polices/student-conduct-rights/anti-doxxing>.

campus. The use of external enforcement mechanisms, such as law enforcement, should always be an available but last resort.

As noted in Chapter 13, numerous concerns have been raised about the current structure of the Office of Community Standards, and whether this organization can adequately deter and sanction student violations of university rules. We share those concerns. An independent evaluation should be conducted of the Office of Community Standards to assess whether and to what extent it has proved able to impose accountability for student violations regarding the time, place, and manner of speech, and for other rules violations that propagate antisemitism, anti-Israeli bias, Islamophobia, and other forms of bigotry unprotected by the First Amendment. The review should assess the impact of the current structure of the Office of Community Standards—its burdens of proof, its procedures, and the composition of its hearing panels—on its ability to hold rules violators accountable, and how its structures, procedures, and outcomes compare with those of Stanford’s peer institutions in higher education. We note that Stanford’s structure seems to be different than the structures adopted by our peer institutions and that difference merits consideration. One question that has been repeatedly raised concerns the structure of the hearing panels—is it appropriate from the University perspective that these panels contain student majorities? Questions have also been raised about the appropriate burden of proof and whether a “beyond a reasonable doubt” standard is appropriate in certain cases. These questions should all be addressed for their impact on enhancing a culture of accountability.

Stanford should promote accountability to other members of the Stanford community as a primary value. The Subcommittee heard numerous concerns expressed over TAs and RAs abusing their positions to advocate for political views and actions in ways that some of their students or residents found intimidating. Not only should such behavior be sanctioned, but Stanford needs to be more transparent about its responses to such situations; using such moments as teaching moments will further develop a culture of accountability.

Promoting a Culture of Accountability

Stanford has the underpinnings of a culture of accountability in place already. As noted above, the Fundamental Standard calls upon Stanford students to “to show both within and without the University such respect for order, morality, personal honor and the rights of others as is demanded of good citizens.” But the University can go further. Additional clarity would reinforce a culture of both accountability and tolerance of diverse points of view. The Fundamental Standard should be updated to identify the disruption of classes or public events (especially in ways that prevent lecturers or scheduled speakers from exercising their rights to speech) as behavior that is impermissible and that could constitute grounds for suspension or expulsion from Stanford.

Reinforcing these expectations of tolerance and accountability should be fundamental to membership in the University community. As a condition for matriculating, undergraduate admittees should be required to sign a statement that they have read and agree to comply with the revised Fundamental Standard and the Honor Code; and that they understand that Stanford cherishes freedom of thought, inquiry, and expression, and that behavior that violates these norms could result in various forms of discipline, up to and including temporary or permanent separation from the University.

University Accountability

The University should enforce its rules prohibiting unauthorized and sustained encampments and ensuring that widely used and traversed public spaces can be accessed by all Stanford students, faculty and staff, and their children (including small children), without fear or harassment based on their identity.

Beyond periodic and comprehensive release of data on all incidents of antisemitic and anti-Israeli bias, Stanford should establish baselines and measure progress for addressing antisemitism and other forms of non-race-based hate and bias that are not now measured. Furthermore, it should commit to annual reporting and review of this progress. And it should appropriately staff the department responsible for this work to convey that it is a priority.

We also encourage Stanford to review its current administrative structures regarding reporting and responding to antisemitism and other forms of bias. We have often heard complaints that there is not a clear path of action for reporting issues, substantive recommendations for change, authority to make changes, or demonstration of public accountability and progress. Neither is there an individual or group invested with decision making authority who can advance a positive agenda for improvement, and who is being held to account to do so.

Given the diffuse organizational structure of Stanford, it is essential that mechanisms be developed so that all schools and programs are assessed, and that interventions are designed with the needs of faculty and staff in mind as well. Noting how difficult it is to do a “project of the whole” like this at Stanford, we recommend identifying a senior administrator who is empowered to pursue this work across the University, is reporting and directly accountable to the President or Provost, and makes public reports on their progress at regular and predictable intervals both to the President or Provost and to the Board of Trustees. We further believe that such a person should have a staff that is fully capable of managing the full range of issues required of the office. We believe that this is the best path to rebuild trust with skeptical Jewish students, parents, faculty, staff, alumni, and the public at large.

6. Education

Educating About Antisemitism

The University should incorporate into its existing educational programs for faculty and staff (including resident fellows and residence deans), and for students in positions of authority, such as teaching assistants and residence staff, instruction about the history and diverse forms and manifestations of antisemitism—the negative tropes, stereotypes, and misinformation. Faculty and staff should be trained and instructed to recognize, call out, and counsel against these forms of antisemitism when they are expressed. Ongoing employees (faculty and staff) should be given opportunities to refresh and update their understanding of antisemitism and other forms of bias. The guiding principle for what is required should be this: Whatever training is required for protection of other identity groups that are harmed by bias should also be required for antisemitism.

More broadly, the University should promote education about the culture, religion, history, and ethnic diversity of the Jewish people, and sensitivity to the consequences for Jewish community members' sense of safety, belonging, and inclusion that follow from characteristic forms of speech and action. Learning about the Jewish people is one of the most powerful antidotes to antisemitism. Students will benefit from more courses like those currently taught on this subject by the Taube Center for Jewish Studies, and for increased visibility for related lectures and programming.²¹² These elements of training and education (and ones that address other forms of bias) should also be incorporated into programs that prepare incoming students to respect pluralism, diversity, and disagreement as part of their student experience at Stanford.

We know that it is possible to cultivate and educate for a culture of pluralism and tolerance because it is already happening on the campus. Examples include the GSB courses on perspective taking and communication, which teach students how to communicate with others who have different lived experiences, and the large lecture course this quarter on Democracy and Disagreement. We recommend a wider offering of these kinds of courses in the University.

Stanford should also regularly offer a balanced array of courses on the history and contemporary challenges of Israel. We encourage the University to develop a permanent program in Israel studies and more opportunities for Stanford students to study in Israel through the Bing Overseas Studies Program. This would help to counter the shallow and poorly informed nature of much of the discourse about Israel on the campus. There would also be great value in developing educational programs that put Israeli and Palestinian thinkers and perspectives in conversation with one another. This would be an ambitious and potentially very impactful “dialogue across difference.”

Maintaining Political Neutrality in the Classroom

Instructors and teaching assistants should avoid using the classroom (and communications and meetings related to instruction) as a vehicle for propagating their personal political views and involvements. Education should provoke critical thought and questioning, and it should broadly encourage civic engagement in democracy, including with the issues that democracies confront. But the formal instructional function should not be misused as a platform to recruit for particular political positions, causes, or activities.

Teaching Critical Inquiry

It is a truism that “we teach students how to think and not what to think.” The delicate work of the instructor is to ensure that all individuals are welcomed as learners and that many viewpoints and alternatives are considered, actively avoiding an orthodoxy of opinion. Yet *how* instructors teach critical inquiry is as important as *what* they teach. Pedagogical training has not historically been part of graduate or postdoctoral training. Neither has it been something that faculty are encouraged to do. However, the university can respect faculty autonomy while it offers more guidance for today's challenging classroom settings. Learning to engage with difference is not a character trait, it's a skill.

²¹² For example, Professor Ari Kelman's AMSTUD 215 *Understanding Jews* and Professor Rowan Dorin's HIST 86Q *Blood & Money: The Origins of Antisemitism*, as well as the many courses on Jewish history and culture and on Zionism taught by Professor Steven Zipperstein. The University may also wish to seek long-term funding for more teaching, programs, and lectures in the Jewish experience, especially in the Middle East and North Africa, antisemitism, and Holocaust Studies.

We urge that Stanford faculty and teaching staff be offered and incentivized to accept training in this vital skill.

Such training should especially be required of instructors in the COLLEGE program. The three-year-old COLLEGE curriculum, with its express purpose of promoting civil discourse and encouraging critical inquiry, provides both a tremendous opportunity but also examples of the problem. Two-thirds of its instructors are lecturers and postdoctoral associates.²¹³ During the fall quarter, at least two postdoctoral instructors in COLLEGE deviated from the assigned reading to introduce texts they had selected to discuss the Hamas-Israel war. Leaving aside the contested matter of how they conducted the classroom discussions, it seems apparent that the instructors had not considered how to teach the materials in a manner that was both critical and inclusive. Together with several other classroom incidents, this suggests the need to vet and train postdoctoral instructors in critical inclusive pedagogy. The same might be said for other staff members, including resident fellows and resident assistants in undergraduate dorms.

7. Improving and Supporting Jewish Life at Stanford

The September 2022 Report of the Advisory Committee on Jewish Admissions offered seven “recommendations for enhancing the experiences of Jewish students at Stanford.”²¹⁴ While the University responded forthrightly to the first recommendation, “Acknowledge and Apologize” (for the period of discrimination against Jewish applicants in admissions), its response to several of the other six recommendations has been tentative and partial at best. We acknowledge and applaud the University’s action to ensure that the opening of the school year will not coincide with the Jewish High Holidays (Recommendation 5).

But we believe action is still needed on other issues. There remains a need for “a comprehensive study of contemporary Jewish life at Stanford” (Recommendation 2), which would go beyond the issues of antisemitism addressed in this report, to assess the “religious and cultural opportunities and programs” for Jewish students, staff, and faculty, as well as “current policies and processes for religious accommodation” in academic instruction, housing, dining, and other areas of student life. As we have already noted, more opportunities are needed for education about Jews, Jewish identity, and antisemitism (Recommendation 3). As the Advisory Committee noted, the ASSU Senate voted in 2019 to require an annual antisemitism training, but that has yet to be implemented (Recommendation 4). More can be done to provide for the religious and cultural needs of religiously observant Jewish students in housing and dining (Recommendation 6). And as we note next, the relationship between Stanford and Hillel at Stanford still needs attention and clarification (Recommendation 7).

To ensure that Stanford implements its commitments to combatting antisemitism and anti-Israeli bias and to meeting the needs of these communities, we recommend that the University appoint a standing advisory committee to advise on all these issues and monitor implementation. If a similar standing advisory committee is appointed to advise on meeting the needs of the Muslim,

²¹³ In the fall of AY 2023-2024 there were 15 faculty instructors and 37 fellows/lecturers/staff instructors. In winter there were 17 faculty and 35 fellows/lecturers/staff. And in the Spring, where COLLEGE follows a lecture/section model, there were 16 faculty teaching and 26 fellows/lecturers.

²¹⁴ “A Matter Requiring the Utmost Discretion,” pp. 52-62.

Arab, and Palestinian Communities, we hope the two committees will meet with one another from time to time.

The Essential Role of Hillel at Stanford

Although its role is not exclusive in this regard, and we acknowledge the important role that Chabad at Stanford also plays, Hillel at Stanford is a crucial institution for serving the social, cultural, and spiritual needs of Jewish students, and for welcoming and educating other Stanford students and community members interested in Jewish life and wanting to be supportive of it. Particularly at a time when the fires of antisemitism are gaining in prevalence and intensity, Hillel is a critical institutional partner in responding to this threat. It acts as a center or gathering place for students and community members who are feeling isolated; it serves as an advocate for and champion of Jewish identity (which itself covers a diverse set of beliefs and practices); and it is a visible apostle for and symbol of the vibrancy of Jewish life at Stanford.

We encourage the University to recognize Hillel more explicitly as its key partner supporting Jewish life on campus, for example, by memorializing it in a Memorandum of Understanding. We recommend that Stanford ensure the longevity of Hillel's current physical presence and support its capital campaign and efforts to improve the safety of its buildings. We also see value in creating a regular mechanism for Hillel's program team to work with the community centers supporting other identity groups on campus.

We also recommend that Stanford consider joining Hillel International's Campus Climate Initiative, to give form and structure to our commitment to address antisemitism and anti-Israeli bias. Participation in this program, which is organized by an existing, longstanding university partner, will put Stanford in relationship with other schools (such as the University of California system, Yale University, and MIT) working on similar problems. CCI has already developed the educational program needed for administrators and has five years of experience helping universities assess their campus needs, revise their policies, implement new programs, and evaluate progress.

CONCLUSION

What we have recommended here primarily involves Stanford reaffirming its existing commitments to core principles of safety, free expression, pluralism, tolerance, equality, accountability, and robust education. We believe this will require some new resource investments in teaching, staffing, training, monitoring, support services, and development of courses and programs. It may also require some administrative reorganization to ensure clear lines of reporting, authority, and accountability. And it will need to consider some specific organizational and programmatic needs of the Jewish community at Stanford. But above all else, what is needed now is the institutional will to reassert, defend, and promote our core values as a university, and to do the hard work of instruction, engagement, and dialogue so that these values become not simply lofty ideals, but norms deeply embedded in the lived culture of Stanford.

To achieve a university that is free of identity bias may seem an unrealistic goal. Group prejudice has been with us since time immemorial, and antisemitism is one of the oldest and most enduring forms of it. But what distinguishes the good society or community is the dedicated effort to identify prejudice, sanction it, and overcome it. In striving toward that end, we will not reach

perfection. But we will become a stronger, healthier university, better poised to realize our limitless possibilities for advancing knowledge while fulfilling our founding purpose: “to promote the public welfare by exercising an influence in behalf of humanity and civilization, [and] teaching the blessings of liberty regulated by law.”²¹⁵

²¹⁵ The Founding Grant, Stanford University, November 11, 1885, https://stacks.stanford.edu/file/druid:bz978md4965/su_founding_grant.pdf.

Appendix I

Partial Timeline of Antisemitism at Stanford Before October 2023

April 2015: Swastika Graffiti at SAE

Swastikas were spray-painted on walls of SAE's house at 680 Lomita, targeting its Jewish members during a heated point in that year's BDS debate.

Stanford Daily: <https://www.stanforddaily.com/2015/04/26/sae-painted-with-anti-semitic-graffiti/>

April 2015: ASSU Cuts JSA Budget After Heated BDS Battle

Following a debate on BDS, the ASSU Senate tried to cut the Jewish Student Association's budget by two-thirds, giving the JSA just 24 hours to appeal. After JSA leaders appeal, the Senate Appropriations Committee claimed it had made a mistake — but its “correction” still amounted to a one-third budget cut. The Senate claimed that the cut was made because JSA maintains a cash reserve, but the proposed cut was clearly larger than those mandated for any other group with the same cash reserve funds. The ASSU eventually backed down, but throughout the crisis, it was painfully clear that the Senate had demanded cutbacks from JSA which, so far as the final budget proposals indicated, had not been required from any of the other identity groups on campus.

Stanford Daily: <https://stanforddaily.com/2016/04/07/on-gabriel-knight-and-what-antisemitism-really-means/>

November 2015: Markaz and SJP Host Notorious Norwegian Anti-Semite Mads Gilbert

Markaz, SJP (Students for Justice in Palestine), and the Arab Students Association hosted Norwegian doctor and famous anti-Semite Mads Gilbert at Stanford's Harmony House. Gilbert says that 9/11 was morally justified as “the oppressed...have a moral right to attack the USA with any weapon they can come up with” and endorses all violence against Israeli Jews as totally legitimate.

March 2016: ASSU Senator Gabe Knight Says Jews Might Control the Media, Government, and Economy

At an ASSU Senate meeting on a resolution against antisemitism sponsored by the JSA, ASSU Senator Gabe Knight objected that it is not antisemitic to say Jews control the media, government, and economy. His full, recorded quote is as follows: *“Jews controlling the media, economy, government and other societal institutions’ [is] a fixture of antisemitism that we [inaudible] theoretically shouldn’t challenge. I think that that’s kind of irresponsibly foraying into another politically contentious conversation. Questioning these potential power dynamics, I think, is not antisemitism. I think it’s a very valid discussion.”* The incident sparked a campus-wide discussion of whether Knight's remarks were antisemitic or not, with many passionately defending him. SOCC (the Students of Color Coalition) refused to withdraw its endorsement from Knight. The JSA responded with a White Plaza “Rally Against Antisemitism.” However, even after Knight resigned (without apologizing) under national media pressure, he still received over 300 votes from Stanford students. Meanwhile, one student told a Korean student running for Senate that he wished he could vote for him but could not because “you’re running with a Jew.” After the election and a media frenzy, the next ASSU Senate passed a watered-down version of the original resolution.

