As a recent graduate of Cornell and now a law student at Georgetown, I have witnessed my share of sit-ins, die-ins, and walk-outs related to Israel-Palestine during my academic career. I also witnessed protests while studying in Israel at the Hebrew University of Jerusalem and Tel Aviv University. Even so, I could not have predicted the magnitude of the campus protests over the last couple months.

Understandably, these protests made many Jewish students uncomfortable, even fearful, while sparking considerable concern within the broader Jewish community. It must also be an especially challenging time to be a Palestinian, Muslim, or Arab student on campus. The moment has pushed to the forefront vexing questions: Where is the line between permissible and impermissible forms of protest? What conduct is actually antisemitic? These questions have often generated more heat than light, but are vital to explore.

Since the outbreak of the Israel-Hamas war, students have organized encampments and/or demonstrations at more than 130 US universities, beginning with Columbia. In multiple instances, university administrations called in law enforcement, which violently cracked down on student protesters. Over 2,950 protesters were arrested, including professors, on at least 61 US campuses. To prevent further campus escalations when students return to campus in the fall, and preserve core rights guaranteed in American democracy that are also central to higher education, the Biden Administration and Congress must do more to protect peaceful, non-violent student protests, while appropriately addressing antisemitism, Islamophobia, and other forms of discrimination.

In my experience with campus protests on Israel-Palestine, including during the war in Gaza, most have been peaceful and complied with campus codes of conduct – while some, regrettably, have not. Cases of the latter have included acts of (or incitement to) violence, support for terror, and antisemitic hate speech that violates campus speech codes. In the bigger picture, 97 percent of the Gaza war protests on campuses countrywide were “non-violent.” Of the rare violent acts by protesters, most – though not all – appear to have occurred in response to police and counterprotester violence. The violent NYPD shutdown of the Columbia encampment and arrest of 109 protesters, authorized by the university president, was especially inexcusable.

At the same time, rhetoric such as “go back to Europe” directed at Israeli Jews and “by any means necessary” referring to Palestinian liberation is more than just problematic. The former is antisemitic, while the latter arguably constitutes incitement to violence. Both violate most campus codes of conduct. These slogans embraced by a faction of the student protesters, as well as isolated expressions of support for US-designated foreign terror organizations Hizballah and the Houthis, are categorically not protected forms of campus protest and protest leaders should unequivocally condemn them.

Anti-Zionist protests against the Gaza war are not inherently violent or antisemitic, nor are the protests offensive to all Jewish students. Notably, many Jewish students joined the campus...
protests, even celebrating Passover there and praying alongside Muslim students. These students have every right to protest peacefully, even to oppose Israel's existence and/or support a single, democratic state from river to sea. Their protests must be protected, so long as they do not involve acts of (or incitement to) violence against Jews or Zionists; support for terror, including the October 7 Hamas massacre against Israeli civilians; or antisemitic hate speech.

Certainly, anti-Zionist protesters can and at times do cross the line into antisemitism. This is the case when they violently target Jewish or Zionist students, hold all Jews accountable for Israeli transgressions, demand that all Jews condemn Israel/Zionism, assume wrongfully that all Jews are Zionists, accuse American Jews of being more loyal to Israel than to the US, and/or deny the historical Jewish connection to the Land of Israel. As the creators of the Nexus and Jerusalem Declaration definitions of antisemitism have stated, unless anti-Zionist campus protesters cross this line into antisemitism – as they sometimes do – peaceful pro-Palestine protesters in the US and Israel must be afforded their right to free speech.

Freedoms of speech and protest are at the core of American and Israeli liberal democracy – as proclaimed by Congress in a 2023 House resolution – but are under threat by right-wing leaders in both countries. Amid the Gaza war, at least 36 Israeli colleges and universities initiated disciplinary proceedings against a total of 124 Palestinian students which, according to Adalah, “constitute[s] a draconian crackdown on the free speech rights of Palestinian citizens of Israel and political persecution against them as a group.” Unfortunately, examples of such repression abound and should concern all of us who care about Israeli democracy and our shared values. These include Israeli police banning a Nakba Day 2024 event at Tel Aviv University and suspensions of a Palestinian professor and eight Palestinian students over alleged support for the October 7 attack, by Hebrew University and Haifa University, respectively. Most allegations of Palestinian student violations involved protected forms of speech, including mere expressions of solidarity with the Palestinian people or quotations from the Quran.

In order to counter repression at home and abroad, Jewish organizations and antisemitism watchdogs must avoid playing into the hands of Republicans who use American Jews as political pawns and manipulate the issue of campus antisemitism for political gain. Rhetoric comparing the Palestinian keffiyeh to the Nazi swastika and accusing pro-Palestinian students of being Iranian “proxies” is both dangerous and red meat for the Republican base. J Street U has warned that the Anti-Defamation League’s wartime report card on campus antisemitism “is already being used by right-wing voices to attack DEI programs and paint criticism of Israel as antisemitic.” Among those voices is Republican Congresswoman Elise Stefanik, who feigned concern for Jewish safety during a recent Congressional hearing on antisemitism. The same Rep. Stefanik shamefully echoed the antisemitic Great Replacement Theory and recently visited Israel to campaign for Trump’s reelection, demonstrating cynical GOP manipulation of Jews and Israel to serve its political agenda.

As the Israel-Hamas war rages on, creating turmoil on campuses, the Biden Administration and Congress should take a number of actions, which include:

1. **Fully implementing the National Strategy to Counter Antisemitism:** Rather than using campus protests to score political points, Congress should increase funding for the Department of Education’s Office of Civil Rights, as called for in President Biden’s National Strategy, his FY25 budget, and the Showing Up for Students Act. The Administration must implement additional actions outlined by the White House to supplement the National Strategy, including the creation of a Department of Homeland Security online campus safety resources guide and enhanced State Department cooperation with tech companies on countering antisemitism.
2. **Rejecting legislation that undermines free speech and efforts to counter antisemitism:** Congress must reject legislation such