Tablet Report by Yair Rosenberg: <http://www.tabletmag.com/scroll/199362/stanford-student-senator-saying-jews-control-the-media-economy-government-is-not-antisemitism>

Daily on Rally Against Antisemitism: <https://www.stanforddaily.com/2016/04/08/jewish-community-gathers-in-rally-against-antisemitism/>

Daily Op-Ed by Winston Shi: <https://www.stanforddaily.com/2016/04/07/on-gabriel-knight-and-what-antisemitism-really-means/>

Daily Reporting on Controversy: <https://www.stanforddaily.com/2016/04/14/reactions-to-senators-controversial-comments-vary/>

December 2016: “NO JEWS ALLOWED” Spray-Painted Alongside Swastikas

Over a dozen swastikas were drawn in the following areas of Stanford: a pillar at the Main Quad, 450 Serra Mall; a sign in the Rodin Sculpture Gardens, 300 Lomita Drive; a sign in the 800 block of Campus Drive; a sign on Campus Drive at Escondido Road; a sign in the 800 block of Bowdoin Street; the Graduate School of Education building and the Clock Tower. The words “No Jews Allowed” accompanied many of the swastikas.

Mercury News: <https://www.mercurynews.com/2017/01/03/palo-alto-swastikas-drawn-on-signs-buildings/>
Daily: <https://www.stanforddaily.com/2017/01/06/stanford-campus-palo-alto-vandalized-with-anti-semitic-graffiti/>

January 2017: Cyber-Attack Prints Swastikas Around Campus

Several Stanford network printers were compromised in a cyber-attack that sent antisemitic flyers to various offices on campus. The *Stanford Daily* headline is that “Stanford Jewish community’s reactions to antisemitic vandalism vary.”

Daily: <https://www.stanforddaily.com/2017/01/26/anti-semitic-hack-targets-university-printers/>

Daily: <https://www.stanforddaily.com/2017/02/27/stanford-jewish-communitys-reactions-to-anti-semitic-vandalism-vary/>

May 2017: SJP and JVP Invite Arab Barghouti to Campus to Defend his Father’s Murder of Jews and Endorses Violence Against Israelis

SJP and JVP (Jewish Voices for Peace) hosted Arab Barghouti on campus in an event meant to advocate for the release of his father, Marwan Barghouti, who was convicted and sentenced to prison for five murders and two attempted murders in Israel, including a drive-by shooting and car bombing. SJP called Marwan “a freedom fighter” and justified his murder of Jews as a justified act of “legitimate resistance.” The event was moderated by a then sitting ASSU student senator, who would later post that they will “physically fight Zionists on campus.” The ASSU Senate, on which he sat, voted to fund the event.

Review: <https://stanfordreview.org/sjp-welcomes-murder-apologist-to-stanford-with-your-money-b32e7b0e3af9/>

Algemeiner: <https://www.algemeiner.com/2017/05/25/stanford-student-senate-funds-on-campus-speech-by-jailed-palestinian-terrorist-leader-marwan-barghoutis-son/>

October 2017: Swastikas Drawn on Graduate School of Business Buildings

Swastikas drawn on the GSB’s Faculty East Building.

Stanford News: <https://news.stanford.edu/2017/10/25/police-investigating-appearance-swastika-campus-building/>

June 2018: TheaterLab Approves Script for Antisemitic Play Denying Antisemitism

TheaterLab voted to approve funding to sponsor a production of the antisemitic play “Landing Strip” at Stanford, in a performance set to be directed by a Stanford undergraduate student. The play was set to be performed as a one man show at Stanford University in Spring 2019. Despite the fact that the play is a monologue delivered by a Jewish character, neither the playwright nor the director or performer at Stanford were Jewish. Rather, the performer at Stanford was a Palestinian who at the time led Stanford’s chapter of Students for Justice in Palestine. The play puts words in the

mouth of the Jewish community, attempting to appropriate a Jewish voice to proclaim that antisemitism is a false charge made up by Jews to silence criticism of Israeli policy. Particularly problematic lines set to be spoken in the voice of a Jewish character in the play included, but were not limited to:

“Once a Zionist pig, always a Zionist pig”

“You're all up on what AIPAC is, right? American Israel Public Affairs Committee. One of the big special interest lobbies in America like the gun lobby. AIPAC. Fuck, yeah. I loved being a part of it, man. And here is why: My dad, his friends, practically everyone at AIPAC were street fighters in sharp suits. They had this air of manliness, even invincibility. My job was to welcome every year to our annual conference, students from all over America. We picked up anyone who is heading for a job at Capitol Hill. We went after them and educated them about Zionism. I didn't do the educating, that was above my pay grade. Say some fool decides to make a pro-Palestinian speech. Dad would come after him, swinging. First it's bangs to the body with the left hook. He supports Hamas. Hamas are terrorists. But if none of that work, dad brings out the big gun: “He's an anti-Semite.” Bam. On your ass, bitch. We warned you, we fucking warned you. I loved it, man. I'd be lying if I said I didn't. We even pulled that shit against Jimmie Carter and he's a former president. And we didn't stop with the politicians. We went after academics too.”

July 2018: Incoming RA Threatens to “Physically Fight Zionists” On Campus

A former ASSU Student Senator (selected to be a freshman RA for the following year) posted on Facebook: *“I'm gonna physically fight Zionists on campus next year if someone comes at me with their ‘Israel is a democracy’ bullshit. And after I abolish your ass I'll go ahead and work every day for the rest of my life to abolish your petty ass ethno-supremacist, settler-colonial state.* Under pressure, he edited his Facebook post to change “physically fight” to “intellectually fight.” SJP called efforts to remove him from his position “alt-right backlash” and JVP (Jewish Voice for Peace) joined in a popular petition to defend his post. Support for him was widespread and numerous op-eds were published in the Daily excusing his threats of violence. A student petition defending him garnered many signatures. The Stanford College Republicans waded into the debate in favor of removing him from his RA position. This overshadowed Jewish voices on the issue, the national media got involved, and it became a national news controversy. After weeks of indecision and inaction by the University, he announced that he would resign from his position as an RA.

Daily: <https://www.stanforddaily.com/2018/07/22/norcliffe-ra-threatens-to-physically-fight-zionists-in-facebook-post/>

Inside Higher Ed: <https://www.insidehighered.com/news/2018/08/01/calls-stanford-ra-be-fired-after-he-threatens-fight-zionists>

Times of Israel: <https://www.timesofisrael.com/stanford-student-who-threatened-zionist-students-resigns-post/>

Mercury News: <https://www.mercurynews.com/2018/08/03/stanford-student-resigns-ra-position-over-controversial-facebook-post/>

JPost: <https://www.jpost.com/Diaspora/Stanford-student-resigns-RA-position-over-anti-Israel-Facebook-post-564176>

October 2018: AEPi Vandalized and Slurred

Stanford's chapter of Alpha Epsilon Pi was the target of antisemitism at its American Pi Party at 680 Lomita. A first-year student vandalized fraternity insignia, shouting “F**k you and your Jew-house!” when discovered by members of the fraternity during an all-campus party.

November 2018: Swastika Etched into Bing Concert Hall Piano

Vandalism of a grand piano in Bing Concert Hall, with etchings of swastikas the size of a dinner plate and the misspelled word “Natzis,” discovered by Bing staff.

Daily: <https://www.stanforddaily.com/2018/11/30/swastika-found-on-piano-lid-in-bing-concert-hall/>

January 2019: Visiting SLE Lecturer Questions Holocaust

Invited Iranian guest lecturer Abdolkarim Soroush gave a talk on the poetry of Rumi at SLE (the Structured Liberal Education program). Two minutes before the end of the lecture Soroush said, “*Think of the Holocaust (pause) **Supposedly**, millions of Jews died; people say, ‘where was God?’*” After class, a Jewish SLE student asked what he meant by the word “*supposedly*.” Soroush responded: “*Let’s say 100,000, maybe one million.*” A student replied: “There is documented proof that six million Jews were killed by the Nazis in the Holocaust,” to which Soroush stated: “I have heard that number. I don’t *know* about that number. The student shared the story in a *Stanford Review* op-ed, sparking a back and forth in which several op-eds were published, some defending Soroush. Many said that Soroush’s comments were not antisemitic.

Original Review Article: <https://stanfordreview.org/in-denial-of-truth/>

Daily Coverage: <https://www.stanforddaily.com/2019/02/08/sle-guest-lecturers-remarks-about-holocaust-spark-controversy/>

February 2019: ASSU Passes Resolution to Recognize Antisemitism in Our Community

The ASSU Senate approved a bill, co-sponsored by the JSA, to recognize and address antisemitism on campus by requesting the creation of a campus task force composed of students, faculty, administrators, alumni, and relevant outside organizations, to study, document, and propose responses to issues of antisemitism on campus. It also committed to sponsoring educational efforts to help students, faculty, and staff become more cognizant of manifestations of antisemitism on campus. The bill also recognized the IHRA definition of antisemitism and pointed to its examples, such as saying that “Jews control the media, economy, and government,” as useful in identifying and combatting antisemitism. The bill further committed the ASSU Senate to carrying out the antisemitism trainings mandated by [UGS-S2016-1](#) that never occurred. However, such a task force as requested by the Senate was not convened that year nor did the ASSU follow through on the training.

Resolution Text: https://docs.google.com/document/d/17SvDX8wf-XP3cNmgfPYrnr7_NWunJntyh8J3JpwsGCC/edit

Daily Coverage: <https://stanforddaily.com/2019/02/27/resolution-against-antisemitism-passes-senate-unanimously-after-lengthy-debate/>

May 2019: SJP and JVP Post Anti-Semitic Cartoons Around Campus Promoting Eli Valley

To advertise a talk by anti-Zionist cartoonist Eli Valley, SJP and JVP taped posters of offensive Eli Valley cartoons. One week after an antisemitic gunman shot up a Chabad in California, the context-free cartoons hung up across student residences depicted Jews and the Jewish community in an extremely negative light before the rest of the campus community. In response, SCR (Stanford College Republicans) taped additional posters around campus including actual images pulled directly from *Der Strumer*, attempting to make a comparison between the two forms of imagery, without consulting anyone in the Jewish community, compounding the issue, as Jewish students were confronted with grotesque representations of themselves in their own homes at a deeply sensitive moment. The incident became another national news story. After an emergency meeting was convened by Hillel including JVP members and the broader Jewish community, JVP agreed to take

down the cartoons they posted around campus and send out an apology email, however they proceeded with the Eli Valley event as planned, hosting a gallery of his antisemitic cartoons. Jewish Journal: <https://jewishjournal.com/news/nation/298232/anti-semitic-cartoons-found-at-stanford/> Algemeiner: <https://www.algemeiner.com/2019/05/07/students-for-justice-in-palestine-uses-antisemitic-cartoons-to-vandalize-posters-by-stanford-republicans/> JNS: <https://www.jns.org/spj-jewish-voice-for-peace-chapters-at-stanford-university-promote-anti-semitic-cartoons/> JWeekly: <https://www.jweekly.com/2019/05/10/why-a-jewish-cartoonist-is-sparking-controversy-at-stanford/> Daily Op-Ed: <https://www.stanforddaily.com/2019/05/06/op-ed-a-disgrace-in-the-valley-co-sponsoring-antisemitism-at-stanford/> Daily: <https://www.stanforddaily.com/2019/05/13/eli-valley-condemns-scr-zionist-support-of-white-supremacists/>

July 2020: Swastikas Found in Memorial Church

The graffiti was in an interior office space on the second floor near the Round Room, not in the main sanctuary. The swastikas, about six to nine inches in diameter and drawn in black marker, were discovered when an Office for Religious Life staff member entered to retrieve items from an office. Stanford Report: <https://news.stanford.edu/stories/2020/07/stanford-department-public-safety-investigating-swastikas-discovered-memorial-church-hallway>

September 2022: Mezuzah Vandalized in EVGR (student residence hall)

During the early morning to late afternoon on Tuesday, September 27, a mezuzah was torn off a door frame of the dorm room door of two Jewish graduate students in the residence hall. It is significant that this incident occurred on the last day of Rosh Hashanah.

Stanford Protected Identity Harm Reporting: <https://protectedidentityharm.stanford.edu/news/antisemitic-vandalism-graduate-residence-09272022>

February 2023: Swastikas Carved in History Corner Restroom

On February 28, 2023, a student found hateful language and symbols scratched into a metal panel on the wall in a men's restroom in the History Corner of the Main Quad. Specifically, this vandalism was in the form of multiple Nazi swastikas, the n-word, and the letters "KKK".

Stanford Protected Identity Harm Reporting:

<https://protectedidentityharm.stanford.edu/news/vandalism-hateful-words-and-symbols-february-april-2023>

March 2023: Hitler Face and Swastikas Drawn on Jewish Student's Dorm Door in Florence Moore Hall

On the morning of Friday, March 10, a Jewish student found multiple Nazi swastikas and an image modified to resemble Adolf Hitler drawn on a white board that was affixed to their personal dormitory door in Florence Moore Hall.

Stanford Daily: <https://stanforddaily.com/2023/03/12/swastikas-and-drawing-of-hitler-discovered-on-the-door-of-a-jewish-undergraduate/>

Stanford Report: <https://news.stanford.edu/stories/2023/03/swastikas-found-student-residence>

March 2023: Swastika Carved into Building 170 Wall

On March 3, a Nazi swastika with "KKK" surrounding it was carved into the wall of a men's handicapped restroom stall. The restroom was located on the first floor of Building 170.

Stanford Protected Identity Harm Reporting:

<https://protectedidentityharm.stanford.edu/news/vandalism-hateful-words-and-symbols-february-april-2023>

April 2023: Swastika Carved and Re-carved in History Corner Four Times in One Month. Additional Swastikas Carved in Lathrop and the Graduate School of Business.

On April 11, a Nazi swastika was found carved into a metal panel of a men's restroom stall. The restroom is located in the History Corner of the Main Quad. This was the second time that a Nazi swastika was found in this exact location. On April 14, a Nazi swastika and the letters "KKK" were found carved into a metal panel of a men's restroom stall - the third time that a Nazi swastika was found in this exact location.

On April 17, a Nazi swastika was found carved into a metal panel of a men's restroom stall - the fourth time that a Nazi swastika was found in this exact location. On April 19, a Nazi swastika was again found carved into a door of a restroom stall on the third floor of the History Corner. Additionally, on April 14, a Nazi swastika was found carved in a men's restroom on the first floor of Lathrop Library. On April 26, another Nazi swastika was found carved into a metal panel of an elevator. The elevator is located in the Graduate School of Business (GSB).

Stanford Protected Identity Harm Reporting:

<https://protectedidentityharm.stanford.edu/news/vandalism-hateful-words-and-symbols-february-april-2023>

April 2023: Undergrad's Mezuzah Torn Down in Dorm

Sometime on the afternoon of 04/03/23, a mezuzah belonging to an undergraduate Jewish student was removed and broken without authorization from the door frame of their residence. This incident occurred in the days before Passover.

Stanford Protected Identity Harm Reporting: <https://protectedidentityharm.stanford.edu/news/antisemitic-vandalism-undergraduate-residence-04032023>

June 2023: Sign Outside Campus Rabbi's Office Desecrated

A sign outside of the office belonging to a Stanford Rabbi was targeted. Specifically, an 8.5 x 11 sized paper that designated the Jewish information table was defaced. The Star of David printed on the sign was ripped, torn in multiple places, and left in front of the office door.

Stanford Protected Identity Harm Reporting: <https://protectedidentityharm.stanford.edu/news/sign-outside-campus-rabbis-office-desecrated-060923>

Appendix II

Antisemitism at Peer Institutions

Since October 7, college and university campuses across the U.S. have been plagued with outbreaks of virulent antisemitism and anti-Israeli bias. Posters showcasing Israeli hostages have been torn down at universities across the country, often with the justification that Jewish pain and trauma is irrelevant.²¹⁶ A professor at Hobart and William Smith Colleges published an article wholeheartedly endorsing Hamas.²¹⁷ A professor at George Washington University told a student it was not their fault they were born in Israel.²¹⁸ And a student group at Haverford College accused Israel of purposefully spreading COVID.²¹⁹ The rest of this section focuses on the manifestations of antisemitism at peer institutions and institutional responses to this issue between October 7, 2023 and May 20, 2024.

Harvard University

Soon after October 7, antisemitic messages proliferated on Harvard social media sites.²²⁰ Posters of Israeli hostages were defaced with signs such as “Israel did 9/11.”²²¹ Harvard Faculty and Staff for Justice in Palestine (HFSJP) posted a cartoon showing Jews as puppet masters strangling African Americans.²²² A Harvard employee accused Israel of stealing Palestinian organs, while another said that October 7 was a false flag attack.²²³ Six Harvard students filed a suit against the university alleging an institutional failure to address antisemitism on campus.²²⁴ Harvard President Claudine Gay was widely criticized for her testimony to Congress stating that whether calls for the genocide of Jews could be violations of Harvard’s code of conduct “depending on the context.”²²⁵ In response to these and other incidents, Harvard, under interim president Dr. Alan Garber, assembled a Presidential Task Force on Combatting Antisemitism, alongside a task force focusing on anti-Muslim and anti-Arab bias.²²⁶ The goal of the task force is to conduct outreach and listening sessions and collect data for a final report on antisemitism, which has not yet come out.²²⁷ The university has also undertaken other actions, including suspending an employee accused of violence against pro-Israel demonstrators.²²⁸ Additionally, Harvard has made available a guide to protect

²¹⁶ <https://www.nytimes.com/2023/10/31/nyregion/israel-gaza-kidnapped-poster-fight.html>.

²¹⁷ <https://www.fingerlakesdailynews.com/local/hws-prof-who-wrote-blog-praising-hamas-attack-on-israel-dismissed>.

²¹⁸ <https://www.jamesgmartin.center/2023/04/a-tittle-vi-complaint-at-george-washington-university/>.

²¹⁹ <https://www.ipost.com/diaspora/article-795005>.

²²⁰ <https://www.thecrimson.com/article/2024/1/22/sidechat-antisemitism-enforce-moderation/>.

²²¹ <https://www.thecrimson.com/article/2024/2/14/anonymous-posters-campus-tensions/>;

²²² <https://www.thecrimson.com/article/2024/2/20/harvard-antisemitic-image-apology/>.

²²³ <https://x.com/StopAntisemites/status/1750937495393435809>;

<https://x.com/StopAntisemites/status/1760338330405818425>.

²²⁴ <https://www.thecrimson.com/article/2024/1/12/harvard-lawsuit-campus-antisemitism/#:~:text=The%20nearly%2080%2Dpage%20suit,which%20prohibits%20discrimination%20on%20the>

²²⁵ <https://www.nytimes.com/2023/12/12/us/harvard-president-claudine-gay.html>

²²⁶ <https://www.harvard.edu/task-force-on-antisemitism/>.

²²⁷ <https://www.harvard.edu/task-force-on-antisemitism/>.

²²⁸ <https://www.thecrimson.com/article/2023/11/21/mass-hall-protest-letter/>.

against online abuse and harassment,²²⁹ and it has begun a Harvard Dialogues initiative aimed at promoting “respectful and robust debate.”²³⁰ In the aftermath of student occupations of university buildings,²³¹ the University also issued a statement reminding students that content-neutral Time, Place and Manner (TPM) restrictions are in force and would be enforced against violating students.²³² Nevertheless, the University was recently sued by the Brandeis Center, which accused Harvard of deliberately failing to respond to antisemitic incidents.²³³

University of Pennsylvania

At the University of Pennsylvania, there have also been several antisemitic incidents. Swastikas were found graffitied on campus and both the campus Hillel and Chabad were vandalized.²³⁴ Two students have filed a lawsuit against the university in response to an alleged failure to deal with antisemitism.²³⁵ Like Dr. Gay, Penn President Dr. Liz Magill also testified in front of Congress, stating that calls for the genocide of Jews could be violations of Harvard’s code of conduct “depending on the context.” She and chair of the Board of Trustees Scott Bok later resigned in response to criticism.²³⁶ Under interim president Dr. J. Larry Jameson, the University of Pennsylvania has convened a Task Force on Antisemitism.²³⁷ The Task Force conducted a series of listening sessions and informational interviews, issuing a preliminary report calling for action on three fronts: safety & security, engagement, and education.²³⁸ The Task Force’s suggestions include increasing safety for religious centers, convening a student advisory group on the Jewish student experience at Penn and offering programming relating to antisemitism.²³⁹ The school has also published a brief overview of antisemitism for public information.²⁴⁰ The administration of Dr. Jameson has also reacted to a sit-in at Penn, accusing it of “discriminatory speech and behavior” and disbanding the encampment,²⁴¹ with campus police arresting more than thirty individuals.²⁴²

University of California, Berkeley

The situation has been dire at the University of California, Berkeley. A group of some 200 protestors at UC Berkeley disrupted an event featuring an Israeli lawyer, assaulting Jewish students and breaking glass windows at the campus auditorium. They prevented the event from taking place

²²⁹ <https://huit.harvard.edu/online-harassment>.

²³⁰ <https://www.harvard.edu/harvard-dialogues/>.

²³¹ <https://www.thecrimson.com/article/2023/11/18/university-hall-occupation-ends/>.

²³² <https://provost.harvard.edu/statement-interim-president-deans-harvard-university-rights-and-responsibilities>.

²³³ <https://www.masslive.com/education/2024/05/brandeis-center-sues-harvard-saying-it-ignored-and-tolerated-antisemitism.html>.

²³⁴ <https://x.com/StopAntisemites/status/1707053758121669011>.

²³⁵ <https://www.thedp.com/article/2024/02/penn-lawsuit-antisemitism-dismiss-motion>.

²³⁶ <https://almanac.upenn.edu/articles/resignation-of-board-of-trustees-chair-scott-bok>.

²³⁷ <https://antisemitism-action-plan.upenn.edu/task-force#:~:text=Progress%20as%20of%20February%202022,through%20formal%20and%20informal%20channels>.

²³⁸ <https://test-penn-upstream-aap.pantheonsite.io/actions>.

²³⁹ <https://test-penn-upstream-aap.pantheonsite.io/principles/education>.

²⁴⁰ <https://www.dental.upenn.edu/diversity/office-of-student-diversity-and-inclusion/a-brief-overview-of-antisemitism-2/>.

²⁴¹ <https://penntoday.upenn.edu/announcements/ending-encampment>.

²⁴² <https://www.nbcphiladelphia.com/news/local/philadelphia-police-move-in-to-disband-pro-palestinian-encampment-on-penns-campus/3854917/>.

and forced the speaker and student attendees to be “evacuated for their safety.”²⁴³ Another Jewish student was assaulted at a pro-Palestinian rally on campus and protesters repeatedly yelled at Jews, calling them “Talmudic devils”.^{244,245} The campus chapter of SJP announced that they “indisputably support” the actions of Hamas on October 7.²⁴⁶ At Berkeley Law, a student group posted a crude antisemitic caricature of the Jewish dean, Erwin Chemerinsky, and then disrupted a private event in his backyard, refusing to stop or leave when asked.²⁴⁷ One university lecturer claimed that October 7 was a false-flag attack.²⁴⁸ The University was also recently sued for Title VI violations relating to antisemitism.²⁴⁹ In response to these and other incidents, such as anti-Israel protesters blocking the main gate of the University in violation of its policies,²⁵⁰ Professor Ron Hassner engaged in a “sleep-in” at Berkeley, not leaving his office until several demands relating to antisemitism were met.²⁵¹ Additionally, some faculty have created a group, “Faculty Against Anti-Semitism,”²⁵² inspired by Dr. Hassner’s actions. The University and its leader, Dr. Carol Christ, have responded by condemning these incidents.²⁵³ Additionally, Berkeley’s pre-existing standing Committee on Jewish Life was able to respond to incidents following October 7 and the university has instituted mandatory antisemitism and Islamophobia training. The UC Regents overall have also increased the budget for antisemitism programs and training and mental health resources²⁵⁴ and has considered changes to the department statements policy.²⁵⁵

University of California, Los Angeles

Like its counterpart in Berkeley, there have been many antisemitic incidents at UCLA. Protesters at the University yelled out “Beat that f**king Jew,” while others cried out, “Slaughter the Jews” resulting in Chancellor Gene Block issuing a statement of condemnation.^{256,257,258} Anti-Israel protests at the University have turned violent, with several protesters blockading parts of campus and prohibiting Jewish students from entering campus,²⁵⁹ and outsider pro-Israel instigators violently attacking campus protesters.²⁶⁰ At a UC Regents meeting on campus, protesters displayed antisemitic

²⁴³ <https://www.wsj.com/articles/uc-berkeley-antisemitism-ran-bar-yoshafat-palestine-israel-hamas-446ffb05>.

²⁴⁴ <https://x.com/StopAntisemites/status/1715340343384719392>.

²⁴⁵ <https://x.com/StopAntisemites/status/1786412766078669006>.

²⁴⁶ <https://www.politico.com/news/2024/04/21/uc-berkeley-antisemitism-00153463>.

²⁴⁷ <https://twitter.com/sfmcguire79/status/1778037351723258077>; <https://news.bloomberglaw.com/business-and-practice/berkeley-dean-who-defends-free-speech-laments-antisemitic-attack>.

²⁴⁸ <https://x.com/StopAntisemites/status/1730023182239756710>.

²⁴⁹ <https://www.reuters.com/legal/litigation/uc-berkeley-cites-first-amendment-bid-end-antisemitism-lawsuit-2024-02-06/#:~:text=The%20nonprofit%2C%20Louis%20D.,long%2Dfestering%20problem%20of%20antisemitism>.

²⁵⁰ <https://jweekly.com/2024/03/08/shiva-worthy-berkeley-prof-starts-sit-in-to-force-action-against-antisemitism/>.

²⁵¹ <https://www.sdjewishworld.com/2024/03/22/ron-hassner-uc-berkeley-has-accepted-my-requests-for-protection-of-students/>.

²⁵² <https://ejewishphilanthropy.com/inspired-by-berkeley-prof-academic-engagement-network-launches-national-faculty-against-antisemitism-movement/#:~:text=When%20Professor%20Ron%20Hassner%20made,in%20solidarity%20as%20he%20ate>.

²⁵³ <https://news.berkeley.edu/2024/03/26/campus-free-speech-is-essential-for-the-marketplace-of-ideas-leaders-say-at-berkeley-event>.

²⁵⁴ <https://edsources.org/2023/uc-pledges-7-million-to-address-islamophobia-antisemitism-on-campuses/700780>.

²⁵⁵ <https://www.nytimes.com/2024/03/20/us/university-of-california-israel-gaza-political-speech.html>.

²⁵⁶ <https://lamag.com/news/ucla-condemns-pro-palestinian-student-protesters-antisemitic-behavior>.

²⁵⁷ <https://jewishjournal.com/commentary/opinion/365490/ucla-response-to-antisemitism-hits-a-sour-note/>.

²⁵⁸ <https://newsroom.ucla.edu/standing-against-bigotry-at-the-university-of-california>.

²⁵⁹ <https://www.foxnews.com/us/video-shows-anti-israel-protesters-block-jewish-student-getting-class-ucla-responds>.

²⁶⁰ <https://chancellor.ucla.edu/messages/condemning-violence-in-our-community/>.

caricatures.²⁶¹ The university has also faced a student lawsuit for allegedly tolerating antisemitism.²⁶² As part of the UC system, the UC Regents have increased the budget for antisemitism programs and training and mental health resources²⁶³ and has considered changes to the department statements policy.²⁶⁴ UCLA in specific has announced a broad review of its anti-discrimination policies and has contracted an outside law firm to work with its Civil Rights Office.²⁶⁵

Yale University

Yale University has also faced serious problems relating to antisemitism. On October 7, one Yale professor tweeted in support of Hamas's attack, stating "such an extraordinary day!" and that Israelis did not have or deserve civilian status, justifying the attack.²⁶⁶ The U.S. Department of Education later opened an investigation into Yale after several Jewish students alleged that they were excluded from an official university panel, while non-Jewish students were not.²⁶⁷ A menorah on campus was desecrated and draped with a Palestinian flag.²⁶⁸ In response to this and other incidents, Yale President Dr. Peter Salovey issued a statement against hate. In that statement, Dr. Salovey announced the creation of a new standing advisory committee on Jewish student life and announced it would incorporate antisemitism programming into its Belonging at Yale program, as well as an expansion in kosher dining options.²⁶⁹ In addition, the previously existing Yale Antisemitism Campus Climate Group was given the mandate of further exploring ways campus Jewish life could be improved.²⁷⁰

Princeton University

While staff at Princeton invited a notoriously antisemitic author to an academic conference,²⁷¹ one professor included as a mandatory reading for last Fall a book claiming that Israel harvested Palestinian organs.²⁷² Additionally, protesters on campus waved the flag of Hezbollah, a recognized terrorist organization.²⁷³ In response to these and other incidents, the Department of Justice opened a civil rights investigation into the University's behavior.²⁷⁴ In general, however, the climate at Princeton has been calmer than at other universities.²⁷⁵ Dr. Christopher Eisgruber, the President of Princeton, has responded to these controversies in various ways: while noting that

²⁶¹ <https://newsroom.ucla.edu/campus-condemns-antisemitic-caricature-at-uc-regents-meeting>.

²⁶² <https://abc7.com/post/ucla-student-files-lawsuit-over-universitys-alleged-tolerance-of-campus-terrorists-hamas-israel-war-pro-palestinian-protests/14814879/>.

²⁶³ <https://edsources.org/2023/uc-pledges-7-million-to-address-islamophobia-antisemitism-on-campuses/700780>.

²⁶⁴ <https://www.nytimes.com/2024/03/20/us/university-of-california-israel-gaza-political-speech.html>.

²⁶⁵ <https://newsroom.ucla.edu/upcoming-congressional-testimony-and-our-commitment-to-an-inclusive-ucla>.

²⁶⁶ <https://nypost.com/2023/10/12/radical-yale-professor-faces-calls-to-be-fired-over-comments-on-hamas-attacks/>.

²⁶⁷ <https://yaledailynews.com/blog/2024/02/16/federal-investigation-into-antisemitism-at-yale-based-on-november-gaza-under-siege-panel/>.

²⁶⁸ <https://www.cnn.com/2023/12/11/us/yale-menorah-desecration-condemnation/index.html>.

²⁶⁹ <https://president.yale.edu/president/statements/against-hatred>.

²⁷⁰ <https://belong.yale.edu/annual-report-2023>.

²⁷¹ <https://www.dailyprincetonian.com/article/2023/02/princeton-letter-calls-on-english-department-condemn-palestinian-writer-el-kurd-accusation-antisemitism>.

²⁷² <https://president.princeton.edu/blogs/response-rep-gottheimer-about-academic-freedom-and-course-materials>.

²⁷³ <https://x.com/StopAntisemites/status/1783830037889982860>.

²⁷⁴ <https://www.timesofisrael.com/us-opens-civil-rights-probe-into-princeton-over-alleged-antisemitism-on-campus/>.

²⁷⁵ <https://forward.com/opinion/548881/whats-jewish-life-is-really-like-at-a-hotbed-of-antisemitism/>;
<https://www.campusreform.org/article/princeton-president-state-of-the-university-letter-claims-critics-use-anti-semitism-concerns-as-a-stalking-horse-for-other-agendas/24763>.

academic freedom meant that the university would not ban the antisemitic books from being taught, Dr. Eisgruber stated that calls for the genocide of Jews violated Princeton's code of conduct and making such statements could subject offenders to disciplinary action.²⁷⁶

Columbia University

At Columbia, one professor said that buildings on campus should not be named after Jews due to their "blood money," while another called Hamas's attacks "awesome."²⁷⁷ Israeli students reported being spat on for speaking Hebrew in public.²⁷⁸ Trucks have appeared on campus accusing Israel of stealing Palestinian organs.²⁷⁹ In November of last year, Dr. Minouche Shafik, President of Columbia, suspended two student groups, Students for Justice in Palestine and Jewish Voices for Peace, for threatening rhetoric, intimidation, and repeated violation of school policies, including sit-ins at school buildings.²⁸⁰

In response to students hosting an event on campus where speakers explicitly praised Hamas, Columbia suspended and evicted those student hosts. As Dr. Shafik has stated, "I did not become a university president to punish students. At the same time, actions like this on our campus must have consequences. That I would ever have to declare the following is in itself surprising, but I want to make clear that it is absolutely unacceptable for any member of this community to promote the use of terror or violence."²⁸¹ Additionally, in November of last year, Dr. Shafik announced the formation of a Task Force on Antisemitism in response to increased threats. This came alongside new policies around student demonstrations, meant to protect students against threats of violence,²⁸² and the "Our Community, Our Values" initiative for discourse and dialogue.²⁸³ The Task Force on Antisemitism has so far issued its first of several planned reports, with several recommendations and insightful analysis of the situation at Columbia.²⁸⁴ These include ensuring that content-neutral TMP restrictions are upheld and enforced, including in the moment of protests, that classroom activities are not interrupted and that harassment and discrimination are not tolerated on campus. They also recommended simpler processes for reporting violations of the rules and consistency in the treatment of Jews compared to other protected groups. Dr. Shafik has welcomed the report's recommendations.²⁸⁵ Dr. Shafik later testified to Congress that her administration would not tolerate expressions of antisemitism and promised investigations into professors who had a history of antisemitic statements, promising that some lecturers would not be allowed to return.²⁸⁶ In response to Dr. Shafik's testimony, protests at Columbia grew more extreme, with over two hundred students arrested amid widespread violence, the occupation of a hall and kidnapping of several employees.²⁸⁷ The university has claimed that much of the unrest and accompanying antisemitic chants have been caused by outsiders.²⁸⁸

²⁷⁶ <https://paw.princeton.edu/article/eisgruber-princeton-respond-calls-genocide-israel-gaza>.

²⁷⁷ <https://www.businessinsider.com/columbia-professor-faces-removal-petition-after-pro-hamas-attack-article-2023-10>.

²⁷⁸ <https://nypost.com/2024/04/14/us-news/jewish-students-say-columbia-university-must-address-antisemitism-ahead-of-dc-hearing/>.

²⁷⁹ <https://x.com/StopAntisemites/status/1753505027488985338>.

²⁸⁰ <https://www.timesofisrael.com/columbia-university-chapters-of-sjp-jvp-remain-suspended-as-new-semester-begins/>.

²⁸¹ <https://president.columbia.edu/news/statement-columbia-university-president-minouche-shafik-4-5-24>.

²⁸² <https://universitypolicies.columbia.edu/content/interim-university-policy-safe-demonstrations>.

²⁸³ <https://president.columbia.edu/news/our-community-our-values>.

²⁸⁴ <https://president.columbia.edu/content/report-1-task-force-antisemitism>.

²⁸⁵ <https://president.columbia.edu/news/president-shafik-welcomes-first-set-recommendations-task-force-antisemitism>.

²⁸⁶ <https://www.nytimes.com/2024/04/17/nyregion/columbia-university-president-nemat-shafik-hearing.html>.

²⁸⁷ <https://www.nytimes.com/2024/05/08/nyregion/columbia-hamilton-hall-protests.html>.

²⁸⁸ <https://www.nytimes.com/2024/05/04/nyregion/columbia-protests-arrest-agitators-israel.html>.

New York University

At New York University, Jewish students allege that other students chanted “Gas the Jews!” and “Hitler was right” during anti-Israel protests and that students made the slit-your-throat gesture at Jewish students; those students later filed a lawsuit against the university, accusing NYU of failing to control pervasive antisemitism.²⁸⁹ One NYU professor later supported Hamas and its attacks on October 7 and was subsequently suspended for this.²⁹⁰ The Graduate Student Council suspended a Jewish member, allegedly for introducing a resolution condemning support for Hamas but this decision was frozen by the university.²⁹¹ The President of the Student Bar Association released a newsletter blaming Israel for the October 7 attacks; they were later removed from their post.²⁹² The University, under President Linda G. Mills, has responded by condemning incidents involving antisemitic signs at a rally²⁹³ and suspending students who tore down posters of Israeli hostages.²⁹⁴ Dr. Mills has also announced a new cross-disciplinary Center for the Study of Antisemitism²⁹⁵ and issuing a “10 Point Plan for Student Safety and Well-being.” Its priorities include increasing security presence on campus, enforcement of the university’s code of conduct (including through disciplinary proceedings), improving response to complaints of bias, facilitating difficult conversations, hosting listening sessions, campaigning against hate and for mutual respect, and educating about antisemitism and Islamophobia.²⁹⁶

Cornell University

At Cornell, students have reported antisemitic graffiti across campus²⁹⁷ and a Cornell professor called the October 7 attacks “exhilarating” and “energizing,”²⁹⁸ before taking a semester’s leave of absence.²⁹⁹ Most alarmingly, a Cornell student threatened Jews on campus with death threats and threatened to bomb a Jewish center.³⁰⁰ The school, under the leadership of President Martha Pollack, has responded to this in various ways, including issuing statements firmly denouncing antisemitic incidents,³⁰¹ creating a small group of trustees to discuss issues relating to antisemitism and campus disruptions, sponsoring a series of expert discussions on antisemitism and Islamophobia³⁰² and arresting and imposing disciplinary sanctions on students involved in sit-ins and occupations of campus buildings.³⁰³

²⁸⁹ <https://www.reuters.com/legal/nyu-is-sued-by-jewish-students-who-allege-antisemitism-campus-2023-11-14/>.

²⁹⁰ <https://nyunews.com/news/2024/01/29/pro-palestinian-professor-suspension/>.

²⁹¹ <https://www.foxnews.com/media/jewish-nyu-student-speaks-out-being-reinstated-campus-role-antisemitism-communicable-disease>.

²⁹² <https://nypost.com/2023/12/02/metro/ryna-workman-out-as-nyu-student-bar-president-after-israel-blame/>.

²⁹³ <https://www.nyu.edu/about/news-publications/news/2023/october/statement-from-nyu-spokesperson-john-beckman-on-photos-of-people.html>.

²⁹⁴ <https://nyunews.com/news/2024/04/08/student-suspended-for-removing-israeli-hostage-posters-suing-university/>.

²⁹⁵ <https://www.nyu.edu/about/news-publications/news/2023/november/nyu-to-create-center-for-the-study-of-antisemitism.html>.

²⁹⁶ <https://www.nyu.edu/about/leadership-university-administration/office-of-the-president/comms/executive-summary-updating-our-community-on-the-10-point-plan.html>.

²⁹⁷ <https://x.com/AvivaKlompas/status/1570196446049357827>.

²⁹⁸ <https://nypost.com/2023/10/16/russell-rickford-says-hamas-terror-was-exhilarating-exciting/>.

²⁹⁹ <https://www.thecornellreview.org/rickford-called-hamas-attacks-exhilarating-takes-leave/>.

³⁰⁰ <https://www.syracuse.com/news/2024/04/former-cornell-student-patrick-dai-pleads-guilty-to-making-threats-against-jewish-students.html>.

³⁰¹ <https://statements.cornell.edu/2023/20231101-standing-against-hate.cfm>.

³⁰² <https://events.cornell.edu/addressing-prejudice>.

³⁰³ <https://statements.cornell.edu/2024/20240321-day-hall.cfm>.

Dartmouth College

In contrast, there have been very few antisemitic incidents at Dartmouth.³⁰⁴ The school, under the leadership of Dr. Sian Beilock, responded to the October 7 attacks with a statement encouraging thoughtful and respectful debate and announcing a series of educational fora on the issue.³⁰⁵ The school has also sponsored an Intercultural Engagement Conference³⁰⁶ and employee workshops on antisemitism and Islamophobia in response.³⁰⁷ The school's response has been praised by figures such as Secretary of Education Miguel Cardona.³⁰⁸

Duke University

Similarly, there have been very few incidents at Duke University under Dr. Vincent Price.³⁰⁹ The school responded to the October 7 attacks with a statement emphasizing that violence is not the solution to problems.³¹⁰ It followed up with antisemitism trainings³¹¹ and highlighting a student effort to introduce and inform students about Jewish traditions.³¹²

University of Chicago

Unlike the other schools listed here, the University of Chicago and its leader Dr. Paul Alivisatos, in keeping with its long tradition of institutional neutrality,³¹³ have not issued any statements with regard to the current Israel-Palestine conflict or antisemitism, nor has the university formed any committee or instituted any new policies with respect to the current campus climate. While there have been incidents on campus, such as an employee tearing down posters of Israeli hostages,³¹⁴ another employee tweeting that "Hitler was right"³¹⁵ and posters of Israeli hostages being vandalized with red paint,³¹⁶ the campus climate has been relatively calm at the University of Chicago.

Brown University

At Brown University, there have been several incidents. Violent threats were sent to the leadership of Brown's Hillel,³¹⁷ while a student had their residence broken into with an antisemitic

³⁰⁴ <https://forward.com/opinion/566953/many-universities-fumbled-reactions-to-hamas-attack-heres-how-dartmouth-got-it-right/>.

³⁰⁵ <https://president.dartmouth.edu/news/2023/10/statement-israel-gaza-war>.

³⁰⁶ <https://student-affairs.dartmouth.edu/news/2023/11/lifting-campus-dialogue>.

³⁰⁷ <https://president.dartmouth.edu/news/2024/04/employee-workshops-address-islamophobia-and-antisemitism>.

³⁰⁸ <https://apnews.com/article/israel-gaza-war-miguel-cardona-antisemitism-islamophobia-5e9a8afe526955496c5906a7f47561a1>.

³⁰⁹ <https://www.dukechronicle.com/article/2024/01/duke-university-israel-hamas-palestine-campus-discourse-faculty-students-reflect-reactions-antisemitism-islamophobia>.

³¹⁰ <https://today.duke.edu/2023/10/president-price-condemns-attacks-hamas-israel>.

³¹¹ <https://students.duke.edu/belonging/icr/jewishlife/about-us/antisemitism101/>.

³¹² <https://today.duke.edu/2024/04/bridging-cultures-two-duke-students-initiative-share-jewish-traditions>.

³¹³ https://provost.uchicago.edu/sites/default/files/documents/reports/KalvenRprt_0.pdf.

³¹⁴ <https://x.com/StopAntisemites/status/1725938207466946789>.

³¹⁵ <https://x.com/StopAntisemites/status/1726630135795949796>.

³¹⁶ <https://www.adl.org/campus-antisemitism-report-card/university-chicago>.

³¹⁷ <https://forward.com/fast-forward/581685/hillel-threats-brown-risd/>.

and threatening message left in their room.³¹⁸ Under the leadership of Dr. Christina Paxson, the university has responded to this and other challenges, such as the hate crime shooting of Palestinian student Hisham Awartani,³¹⁹ through its “Strengthening Our Community Amid Conflict” program.³²⁰ This program has many components, including educational programming on antisemitism,³²¹ enhancing the school’s Title VI response system, sessions on combatting antisemitism,³²² and programming on freedom of expression and dialogue.³²³ The University has also reorganized its discrimination and harassment compliance³²⁴ in response.

City University of New York

Several incidents have also occurred throughout the City University of New York (CUNY) system. CUNY students have been filmed tearing down posters of Israeli hostages³²⁵ and yelling antisemitic slogans at Jews. One CUNY lecturer called Zionists “Babylon swine”³²⁶ (that lecturer is no longer employed at CUNY) and threatening antisemitic graffiti has been found on campus buildings.³²⁷ Another professor accused Jews of perpetuating the Holocaust, while a student group invited a notoriously antisemitic guest speaker.^{328,329} The university, under Chancellor Dr. Félix Matos Rodríguez, has responded to these and other incidents in a variety of ways, including new funds for campus activities combating antisemitism,³³⁰ such as unity breakfasts, promoting interfaith events and establishing an Advisory Council on Jewish Life.³³¹ Additionally, the New York state government is conducting a third-party review of CUNY’s antisemitism policies with recommendations and has hired a law firm to do so.^{332,333}

Conclusions

Overall, universities across the country have faced substantial antisemitic incidents since October 7. Many universities have responded in similar ways, by strong denunciations of incidents, increased funding or support for Jewish life and increased programming on antisemitism and discourse. A few universities have responded more forcefully, by arresting or sanctioning students violating school policy, by revising their antisemitism and campus disruption policies, or by forming committees to more fully examine the campus climate and issue reports.

³¹⁸ <https://x.com/StopAntisemites/status/1734990391114391794>.

³¹⁹ <https://www.brown.edu/news/2023-12-07/card-writing>.

³²⁰ <https://community-amid-conflict.brown.edu/>.

³²¹ <https://community-amid-conflict.brown.edu/events>.

³²² <https://community-amid-conflict.brown.edu/oied-spring-2024-programming>.

³²³ <https://www.brown.edu/about/administration/provost/academic-freedom-and-freedom-expression>.

³²⁴ <https://president.brown.edu/president/discrimination-and-harassment-compliance-reorganization>.

³²⁵ <https://x.com/StopAntisemites/status/1723883491538915337>.

³²⁶ <https://x.com/StopAntisemites/status/1715362592561008673>.

³²⁷ <https://x.com/StopAntisemites/status/1770859601300214251>.

³²⁸ <https://x.com/StopAntisemites/status/1785487074101215341>.

³²⁹ <https://x.com/StopAntisemites/status/1762855431204986895>.

³³⁰ <https://www.cuny.edu/about/administration/offices/transformation/diversity-equity-and-inclusion-hub/combating-antisemitism/>.

³³¹ <https://twitter.com/ChancellorCUNY/status/1656736870036799492>.

³³² <https://www.governor.ny.gov/news/following-surge-hate-and-bias-crimes-governor-hochul-deploys-all-available-state-resources>.

³³³ <https://news.bloomberglaw.com/business-and-practice/wake-up-call-latham-delves-into-cuny-antisemitism-accusations>.

Appendix III

Procedures for Addressing Student Misconduct: A Peer Institution Comparison³³⁴

Stanford is obligated to protect both its students and its community. To this purpose the sensitive balance between freedom of speech and expression, the right to protest, and the duty to penalize hateful comments and actions is often addressed through student conduct procedures. In light of the rising pace of protests, disruptions, and hate incidents involving the war between Israel and Hamas and the status of Jewish and Israeli students in the U.S., increasing numbers of students at Stanford and around the country are facing—or not facing—university disciplinary responses.

This appendix compares Stanford University’s student conduct procedures with those of its peer institutions. The selected peer institutions include Harvard University, Yale University, Princeton University, Dartmouth College, Cornell University, Columbia University, New York University, Brown University, the University of Pennsylvania, Duke University, the University of Chicago, and Georgetown University. Specifically, we investigate the process of referring students for disciplinary hearings and determining penalties. In doing so we also identify the various roles that students play in the hearing process, the degree of consensus needed for hearing panels to make a decision, and the penalties universities have imposed for student disruptions related to the Israel-Palestine conflict. Ultimately, this report contextualizes Stanford’s processes, and recent decisions regarding student discipline, among other elite institutions.

This qualitative research summary from twelve peer institutions consolidates information from university websites and news articles. The report directly addresses five overarching questions:

1. What are the procedures to refer a student for misconduct, then hold a hearing, then impose penalties?
2. What is the range of penalties covered by this process?
3. What role do students play in the process? How many (if any) students sit on disciplinary hearing panels?
4. What kind of majority is required to find a student responsible and impose penalties?
5. What penalties have these schools imposed so far for student disruptions related to the Israel-Palestine conflict?

Questions one through four are primarily addressed by analyzing student Codes of Conduct on university websites. Addressing question five comprehensively required a thorough scouring and cross-referencing of news articles, official university statements, and social media posts. Thus, the accuracy of our report is subject to the availability of publicly disclosed information, a task that is further constrained due to the confidential subject matter. As such, any assertions regarding the number of student disciplinary cases or their respective penalties are limited to information shared with the public.

³³⁴ This section of our report was researched and written by Zohar Levy, a graduate of Stanford University.

Overview: Stanford University Procedures Compared to Its Peer Institutions

Stanford's Office of Community Standards (OCS) upholds the Fundamental Standard³³⁵ and the Honor Code.³³⁶ The latter addresses academic integrity and therefore is not the focus of this research. Likewise, this report does not discuss the procedures for reporting and adjudicating sexual misconduct, as they are handled by the SHARE Title IX office.³³⁷ While only some universities utilize the same office or process for academic and behavioral misconduct as Stanford, it should be stated that all researched peer institutions have separate policies for sexual harassment and/or gender-based discrimination.

The Fundamental Standard at Stanford is particularly unique in delineating freedom of speech and standard violations due to the Leonard Law. This California law prohibits private universities from making or enforcing a rule that subjects an enrolled student to disciplinary sanctions solely on the basis of speech protected by the First Amendment. This is one of the primary challenges to imposing student accountability for potentially reprehensible speech.

Stanford Misconduct Procedures: Referral, Hearing Panel, Imposition of Penalties

By and large, the process from submitting a complaint, through investigation, to arriving at a Hearing Panel review is similar across universities:

Possible concerns may be submitted to Stanford's OCS by anyone in the community. If the Director of OCS reviews the allegation and determines that there is sufficient evidence to file charges, OCS sets a level of review, and the case is then investigated. Formal charges require different standards of proof depending on the level of review: Alternative Resolution, Mid-Level Review, and High-Level Review. In a Mid-Level Review, OCS requires clear and convincing evidence to bring charges. In a High-Level Review, this raises to a standard of "beyond a reasonable doubt."³³⁸ The Responding Student can choose to accept responsibility. However, if the student contests the charges, no Alternative Resolution is offered, and a hearing is scheduled.³³⁹ If the panel finds the student responsible for violating the Code of Conduct, it may also impose sanctions.

The procedural differences between Stanford and others emerge primarily at the Hearing Panel stage: specifically with respect to the panel membership, the penalties offered, the role of students, and majority standards.

³³⁵ Off. of Cmty. Standards, *Fundamental Standard*, Stanford Univ. (Jun. 12, 2023), <https://communitystandards.stanford.edu/policies-guidance/fundamental-standard>.

³³⁶ Off. of Cmty. Standards, *Honor Code*, Stanford Univ. (Sept. 1, 2023), <https://communitystandards.stanford.edu/policies-guidance/honor-code>.

³³⁷ Off. of Cmty. Standards, *SHARE Title IX*, Stanford Univ., <https://share.stanford.edu/>.

³³⁸ Off. of Cmty. Standards, *Student Accountability Process (2023 Charter)*, Stanford Univ. (2023), <https://communitystandards.stanford.edu/student-accountability-process-2023-charter>.

³³⁹ Off. of Cmty. Standards, *When Responding Students Are Notified (2023 Charter)*, Stanford Univ. (2023), <https://communitystandards.stanford.edu/student-accountability-process-2023-charter/when-responding-students-are-notified-2023-charter>.

Peer Institution Misconduct Procedures: Similarities and Differences

Stanford's OSC reviews both academic and behavioral misconduct. If an allegation is raised to a level beyond Alternative Resolution, the case is adjudicated by a Hearing Panel. The panel includes students, faculty, and staff, and is chaired by a student Panelist. Mid-Level Review Panels have two students and one faculty or staff member, and high-level Review Panels have three students and two faculty or staff members. These members are drawn from a pool of at least 30 trained "conduct panelists."³⁴⁰ Should the Panel determine the student responsible, "by a minimum vote of 2 of 3 panelists for Mid-Level Review and 4 of 5 panelists for High-Level Review," sanctions are voted on by the same voting metric.³⁴¹ Despite these different levels, these procedures are nearly identical at the peer institutions we researched. We examine the similarities and differences below:

Administrative Hearings

Some institutions offer administrative hearings overseen by as few as one to three faculty and staff members. At the other end of the spectrum, cases referred to Harvard University's Administrative Board are voted on by the full board of up to 25 faculty and staff members.^{342,343} No other university has so many voting members. Additionally, Harvard uniquely excludes students as voting members.

At Dartmouth, violations potentially resulting in neither suspension nor expulsion are adjudicated by a College hearing officer through an Administrative Hearing. Otherwise, the Committee of Standards or the Organizational Adjudication Committee would review the case through committees composed of students, faculty, and staff.³⁴⁴

On the other hand, at Brown University, both Administrative Hearings and Student Conduct Board Hearing cases "may involve serious prohibited conduct in a single incident or a persistent pattern of less severe prohibited conduct." The Director of Student Conduct & Community Standards determines the appropriate system to resolve the case. A single dean or administrator conducts Administrative Hearings, whereas review by the Student Conduct Board incorporates students, faculty, and staff.³⁴⁵

³⁴⁰ "Conduct Panelists are individuals who are qualified and receive training to serve on Hearing Panels and the Appeal Panel. Panelists include undergraduate and graduate students appointed by the Undergraduate Senate and the Graduate Student Council of the Associated Students of Stanford University, faculty appointed by the Senate of the Academic Council, and staff appointed by the Provost. There should be at least 30 trained Panelists, including at least 15 students and at least 8 faculty." <https://communitystandards.stanford.edu/policies-guidance/stanford-student-conduct-charter-2023>. Section II G.

³⁴¹ Off. of Cmty. Standards, *Hearings (2023 Charter)*, Stanford Univ. (2023), <https://communitystandards.stanford.edu/student-accountability-process-2023-charter/hearings-2023-charter>.

³⁴² Admin. Bd., *Membership*, Harvard Univ., <https://adboard.fas.harvard.edu/membership>.

³⁴³ Admin. Bd., *Non-Peer Dispute*, Harvard Univ., <https://adboard.fas.harvard.edu/non-peer-dispute>.

³⁴⁴ Off. of Cmty. Standards and Accountability, *Committee on Standards (COS)*, Dartmouth Coll., <https://students.dartmouth.edu/community-standards/about/committee-standards-cos>.

³⁴⁵ Off. of Student Conduct, *2023-2024 Code of Student Conduct*, Brown Univ. (2023), <https://www.brown.edu/offices/student-conduct/sites/student-conduct/files/docs/2023-2024%20Code%20of%20Student%20Conduct.pdf>.

At Duke University, most allegations of misconduct are reviewed by an Administrative Hearing between the student and a Hearing Officer. More serious cases are heard by a Conduct Board panel of students, faculty, and staff.³⁴⁶

Universities with Multiple Procedures

Unlike Stanford’s comprehensive system at OCS, Columbia University, the University of Chicago, and Princeton University have several offices or separate procedures for adjudicating different classes of disciplinary cases.

Columbia has two processes to investigate student misconduct. The first, the Dean’s Discipline, is handled by the student’s respective school and administrative Hearing Officers. The second, the Rules of University Conduct assesses University-wide policies, which “apply to any demonstration, including a rally or picketing, that takes place on or at a University facility or at any University sponsored activity.” Alleged violations of this kind are heard by a University Judicial Board, upon which a five-person panel of students, staff, and faculty adjudicates cases presented to the Executive Committee of the University Senate.³⁴⁷

At the University of Chicago, potential violations are brought to one of four systems: Area Admission Review, Area Disciplinary Systems, University-wide Disciplinary System, or College Housing Discipline. The primary system is the Area Disciplinary system which addresses most cases of student misconduct and is the procedure highlighted in this report. The University-wide system adjudicates potential violations of unlawful discrimination or sexual misconduct.³⁴⁸

At Princeton University, the Faculty-Student Committee on Discipline is the main procedure to investigate serious student infractions. Potential honor system violations are addressed by the Undergraduate Honor Committee.³⁴⁹ Potential infractions whose “penalty will not interrupt the student’s academic career” (e.g. penalties excluding suspension or expulsion) are often resolved by the Residential College Disciplinary Board, “comprising deputy, associate and assistant deans of undergraduate students.”³⁵⁰ This report mainly investigates procedures from the Faculty-Student Committee on Discipline.

The rest of this section investigates research questions two through four as described above.

³⁴⁶ Off. of Student Conduct, *Administrative or Conduct Board Hearings*, Duke Univ. (May 24, 2024), <https://students.duke.edu/get-assistance/community-standard/administrative-or-conduct-board-hearings/>.

³⁴⁷ Off. of Univ. Life, *Rules of University Conduct*, Columbia Univ. (Sept. 29, 2019), <https://universitypolicies.columbia.edu/content/rules-university-conduct>.

³⁴⁸ Off. of the Provost, *Student Disciplinary Systems*, Univ. of Chi., <https://provost.uchicago.edu/handbook/clause/student-disciplinary-systems>.

³⁴⁹ Rights, Rules, Responsibilities, *Students and the University: 2.3 Undergraduate Honor System*, Princeton Univ. (2023), <https://rrr.princeton.edu/2023/students-and-university/23-undergraduate-honor-system>.

³⁵⁰ Rights, Rules, Responsibilities, *Students and the University: 2.5 University Discipline*, Princeton Univ. (2023), <https://rrr.princeton.edu/2023/students-and-university/25-university-discipline>.

Range of Penalties

Stanford uniquely has “no standard penalties” for Fundamental Standard violations. OCS states, “Infractions have led to penalties ranging from a formal warning and community service to expulsion.”³⁵¹

The Student Conduct Penalty Code Bylaw limits sanctions to the following conditions:

1. “Alternative Resolution must not include probation or suspension.
2. Probation or any suspension through Mid-Level Review must last at most one quarter.
3. Expulsion is only available through High-Level Review.”³⁵²

Like Stanford, peer institutions have focused on increasing opportunities for finding alternative resolutions, which are often excluded from a student’s transcript. It is important to note, however, that alternative resolution options are only available to students who 1) have accepted responsibility for the policy violation(s) and 2) are found responsible for non-serious violations. Therefore, in this section we largely detail cases that lead to a disciplinary hearing, i.e. cases in which the student contests the allegations and/or the allegations are more serious.

Some institutions can sanction students with a warning or reprimand for first-time, lower-level violations. For example, the Yale College Executive Committee can impose an internal “reprimand” or even a “restriction” of the student from participating in some University privileges, before an official jeopardy begins with a “probation” sanction.³⁵³ Similarly, Princeton lists “Dean’s Warning” and “Reprimand” as informal sanctions.³⁵⁴ However, at Harvard, the minimum penalty of admonition “begins a state of jeopardy” for the student.³⁵⁵ Similarly, through Columbia College’s Dean’s Discipline, “students found responsible for policy violation(s) can expect to receive a minimum sanction of Conditional Disciplinary Probation.”³⁵⁶

Although housing penalties can be imposed by all institutions, at Georgetown, the housing sanctions are detailed, including Property Party Restriction (i.e. loss of privilege for any social gatherings to be hosted at the student’s residence), Housing Probation, Housing Relocation, Apartment Living Suspension (i.e. being barred from living in University apartment, but not University housing), Housing Suspension, and Housing Expulsion.³⁵⁷

³⁵¹ Off. of Cmty. Standards.

³⁵² Off. of Cmty. Standards, *Stanford Student Conduct Charter (2023)*, Stanford Univ. (2023), <https://communitystandards.stanford.edu/policies-guidance/stanford-student-conduct-charter-2023>.

³⁵³ Yale Univ., *Penalties*, Yale College Undergraduate Regulations 2023–2024. (2023), <https://catalog.yale.edu/undergraduate-regulations/penalties/>.

³⁵⁴ Rights, Rules, Responsibilities, *University-Wide Regulations: 1.1 University Principles of General Conduct and Regulations*, Princeton Univ. (2023), <https://rrr.princeton.edu/2023/university-wide-regulations/11-university-principles-general-conduct-and-regulations>.

³⁵⁵ Admin. Bd., *Student Conduct Outcomes*, Harvard Univ., <https://adboard.fas.harvard.edu/student-conduct-outcomes>.

³⁵⁶ Ctr. for Student Success and Intervention, *Learn About Policies*, Columbia Univ. (Aug. 28, 2023), <https://cssi.columbia.edu/content/learn-about-policies>.

³⁵⁷ Off. of Student Conduct, *Code of Student Conduct*, Georgetown Univ., <https://studentconduct.georgetown.edu/code-of-student-conduct/>.

Across all institutions, cases where a student may be suspended or expelled if found responsible for the violation are heard by a panel. At nearly all the reviewed institutions, the board may sanction a student responsible for a serious violation with permanent dismissal from the university. At Harvard, the Administrative Board cannot expel students; the Board can “require a student to withdraw and make a recommendation to the Faculty Council that the student be dismissed or expelled from the College permanently.”³⁵⁸

Role and Influence of Students

Undergraduate and graduate students can serve a variety of responsibilities before and during the hearing process. Most of Stanford’s peer institutions grant students the opportunity to serve as voting members on hearing and sanctioning panels. Typically, students on the hearing panels will match the status (i.e. undergraduate or graduate) of the responding student.

Stanford vests students with the greatest influence over the disciplinary process compared to any peer institution. Student representatives always make up the majority of hearing panel members. Not only that, but the panel itself is chaired by a student.³⁵⁹ No other university confers such power on its student members.

On the opposite end of the spectrum, students at Harvard do not serve on disciplinary hearing panels.³⁶⁰ At UChicago, students may not sit on the College Area Disciplinary Committee, but they can serve as advocates to support students facing disciplinary charges.³⁶¹ Students at Columbia do not take part in the Dean’s Disciplinary process, aside from serving as Student Navigators, though they do serve on the University Judicial Board.^{362,363}

Georgetown students have the widest range of roles. They can become a Student Member of the Hearing Board, a class representative on the Office of Student Conduct Advisory Committee, or take part in the Residential Judicial Council, “a body of students living in University housing that adjudicate potential violations of the Code of Student Conduct that impact students’ residential experiences.”³⁶⁴

The table below summarizes the voting power of students on university disciplinary panels, in order of student involvement.

³⁵⁸ Admin. Bd., *supra* note 21.

³⁵⁹ Off. of Cmty. Standards, *supra* note 17.

³⁶⁰ Admin. Bd., *supra* note 7.

³⁶¹ Amadis Davis, Letter from the Conduct Division of the Student Advocate’s Office, Univ. of Chi., <https://humanities-web.s3.us-east-2.amazonaws.com/college-prod/s3fs-public/documents/13.pdf>.

³⁶² Center for Student Success and Intervention, *supra* note 20.

³⁶³ Off. of University Life, *supra* note 12.

³⁶⁴ Off. of Student Conduct, *Get Involved*, Georgetown Univ., <https://studentconduct.georgetown.edu/get-involved/>.

Table: Voting Weight of Students on University Disciplinary Panels

University	Disciplinary Procedure	Students : Total Members on Hearing Panel
Stanford University ³⁶⁵	OCS Hearing Panel Mid-Level Review	2:3
	OCS Hearing Panel High-Level Review	3:5
Cornell University ³⁶⁶	University Hearing Panels	3:5
	Appeals	1:3
Georgetown University ³⁶⁷	Standard Hearing Board	3:5
	Appeals	1:3
University of Pennsylvania ³⁶⁸	Disciplinary Hearing Panels	3:5
Princeton University ³⁶⁹	Faculty-Student Committee on Discipline	min 3:6, max 5:10
	Residential College Disciplinary Board	N/A
Dartmouth College	Committee on Standards Panel ³⁷⁰	2:5
	Organizational Adjudication Committee Panel ³⁷¹	3:7
	Administrative Hearing ³⁷²	N/A
Yale University ³⁷³	Executive Committee	2:6

³⁶⁵ Off. of Cmty. Standards, *supra* note 17.

³⁶⁶ Off. of Student Conduct and Cmty. Standards, *Student Code of Conduct Procedures*, Cornell Univ. (Aug. 2, 2021), <https://scl.cornell.edu/sites/scl/files/documents/Student%20Code%20of%20Conduct%20Procedures%20Approved%20by%20the%20Board%2012.10.20%20Final.pdf>.

³⁶⁷ Off. of Student Conduct, *supra* note 22.

³⁶⁸ <https://catalog.upenn.edu/pennbook/charter-student-disciplinary-system/#text>

³⁶⁹ Rights, Rules, Responsibilities, *supra* note 15.

³⁷⁰ Off. of Cmty. Standards & Accountability, *supra* note 9.

³⁷¹ Off. of Cmty. Standards & Accountability, *Organizational Adjudication Committee (OAC)*, Dartmouth Coll., <https://students.dartmouth.edu/community-standards/about/organizational-adjudication-committee-oac>.

³⁷² Student Affairs, *Disciplinary Procedures*, Dartmouth Coll., <https://student-affairs.dartmouth.edu/policy/disciplinary-procedures>.

³⁷³ Yale Univ., *The Disciplinary Procedures of the Executive Committee of Yale College*, Yale College Undergraduate Regulations 2023–2024. (2023), <https://catalog.yale.edu/undergraduate-regulations/procedures/disciplinary-executive-committee/>.

New York University ³⁷⁴	OCS Hearing Panel	1:3
Brown University ³⁷⁵	Student Conduct Board	1:3
Columbia University	University Judicial Board ³⁷⁶	min 1:5, max. 2:5
	Dean's Discipline ³⁷⁷	N/A
Duke University ³⁷⁸	Conduct Board Hearing	1:3 (potentially 5 on panel)
	Administrative Hearing	N/A
University of Chicago ³⁷⁹	College Area Disciplinary Committee	1:6
Harvard University ³⁸⁰	Administrative Board	N/A

Majority Standards

The three standards of proof used by universities in student disciplinary proceedings are: “preponderance of the evidence”, “clear and convincing evidence”, and the highest standard, “beyond a reasonable doubt.”

As stated in the introduction, the standard of proof that Stanford OCS requires to find a student responsible for violation of the Fundamental Standard for Mid-Level review cases is “clear and convincing evidence”, and for High-Level review cases “beyond a reasonable doubt.” Both these standards are stricter than most other institutions. Yale, Columbia, NYU, Dartmouth, Brown, Duke, and Chicago utilize a standard of “preponderance of the evidence.” Penn, Princeton, Cornell, and Georgetown require “clear and convincing evidence”, and Harvard does not explicitly define its standard. Notably, Georgetown distinguishes between on- and off-campus allegations, where off-campus behaviors have a lower burden of proof of “more likely than not.”

No other institution requires a standard of “beyond a reasonable doubt,” suggesting that it is much harder to discipline Stanford students for the most serious cases than at other institutions.

³⁷⁴ Off. of Student Conduct and Cmty. Standards, *Student Conduct Procedures*, New York Univ. (Aug. 18, 2022), <https://www.nyu.edu/students/student-information-and-resources/student-community-standards/studentconductprocedures.html>.

³⁷⁵ Brown Univ., *Student Conduct Procedures*, 2023 – 2024 Academic Year. (Sept. 2023), <https://www.brown.edu/offices/student-conduct/sites/student-conduct/files/docs/Student%20Conduct%20Procedures%202023%20-%202024.pdf>

³⁷⁶ Off. of University Life, *supra* note 12.

³⁷⁷ Center for Student Success and Intervention, *supra* note 21.

³⁷⁸ Off. of Student Conduct, *supra* note 11.

³⁷⁹ Univ. of Chi., *Area Disciplinary Systems*, Student Manual, <https://studentmanual.uchicago.edu/student-life-conduct/university-disciplinary-systems/area-disciplinary-systems/>.

³⁸⁰ Admin. Bd., *supra* note 7.

Similarly, Stanford requires a higher majority agreement on cases than virtually all other institutions. For Mid-Level review cases, a two-thirds majority is required to find a student responsible; High-Level review cases require a four-fifths majority. For the latter cases, this means any two student members can veto a finding that a student is responsible for a violation.

Yale, Columbia, Penn, Princeton, Dartmouth, Brown, Cornell, Chicago, and Georgetown require a simple majority to find a student responsible and impose sanctions. Most of Harvard's cases and penalties require a simple majority, except for a sanction recommendation to withdraw, which requires a two-thirds majority. NYU does not clarify its majority standards and instead states that a decision will be rendered.

Duke is the only university with higher majority standards than Stanford. At Duke, finding a student responsible requires a unanimous vote of the three to five-person Conduct Board Hearing panel. Although a majority vote can determine most sanctions, penalties of suspension or expulsion require a unanimous vote.³⁸¹

Penalties Imposed for Student Disruptions Related to the Israel-Palestine Conflict

Harvard University

Harvard has utilized its Administrative Board Hearings in response to student protests, but it is unclear how many Hearings or cases have resulted in consequences. Following the November 13 occupation of a University building, eight undergraduate students from Harvard Jews for Palestine faced hearings.³⁸² In December, four undergraduate organizers of the pro-Palestine “Week of Action” faced new Ad Board actions.³⁸³ On May 14th, the *New York Times* quotes HOOP: “The university ... has agreed that over 60 students and student workers currently facing disciplinary procedures will have those cases expedited.” Whether those 60 students or the 12 before them faced Ad Board hearings or penalties is uncertain.³⁸⁴

Similarly, earlier in the year, two graduate students assaulted an Israeli student during a protest on October 18, 2023.³⁸⁵ In May 2024, the graduate students were each charged with assault and battery and now face up to 200 days in jail.³⁸⁶ Aside from one student's removal from his role as a residential proctor for undergraduates, the University has not disclosed whether he graduated as planned from Harvard Divinity School this year, or if either student faced disciplinary penalties. *The*

³⁸¹ Off. of Student Conduct, *supra* note 11.

³⁸² Miles J. Herszenhorn & J. Sellers Hill, *Mass Hall Protest Letter*, Harv. Crimson (Nov. 21, 2023), <https://www.thecrimson.com/article/2023/11/21/mass-hall-protest-letter/>.

³⁸³ Cam E. Kettles & Joyce E. Kim, *Four Harvard Undergrads Face Disciplinary Action Surrounding Pro-Palestine 'Week of Action'*, Harv. Crimson (Dec. 11, 2023), <https://www.thecrimson.com/article/2023/12/11/ad-board-pro-palestine-students/>.

³⁸⁴ Anemona Hartocollis, *Harvard Reaches Agreement With Protesters to End Encampment*, N.Y. Times (May 14, 2024), <https://www.nytimes.com/2024/05/14/us/harvard-encampment-gaza-protest.html>.

³⁸⁵ J. Sellers Hill & Joyce E. Kim, *Harvard Proctor Indefinitely Relieved of Duties Following Confrontation at Pro-Palestine Protest*, Harv. Crimson (Nov. 11, 2023), <https://www.thecrimson.com/article/2023/11/11/thayer-proctor-relief-of-duties/>.

³⁸⁶ Max J. Krupnick, *Update: Harvard Encampment Ends*, Harv. Mag. (May 20, 2024), <https://www.harvardmagazine.com/2024/05/harvard-encampment-palestine-quiet>.

Crimson reported that the other student, “who was originally set to graduate from [Harvard Law School] in May, is now set to matriculate from both HLS and [Harvard Kennedy School] in 2025.”³⁸⁷

Following a protest on April 19, Harvard suspended the Undergraduate Palestine Solidarity Committee through the end of Spring 2024. The group violated their probation restrictions imposed in March by “fail[ing] to register the demonstration and violat[ing] protest guidelines regarding responsible use of space.”³⁸⁸ The group reemerged days after, renamed Harvard Out of Occupied Palestine (HOOP), and led an encampment in Harvard Yard between April 24 and May 14. After the encampment’s peaceful removal, Harvard College’s Administrative Board doled penalties on May 17 for students involved. HOOP stated that 23 undergraduate students were placed on multi-semester probation and five were suspended. Of these students, 12 were prevented from graduating.³⁸⁹

According to *Harvard Magazine*, the Faculty of Arts and Sciences overruled on May 20 the Administrative Board’s vote that 13 students were ineligible to graduate due to their violations of university policies related to the encampment. Two days later, the President and Fellows overruled this faculty decision, declared the students to be “not in good standing” and affirmed that their degrees would not be conferred this year.³⁹⁰

Columbia University

Protests and arrests have been particularly prominent at Columbia. In November 2023, Columbia suspended both Students for Justice in Palestine (SJP) and Jewish Voice for Peace (JVP) for the rest of the semester for violations of University event policies.³⁹¹ Just prior to the suspensions, “senior administrators revised the University events policies” in response to student protests.³⁹² The groups reemerged as the Columbia University Apartheid Divest group, and the suspensions for SJP and JVP continued through the Spring.³⁹³

Months later, responding to an unsanctioned event on March 24 featuring Khaled Barakat, the University stated that they “will pursue discipline against any community member who has

³⁸⁷ Sally E. Edwards, *Harvard Grad Students Charged Following Confrontation at October Pro-Palestine Protest*, *Harv. Crimson* (May 18, 2024), <https://www.thecrimson.com/article/2024/5/18/graduate-students-charged-hbs-palestine-confrontation/>.

³⁸⁸ Michelle N. Amponsah & Joyce E. Kim, *Harvard Suspends Palestine Solidarity Committee amid Wave of Protests on College Campuses*, *Harv. Crimson* (Apr. 23, 2024), <https://www.thecrimson.com/article/2024/4/23/harvard-psc-suspended/>.

³⁸⁹ Krupnick, *supra* note 51.

³⁹⁰ *Harvard Corporation Rules Thirteen Students Cannot Graduate*, *Harv. Mag.* (May 22, 2024), <https://www.harvardmagazine.com/2024/05/commencement-harvard-2024-corporation-ruling>.

³⁹¹ Gerald Rosberg, *Statement from Gerald Rosberg, Chair of the Special Committee on Campus Safety*, *Columbia News* (Nov. 10, 2023), <https://news.columbia.edu/news/statement-gerald-rosberg-chair-special-committee-campus-safety>.

³⁹² Eliza Shapiro, *Top Administration Revised Policies Cited in SJP and JVP’s Suspension Without University Senate Input, Rosberg Confirms*, *Columbia Spectator* (Nov. 17, 2023), <https://www.columbiaspectator.com/news/2023/11/17/top-administration-revised-policies-cited-in-sjp-and-jvps-suspension-without-university-senate-input-rosberg-confirms/>.

³⁹³ Luke Tress, *Columbia University’s Students for Justice in Palestine and Jewish Voice for Peace Remain Suspended as New Semester Begins*, *Jewish Tel. Agency* (Jan. 18, 2024), <https://www.jta.org/2024/01/18/ny/columbia-universitys-students-for-justice-in-palestine-and-jewish-voice-for-peace-remain-suspended-as-new-semester-begins>.

violated our policies.”³⁹⁴ Four students were suspended and evicted from campus housing for “their alleged involvement in an unauthorized ‘Resistance 101’ event.” Two additional students were initially suspended but the charges were dropped.³⁹⁵ At least one student refused to participate in the investigation regarding their involvement.³⁹⁶ The *New York Post* published that an additional 12 students were charged with suspension, but the charges were dropped.³⁹⁷

On April 18, when student protests were broken up following Columbia President Nemat “Minouche” Shafik’s Congressional hearing, more than 100 students were arrested and three Barnard students were suspended.³⁹⁸ As of April 29, Columbia University officials had not yet determined the final disciplinary action against a student videotaped stating “Zionists don’t deserve to live.” The week prior, that student was banned from campus and then placed under an “interim suspension.”³⁹⁹ When the student occupation of Hamilton Hall was cleared on April 30, Columbia spokesperson Ben Chang told reporters that the University began “suspending students as part of this next phase of our efforts to ensure safety on our campus.”⁴⁰⁰ The number of suspended students is unavailable; 80 students were arrested by the NYPD.⁴⁰¹

Ultimately, Columbia canceled its main commencement ceremony following weeks of protests.⁴⁰² On May 16, the Faculty of Arts and Sciences “passed a resolution of no confidence” in President Shafik.⁴⁰³

³⁹⁴ Cas Holloway, *Statement from Chief Operating Officer Cas Holloway Regarding March 24th Event*, Columbia Univ. Pub. Safety (Mar. 28, 2024), <https://publicsafety.columbia.edu/news/statement-chief-operating-officer-cas-holloway-regarding-march-24th-event>.

³⁹⁵ Amelia Martyn-Hemphill, *Four Columbia Students Suspended, Evicted from University Housing Following Unauthorized Resistance 101 Event*, Columbia Spectator (Apr. 4, 2024), <https://www.columbiaspectator.com/news/2024/04/04/four-columbia-students-suspended-evicted-from-university-housing-following-unauthorized-resistance-101-event/>.

³⁹⁶ Shira Hanau, *Columbia Students Speak Out About Suspension over Pro-Palestine Event*, Prism Reps. (Apr. 10, 2024), <https://prismreports.org/2024/04/10/columbia-students-suspension/>.

³⁹⁷ Olivia Land, *12 Columbia University Students Who Were Disciplined for Anti-Israel Protest Had Suspension Rescinded*, *Lawyer Says*, N.Y. Post (Apr. 23, 2024), <https://nypost.com/2024/04/23/us-news/12-columbia-university-students-who-were-disciplined-for-anti-israel-protest-had-suspension-rescinded-lawyer-says/>.

³⁹⁸ Shimon Prokupez, et al., *NYPD Disperses Pro-Palestinian Protest at Columbia University*, CNN (Apr. 18, 2024), <https://www.cnn.com/2024/04/18/us/nypd-disperses-pro-palestinian-protest-columbia-university/index.html>.

³⁹⁹ Katherine Rosman, *Student Protester Is Suspended After Anti-Zionist Video*, N.Y. Times (Apr. 29, 2024), <https://www.nytimes.com/2024/04/29/nyregion/khymani-james-columbia-suspension.html>.

⁴⁰⁰ Maya King, *Columbia Suspends Protesters After Negotiations Break Down*, Politico (Apr. 29, 2024), <https://www.politico.com/news/2024/04/29/columbia-protest-new-york-00154939>.

⁴⁰¹ Shimon Prokupez, et al., *Here’s What We Know About Those Arrested at NYC Pro-Palestinian Campus Protests Tuesday Night*, CNN (May 2, 2024), <https://www.cnn.com/2024/05/02/us/columbia-university-protests-arrest-charges/index.html>.

⁴⁰² Sharon Otterman, *After Weeks of Protests, Columbia Cancels Main Commencement Ceremony*, N.Y. Times (May 6, 2024), <https://www.nytimes.com/2024/05/06/nyregion/columbia-commencement-cancel-protests.html>.

⁴⁰³ Sharon Otterman, *Columbia Faculty Group Passes No-Confidence Resolution Against President*, N.Y. Times (May 16, 2024), <https://www.nytimes.com/2024/05/16/nyregion/president-shafik-columbia-faculty-vote.html>

New York University

Disciplinary violations at NYU have made headlines. In fall 2023, a first-year student was suspended after removing posters of hostages.⁴⁰⁴ On October 10, the president of NYU Law’s Student Bar Association stated in a newsletter that “Israel bears full responsibility” for the loss of life on October 7. In November, a schoolwide vote ousted them as president.⁴⁰⁵ Also that month, NYU began investigating 90 student conduct cases. University president Linda Mills said a handful of students have faced disciplinary action, including “significant suspensions.” By March, the number of cases increased to more than 160; but *NYU News* reports “a ‘significant number’ of the cases involved individuals unaffiliated with the university or who were not identifiable, and that most of them have been processed and closed.” Specifically, the university has “received hundreds of reports that students had defaced or removed posters depicting Israeli hostages.”⁴⁰⁶

When the “Gaza Solidarity Encampment” was removed on April 22, 40 students and 26 faculty and staff were arrested. Less than three weeks later, the University “dropped criminal charges brought against all protesters arrested.”⁴⁰⁷ *The Washington Square News* reported on May 7 that student protesters involved in recent protests began facing disciplinary hearings. The article did not disclose “how many students had been charged with misconduct violations, nor clarify what university policies they were accused of violating.”⁴⁰⁸ After a May 10 demonstration, nine students were suspended, and “two were given persona non grata status.”⁴⁰⁹ On May 14, it became clear that the ‘penalties’ given by the Office of Student Conduct (OSC) were reflection writing assignments. The Faculty & Staff for Justice in Palestine condemned the OSC’s warning that students “would receive a censure — or a ‘formal reprimand for violation of university policy’ — on their transcripts if they did not submit the assignments by May 29.”⁴¹⁰ Responding to objections from both supporters and critics of the student protestors, OSC stated on May 23 that the office would investigate “how to improve” the quality of these disciplinary reflections.⁴¹¹

Princeton University

The situation at Princeton escalated sharply beginning in Spring 2024. Days after October 7, Princeton Students for Justice in Palestine used the university listserv without prior authorization to

⁴⁰⁴ Maisie Zipfel, *Student Suspended for Removing Israeli Hostage Posters Suing University*, Wash. Square News (Apr. 8, 2024), <https://nyunews.com/news/2024/04/08/student-suspended-for-removing-israeli-hostage-posters-suing-university>.

⁴⁰⁵ Adrianna Nehme, *Law Students Vote to Oust SBA President from Position*, Wash. Square News (Nov. 29, 2023), <https://nyunews.com/news/2023/11/29/sba-presidency/>.

⁴⁰⁶ Maisie Zipfel, *NYU Says Most Conduct Cases Closed, Announces Security and Outreach Updates*, Wash. Square News (Mar. 12, 2024), <https://nyunews.com/2024/03/12/news/10-point-plan-update-spring-semester/>.

⁴⁰⁷ Yezen Saadah, *NYU Allegedly Drops Charges Against Protesters Arrested at Gould Plaza*, Wash. Square News (May 13, 2024), <https://nyunews.com/news/2024/05/13/nyu-drops-charges-against-protesters/>.

⁴⁰⁸ Yezen Saadah, *Pro-Palestinian Groups Say Disciplinary Charges Brought Against Student Protesters*, Wash. Square News (May 7, 2024), (<https://nyunews.com/news/2024/05/07/nyu-begins-disciplinary-hearings-for-students/>).

⁴⁰⁹ *Id.*; *supra* note 72.

⁴¹⁰ Dharma Niles, *Students Arrested at Gould Plaza Required to Complete ‘Dozens of Writing Assignments,’ Faculty Group Says*, Wash. Square News (May 14, 2024), <https://nyunews.com/news/2024/05/14/students-arrested-required-to-complete-assignments/>.

⁴¹¹ Dharma Niles, *OSC to ‘Improve the Quality’ of Assignments Imposed on Students Arrested in Gould Plaza After Faculty Complaints*, Wash. Square News (May 23, 2024), <https://nyunews.com/news/2024/05/23/nyu-to-reevaluate-conduct-reflections/>.

excuse Hamas's attacks. Nevertheless, in February, the *National Review* published that the group "escape[d] consequences."⁴¹²

On April 24, the Office of the Vice President for Campus Life warned that "Any individual involved in an encampment, occupation, or other unlawful disruptive conduct who refuses to stop after a warning will be arrested and immediately barred from campus. For students, such exclusion from campus would jeopardize their ability to complete the semester. In addition, members of our community would face a disciplinary process (for students this could lead to suspension, delay of a diploma, or expulsion)."⁴¹³

An encampment was set up the following day, the same day University President Christopher Eisgruber published an op-ed in the student newspaper explicitly stating the "clear and explicit prohibition upon encampments."⁴¹⁴ Over the next 17 days, countless warnings were ignored.

On April 25, two graduate students were arrested for trespassing and barred from campus. They were allowed to remain in their university housing. The same day, a flag of Hezbollah was found at the encampment; no university action was taken.⁴¹⁵ On April 29, five undergraduates, six graduate students, and one postdoc researcher were arrested after attempting to occupy a university building. President Eisgruber stated, "The students will also face University discipline, which may extend to suspension or expulsion."⁴¹⁶ On May 14, university officials told student organizers that they must decamp. The following day, the encampment was officially removed. A primary concern of the student protestors was legal and disciplinary amnesty for the 15 arrested undergraduate and graduate students. The *Daily Princetonian* wrote, "Eisgruber offered a 'restorative justice' process but did not include specific details and said that it would be possible for students to walk at Commencement and earn their degrees. Four of the participants arrested in the Clio Hall sit-in are members of the undergraduate Class of 2024, and one graduate student arrested in McCosh courtyard was also set to graduate this semester."⁴¹⁷

⁴¹² Zach Kessel, *Princeton Students for Justice in Palestine Escape Consequences After Using University Listserv to Defend Hamas*, Nat. Rev. (Feb. 1, 2024), <https://www.nationalreview.com/news/princeton-students-for-justice-in-palestine-escape-consequences-after-using-university-listserv-to-defend-hamas/>.

⁴¹³ Princeton Univ., *Message from VP Calhoun About Free Expression on Campus* (Apr. 24, 2024), <https://campuslife.princeton.edu/news/message-vp-calhoun-about-free-expression-campus>.

⁴¹⁴ Christopher L. Eisgruber, *On Encampments, Free Speech, and 'Time, Place, and Manner' Rules on University Campuses*, Daily Princetonian (Apr. 25, 2024), <https://www.dailyprincetonian.com/article/2024/04/princeton-opinion-opguest-christopher-eisgruber-student-protest-encampments-free-speech>.

⁴¹⁵ Daily Princetonian, *'Gaza Solidarity Encampment' at Princeton*, (Apr. 25, 2024), <https://www.dailyprincetonian.com/article/2024/04/princeton-news-adpol-gaza-solidarity-encampment-mccosh-courtyard-updates-live>.

⁴¹⁶ Christopher L. Eisgruber, *Message from President Eisgruber About Tonight's Incident at Clio Hall*, Princeton Univ. (Apr. 30, 2024), <https://universityservices.princeton.edu/news/posted-43024-message-president-eisgruber-about-tonight%E2%80%99s-incident-clio-hall>.

⁴¹⁷ Daily Princetonian, *Live Updates: Protesters Issued Warning to Clear Camp on Monday, No Timeline Set*, (May 14, 2024), <https://www.dailyprincetonian.com/article/2024/05/princeton-news-live-update-sit-in-gaza-solidarity-encampment-clear-cannon-green-end>.

All 15 of the arrested and barred students were allowed to return to campus on May 20, including to sit for in-person final examinations and to attend graduation festivities.⁴¹⁸ The next day, university faculty passed a non-binding “resolution grant[ing] amnesty to student protesters.” About a third of 1,000 eligible faculty voters participated.⁴¹⁹

On May 23, the Resources Committee of the Council of the Princeton University Committee granted Princeton Israeli Apartheid Divest (PIAD) a meeting.⁴²⁰ Two days later, the School of Public and International Affairs was vandalized. PIAD told the *Prince* that “as far as [they] know” the red dye poured into the fountain water and graffiti reading “Pretty Town Bloody Gown” was “undertaken by an autonomous collective pressuring the University to divest from Israel.”⁴²¹ With graduation taking place on May 28, further penalties may be unfolding.

Cornell University

Cornell was one of the first institutions to publicly expel a student for antisemitic hate as a result of October 7. In late October, a junior was arrested and federally charged with threatening to kill Jewish students.⁴²² The University responded on November 1, “standing against antisemitism and all forms of hate.”⁴²³ In December, students occupied a university building, calling on Cornell to “adopt policies against doxxing, a new definition of antisemitism and commit to divestment in companies that support Israel’s military.” Two days later, the sit-in ended with university negotiations that promised a meeting between protesters and the University’s Chief Financial Officer. At the same time, the organizers began a people’s trial for President Martha Pollack for her “complicity” in the “genocide against Palestinian civilians.”⁴²⁴ The *Cornell Sun* does not mention any warnings by the University of disciplinary action.

On January 11, the University responded to an allegation of a social media post from a Cornell student stating “Zionists must die.” The President responded, “Cornell Police and the Office of Student Conduct are investigating and if we determine that it was posted by a member of the Cornell community, they will be held fully accountable and appropriately sanctioned.”⁴²⁵ No

⁴¹⁸ Miriam Waldvogel, *Discussions on Divestment from Israel Continue as Arrested Students Return to Campus*, Daily Princetonian (May 24, 2024), <https://www.dailyprincetonian.com/article/2024/05/princeton-news-adpol-israel-divestment-cpuc-palestine-protest-arrested-students-return>.

⁴¹⁹ Christopher Bao & Miriam Waldvogel, *Faculty Members Pass Resolution to Grant Amnesty to Student Protesters by a Slim Margin*, Daily Princetonian (May 21, 2024), <https://www.dailyprincetonian.com/article/2024/05/princeton-news-adpol-faculty-special-meeting-amnesty-students-discipline-procedures>.

⁴²⁰ Waldvogel, *supra* note 83.

⁴²¹ Christopher Bao, *SPLA Building and Fountain Vandalized*, Daily Princetonian (May 25, 2024), <https://www.dailyprincetonian.com/article/2024/05/princeton-news-stlife-spia-building-fountain-vandalism>.

⁴²² Elizabeth Wolfe & Zenebou Sylla, *Cornell University Cancels Classes Friday amid ‘Extraordinary Stress’ on Campus After Violent Antisemitic Threats Led to the Arrest of a Student*, CNN (Nov. 2, 2023), <https://www.cnn.com/2023/11/01/us/cornell-university-antisemitic-threats-thursday/index.html>.

⁴²³ Martha E. Pollack, *Standing Against Hate*, Cornell Univ., (Nov. 1, 2023), <https://statements.cornell.edu/2023/20231101-standing-against-hate.cfm>.

⁴²⁴ Jonathan Mong, et al., *Pro-Palestinian Demonstrators Occupy Campus Buildings, Stage Mock Trial of President Pollack*, Cornell Daily Sun (Dec. 1, 2023), <https://cornellsun.com/2023/12/01/live-coalition-for-mutual-liberation-stages-mock-trial-of-president-pollack/>.

⁴²⁵ Martha E. Pollack, *Hateful Social Media Post*, Cornell Univ., (Jan. 11, 2024), <https://statements.cornell.edu/2024/20240111-social-post.cfm>.

follow-up was disclosed. Following several demonstrations and the institution of an “Interim Expressive Activity Policy,” the University opened disciplinary action on February 8 for a disruption in the library that violated the time, place, and manner guidelines.^{426,427} Other disruptions on February 22 and March 6 violated the amplified sound policies: “Participants were referred for disciplinary action and violators will be sanctioned. Repeat violators will be subject to increasingly severe sanctions.”^{428,429} Following a demonstration in a university building on March 21, 24 people were arrested. 22 students were referred to the Office of Student Conduct and Community Standards, and two employees were referred to Human Resources.⁴³⁰

On March 27, the University released a statement, “Protecting the rights of our community to teach and learn without disruption” in response to the “ongoing protests by the Coalition of Mutual Liberation — a group that has stated its intention to repeatedly disrupt the activities of the University.” However, the letter offered no warnings of disciplinary action.⁴³¹ When a graduate student spit on a female Muslim Cornell student on April 19, the university immediately confirmed: “He is currently not enrolled.”⁴³²

Students established an encampment under the auspices of a registered event. On April 25, the university responded to the dishonest event application and the policy violations regarding tents by suspending the student group and issuing suspensions for students and HR referrals for faculty and staff.⁴³³ Two undergraduate students and two graduate students were suspended.^{434 435} Two days later, the university doubled down when the administration reported “immediate temporary suspensions for several student participants in the encampment” and that they were “preparing to issue additional suspensions, as well as referrals to HR for employee participants.” Nevertheless, at the same time as condemning the chant “There is only one solution: Intifada Revolution,” the

⁴²⁶ Off. of the President, *Interim Expressive Activity Policy*, Cornell Univ., (Mar. 11, 2024), <https://policy.cornell.edu/policy-library/interim-expressive-activity-policy#:~:text=Cornell%20students%2C%20faculty%20and%20staff%20may%20participate%20in%20indoor%20demonstrations,required%2C%20for%20indoor%20demonstration%20activities>.

⁴²⁷ Joel M. Malina, *Statement on Disruption of Library and Academic Spaces*, Cornell Univ., (Feb. 8, 2024), <https://statements.cornell.edu/2024/20240208-academic-library-spaces.cfm>.

⁴²⁸ Rebecca Valli, *Statement on Disruption in Duffield Hall*, Cornell Univ., (Feb. 22, 2024), <https://statements.cornell.edu/2024/20240222-disruption.cfm>.

⁴²⁹ Joel M. Malina, *Statement on Disruption in Klarman Hall*, Cornell Univ., (Mar. 6, 2024), <https://statements.cornell.edu/2024/20240306-disruption.cfm>.

⁴³⁰ Joel M. Malina, *Statement on Student and Employee Arrests at Day Hall*, Cornell Univ., (Mar. 21, 2024), <https://statements.cornell.edu/2024/20240321-day-hall.cfm>.

⁴³¹ Martha E. Pollack, *Protecting the Rights of our Community to Teach and Learn Without Disruption*, Cornell Univ., (Mar. 27, 2024), <https://statements.cornell.edu/2024/20240327-community.cfm>.

⁴³² Joel M. Malina, *Harassment Charge Issued in Spitting Incident*, Cornell Univ., (Apr. 19, 2024), <https://statements.cornell.edu/2024/20240419-incident.cfm>.

⁴³³ Joel M. Malina, *Statement on Unauthorized Tents on Arts Quad*, Cornell Univ., (Apr. 25, 2024), <https://statements.cornell.edu/2024/20240425-tents-arts-quad.cfm>.

⁴³⁴ Celia Clarke, *Cornell students Suspended for Encampment. University Says More Suspensions, HR Actions to Come*, WSKG (Apr. 29, 2024), <https://wskg.org/news/2024-04-29/cornell-students-suspended-university-says-more-suspensions-hr-actions-to-come>.

⁴³⁵ Matthew Kiviat & Dorothy France-Miller, *S.A. Unanimously Passes Resolution Supporting Student Protests*, Cornell Daily Sun (Apr. 27, 2024), <https://cornellsun.com/2024/04/27/s-a-unanimously-passes-resolution-supporting-student-protests/>.

administration offered the encampment to move to another location.⁴³⁶ On May 1, two more students were temporarily suspended.⁴³⁷ On May 3, a police investigation of vandalism began, but no further updates were reported.⁴³⁸

Following numerous suspensions, Cornell presented suspended students the opportunity to receive incompletes and finish the spring term at a later date, as long as they did “not facilitate, engage in, participate or assist in any other violations of university policy.” This May 6 offer would have allowed students to live on campus and utilize campus services. The students declined.⁴³⁹ Cornell President Martha Pollack announced her retirement on May 9.⁴⁴⁰

Yale University

On April 22, 44 students were arrested during Yale police’s removal of the pro-Palestine encampment. The *Yale Daily News* reported that the students “will face both legal charges and academic disciplinary proceedings” by the Executive Committee. Despite trespassing charges and potential violations of the University’s overnight camping policy, Dean of Yale College Pericles Lewis “told the News on Wednesday that no students, including those who slept over in the encampment, would face disciplinary action except those who were arrested and those who are under investigation for instigating violence.”⁴⁴¹ Even with a national news headline of “Jewish Yale student says pro-Palestinian protester assaulted her,” no university penalties (if any) have been publicly disclosed as of May 24, 2024.⁴⁴²

University of Pennsylvania

While UPenn President Liz Magill has been featured in the national limelight, pro-Palestinian campus activism has been less prominent. In November 2023, students from Penn Chavurah were warned of disciplinary action for defying the university’s decision to delay a documentary screening of “Israelism.”⁴⁴³ It is unclear whether any penalties were assigned.

⁴³⁶ Malina, *supra* note 98.

⁴³⁷ Jacob Mack, *Cornell Officials Spot Graffiti on Campus as Divestment Protests Continue*, Ithaca J. (May 3, 2024), <https://www.ithacajournal.com/story/news/2024/05/03/vandalism-more-suspensions-in-cornell-encampment-protest/73557448007/>.

⁴³⁸ Joel M. Malina, *Statement on Campus Graffiti*, Cornell Univ., (May 3, 2024), <https://statements.cornell.edu/2024/20240503-campus-graffiti.cfm>.

⁴³⁹ Laura Meckler & Hannah Natanson, *Massive Pro-Palestinian College Protests Bring Rare Surge in Discipline*, Wash. Post (May 6, 2024), <https://www.washingtonpost.com/education/2024/05/06/college-protests-suspensions-expulsion-arrests/>.

⁴⁴⁰ Martha E. Pollack, *Some News*, Cornell Univ., (May 9, 2024), https://statements.cornell.edu/2024/20240509-some-news.cfm?utm_source=sfmc&utm_medium=email&utm_campaign=&utm_content=&utm_term=&utm_program=&utm_segment=&utm_term_tamp=.

⁴⁴¹ Josie Reich & Asuka Koda, *What Academic Penalties Could the 44 Arrested Student Protesters Face?*, Yale Daily News (Apr. 25, 2024), <https://yaledailynews.com/blog/2024/04/25/analysis-what-academic-penalties-will-the-44-arrested-student-protesters-face/>.

⁴⁴² Natalie Duddridge, *Jewish Yale student Says Pro-Palestinian Protester Assaulted Her. Here's Why She Feels Targeted.*, CBS News (Apr. 25, 2024), <https://www.cbsnews.com/newyork/news/yale-protests-jewish-student-assaulted-pro-palestinian-rally/>.

⁴⁴³ Aziza Shuler, *Group of UPenn Students Could Be Disciplined After Screening Israel-Palestine Doc*, CBS News (Nov. 28, 2023), <https://www.cbsnews.com/philadelphia/news/israelism-university-of-pennsylvania-screening-hamas-israel/>.

When police removed the pro-Palestine encampment on May 10 morning after 16 days of protest, only nine of the 33 arrested protesters were students. Two were English professors.⁴⁴⁴ Within those 24 hours, “six students were placed on mandatory leaves of absence” for their participation, and “One of them... was also evicted from on-campus housing.”⁴⁴⁵ After a failed attempt to occupy a campus building on May 19, seven students “were taken into custody and 12 were given citations for failure to disperse or failure to follow police commands. Those 12 were later released.”⁴⁴⁶ A week later, three of the students placed on leaves of absence were barred from graduation, as explained by a University spokesperson: “Because the students have not yet responded to the letters to resolve their cases, they remain on mandatory temporary leave and were not permitted to participate in the College of Arts and Sciences graduation ceremony.”⁴⁴⁷

University of Chicago

UChicago presents an interesting case due to the university’s famous and eponymous principles introduced in 2014 articulating “the University’s overarching commitment to free, robust, and uninhibited debate.”⁴⁴⁸ On November 9, 26 students and two faculty members were arrested during a campus sit-in. In late December, however, the criminal charges were all dropped. Nevertheless, the *Chicago Maroon* wrote, “The arrested protestors still face a lengthy legal process to have their records expunged and a litany of University disciplinary charges despite the charges being dropped.”⁴⁴⁹

After the pro-Palestine encampment was erected on April 29, the University President admitted that he allowed the tents to stay, “even though they were in defiance of a policy against erecting structures in public spaces” to demonstrate “the greatest leeway possible for free expression.”⁴⁵⁰ Nine days later, the “UChicago Popular University for Gaza” was removed, and students were assured that none were facing “emergency interim leave[s] of absence.”⁴⁵¹ On May 17, protestors stormed the Institute of Politics, “brought chairs inside the building, locked doors, and

⁴⁴⁴ Phila. Inquirer, *Protesters March Through University City; Police Disbanded Encampment at Penn and Arrested 33 People*, (May 10, 2024), <https://www.inquirer.com/news/live/upenn-encampment-disbands-israel-gaza-protests-20240510.html>.

⁴⁴⁵ Beatrice Forman & Susan Snyder, *Gov. Shapiro Calls for Penn to Disband Pro-Palestinian Encampment as 6 Students Are Placed on Leave*, Phila. Inquirer (May 9, 2024), <https://www.inquirer.com/education/university-of-pennsylvania-encampment-pro-palestinian-expansion-20240509.html>.

⁴⁴⁶ Nikki DeMentri & Jessica MacAulay, *19 People Arrested After Attempting to Occupy Building on Penn Campus, 7 Still in Custody, University Says*, CBS News (May 18, 2024), <https://www.cbsnews.com/philadelphia/news/penn-protests-fisher-bennett-hall-philadelphia-news/>.

⁴⁴⁷ Emily Scolnick, et al., *Students Denied Entry to College Graduation amid Discipline over Encampment Involvement, Penn Says*, Daily Pennsylvanian (May 19, 2024), <https://www.thedp.com/article/2024/05/penn-college-graduation-palestinian-protesters-banned>.

⁴⁴⁸ Univ. of Chi., *Free Expression*, <https://freeexpression.uchicago.edu/>.

⁴⁴⁹ Tiffany Li, *All Charges Dropped Against UCUP Sit-In Protestors*, Chi. Maroon (Dec. 24, 2023), <https://chicagomaroon.com/40829/news/all-charges-dropped-against-ucup-sit-in-protestors/>.

⁴⁵⁰ Jeremy W. Peters, *UChicago Says Free Speech Is Sacred. Some Students See Hypocrisy*, N.Y. Times (May 6, 2024), <https://www.nytimes.com/2024/05/06/us/university-of-chicago-protests-encampment.html>.

⁴⁵¹ Nathaniel Rodwell-Simon, *UCUP Holds Press Conference on Encampment Raid*, Chi. Maroon (May 11, 2024), <https://chicagomaroon.com/43399/news/ucup-holds-press-conference-on-encampment-raid/>.

spray-painted security cameras.”⁴⁵² No university penalties (if any) have been publicly disclosed as of May 24, 2024.

Dartmouth College

On October 27, 2023, two undergraduates were arrested, charged with criminal trespassing, and placed on university probation for participating in a pro-Palestine sit-in. The students reported to *The Dartmouth* that during their campus administrative hearing, the University found them “in violation of College policies regarding encampment, obeying College officials and obstructing the College’s normal operations... if the two violate College policy again over the course of the next two terms, they will face the risk of expulsion.”⁴⁵³

On May 1, 65 students were arrested while attempting to set up a pro-Palestinian encampment. The State of New Hampshire dropped charges against two of the students for their journalist status. Though no university penalties (if any) have been publicly disclosed as of May 25, the College stated that they “will seek to resolve cases by the end of the term.”⁴⁵⁴ Soon after, 30% of undergraduates passed a “no confidence” vote in College President Sian Leah Beilock.⁴⁵⁵ The Faculty of Arts and Sciences then censured her “over her decision to summon the police to remove a pro-Palestinian encampment on campus, calling her action harmful to the community and disruptive to the university’s educational mission.”⁴⁵⁶ Dartmouth alumni and community members circulated a letter in support of the president and her decision, reaching over 4,200 signatories.⁴⁵⁷

Brown University

Brown has seen large numbers of students arrested. It also has negotiated several times with student disruptors. In November 2023, 20 students from BrownU Jews for Ceasefire Now were arrested for participating in a sit-in. The University then requested that the charges be dropped, and the city agreed. The students were still subject to disciplinary action.⁴⁵⁸ The month after, 41 student members of the Brown Divest Coalition were arrested.⁴⁵⁹ In April, city councilors called on the City

⁴⁵² Charlie De Mar et al., *Pro-Palestinian Protesters Occupy University of Chicago Campus Building*, CBS News (May 18, 2024), <https://www.cbsnews.com/chicago/news/pro-palestinian-protesters-rally-university-of-chicago/>.

⁴⁵³ Kelsey Wang, *Student Protestors Arrested in October Arraigned on Charges of Criminal Trespassing*, *The Dartmouth* (Jan. 6, 2024), <https://www.thedartmouth.com/article/2024/01/student-protestors-arrested-in-october-arraigned-on-charges-of-criminal-trespassing>.

⁴⁵⁴ Kent Friel, *What’s Next for the Arrested Student Protesters?*, *The Dartmouth* (May 10, 2024), <https://www.thedartmouth.com/article/2024/05/friel-whats-next-for-the-arrested-student-protesters>.

⁴⁵⁵ Peter Cooch, *Cooch: How Beilock Can Respond to Faculty Censure and Student No Confidence Votes*, *The Dartmouth* (May 21, 2024), <https://www.thedartmouth.com/article/2024/05/cooch-how-beilock-can-respond-to-faculty-censure-and-student-no-confidence-votes>.

⁴⁵⁶ Stephanie Saul, *Dartmouth’s President Is Censured by Faculty Over Protest Actions*, *N.Y. Times* (May 20, 2024), <https://www.nytimes.com/2024/05/20/us/dartmouth-president-beilock-censure.html>.

⁴⁵⁷ Rachel Kim, *More than 4,200 people sign pro-Beilock letter*, *The Dartmouth* (May 24, 2024), <https://www.thedartmouth.com/article/2024/05/kim-more-than-4200-people-sign-pro-beilock-letter>.

⁴⁵⁸ Sam Levine, *Brown Drops Charges Against 20 Jewish Students Arrested in Sit-In*, *Brown Daily Herald* (Nov. 27, 2023), <https://www.browndailyherald.com/article/2023/11/brown-drops-charges-for-20-jewish-students-arrested-in-sit-in>.

⁴⁵⁹ Amy Russo, *Brown University Pushes Ahead with Criminal Charges Against 41 Student Protesters*, *Palm Beach Post* (Dec. 19, 2023), <https://www.palmbeachpost.com/story/news/local/2023/12/19/brown-university-continues-to-press-charges-against-student-protesters/71971148007/>.

Solicitor to drop charges against the 41 student protesters arrested on December 11. Mayor Brett Smiley’s office responded, “It is unprecedented and inappropriate for elected officials to make requests of or demands on the handling of prosecutions... This is particularly the case when the complainant, in this case Brown University, has not dropped the charges.”⁴⁶⁰

The Brown encampment was set up on April 26 and dismantled by April 30 following negotiations between the University and the protest spokespersons. Following those discussions, “demonstrators received notice of pending cases of student conduct violations that are being reviewed.” Letters cautioned student protestors of disciplinary action and listed the potential violations of “at least five codes of conduct of the university... [including] Disruption of Community, Disruption of University Activities, Failure to Comply, Unauthorized Entry or Use of Space and Violation of Operation Rules.”⁴⁶¹ The university did not drop the charges against the 41 students but did agree to let the demonstrators present a divestment proposal.⁴⁶² On May 23, representatives of Brown Divest Coalition proposed their recommendations to the Corporation, which will vote on Israeli divestment in October 2024.⁴⁶³ No university penalties (if any) have been publicly disclosed as of May 25, 2024.

Duke University

The Duke student body took part in several pro-Palestinian protests but on far smaller scales and intensities than other institutions. While no encampment took hold at Duke, at an unregistered demonstration on April 25, a flag of the Popular Front for the Liberation of Palestine was publicly displayed. The administration told the protestors to remove the terrorist organization’s flag. Following a pro-Israel hostage rally on April 3, the university stated that the unsanctioned pro-Palestinian counter-protestors were “under investigation.”⁴⁶⁴ On April 30, one professor, two undergraduate students, two graduate students, and one Class of 2024 graduate were arrested at the “Triangle Gaza Solidarity Encampment” at the University of North Carolina at Chapel Hill. Duke administration did not comment “about the arrests, possible violation of the Community Standard or other University policies governing conduct, or Duke students’ participation in the

⁴⁶⁰ Amy Russo, *City Councilors Call on Solicitor to Drop Charges Against 41 Brown Student Protesters*, Palm Beach Post (Apr. 29, 2024), <https://www.palmbeachpost.com/story/news/local/2024/04/29/providence-councilors-drop-charges-against-brown-student-protesters/73498240007/>.

⁴⁶¹ Temi-Tope Adeleye, *Brown University Warns of Possible Discipline for Encamped Protesting Students*, WSBT (Apr. 28, 2024), <https://wsbt.com/news/nation-world/brown-university-warns-of-possible-discipline-for-encamped-protesting-students-providence-rhode-island-ivy-league-school-israel-hamas-war-palestine-gaza-columbia-usc-ut-austin-nationwide-protests>.

⁴⁶² Owen Dahlkamp, et al., *Live Updates: Corporation to Vote on Divestment, Encampment to End*, Brown Daily Herald (Apr. 30, 2024), <https://www.browndailyherald.com/article/2024/04/live-updates-students-hold-encampment-for-divestment-on-main-green>.

⁴⁶³ Anisha Kumar & Julia Vaz, *Brown Divest Coalition Students Present Divestment Proposal to Five Corporation Members*, Brown Daily Herald (May 23, 2024), <https://www.browndailyherald.com/article/2024/05/brown-divest-coalition-students-present-divestment-proposal-to-five-corporation-members>.

⁴⁶⁴ Michael Austin, *The Israel-Hamas War Has Spurred Protests on College Campuses Across The Country. What Has Happened at Duke?*, Duke Chron. (April 26, 2024), <https://www.dukechronicle.com/article/2024/04/duke-university-israel-hamas-war-encampments-protests-on-college-campuses-student-arrests-oct-7th-attacks-comparison>.

encampment.”⁴⁶⁵ However, Duke publicly disclosed on May 24 its partnerships and financial ties with Israel.⁴⁶⁶ No university penalties (if any) have been publicly disclosed as of May 25, 2024.

Georgetown University

Georgetown students have primarily joined protests at the neighboring George Washington University (GWU).⁴⁶⁷ When the encampment at GWU was disbanded on May 8, seven Georgetown students were among the 33 arrested.⁴⁶⁸ No university penalties (if any) have been publicly disclosed as of May 24, 2024.

Recent Updates

Since winter 2023, several institutions have updated their codes of conduct: Columbia University amended its Charters and Statutes in December 2023;⁴⁶⁹ Cornell instituted an “Interim Expressive Activity Policy” in January 2024;⁴⁷⁰ and Duke updated sections of the Community Standard in January 2024, adding “doxxing” to the section on harassment and expanded examples of “disorderly conduct.”⁴⁷¹

⁴⁶⁵ Zoe Kolenovsky, *7 Duke Students Among Those Arrested at UNC Encampment*, Duke Chron. (May 18, 2024), <https://www.dukechronicle.com/article/2024/05/duke-university-seven-duke-students-arrested-at-unc-triangle-gaza-solidarity-encampment-april30-second-degree-trespassing-resist-delay-obstruction-law-enforcement-misdemeanor>.

⁴⁶⁶ Ana Despa & Audrey Wang, *Duke’s Publicly Disclosed Partnerships and Financial Ties with Israel, Explained*, Duke Chron. (May 24, 2024), <https://www.dukechronicle.com/article/2024/05/duke-university-investment-in-pro-israel-companies-advisory-committee-on-investment-responsibility-dumac-financial-ties-us-defense-boycott-pro-palestinian>.

⁴⁶⁷ Eddy Binford-Ross et al., *Students Establish Gaza Solidarity Encampment on GW’s Campus; 135 March from GU to Join*, Georgetown Voice (April 25, 2024), <https://georgetownvoice.com/2024/04/25/students-establish-gaza-solidarity-encampment-on-gws-campus/>.

⁴⁶⁸ Caitlin McLean et al., *Developing: Seven Georgetown Students Among Arrested at GWU Pro-Palestinian Encampment*, The Hoya (May 9, 2024), <https://thehoya.com/news/developing-seven-georgetown-students-arrested-at-gwu-pro-palestinian-encampment/>.

⁴⁶⁹ https://secretary.columbia.edu/sites/default/files/content/University%20Charter_Statutes_December2023_0.pdf#page=142

⁴⁷⁰ <https://policy.cornell.edu/policy-library/interim-expressive-activity-policy#:~:text=Cornell%20students%2C%20faculty%20and%20staff%20may%20participate%20in%20indoor%20demonstrations,required%2C%20for%20indoor%20demonstration%20activities>.

⁴⁷¹ <https://www.dukechronicle.com/article/2024/02/duke-university-community-standard-spring-update-israel-hamas-war-response-harassment-public-discourse>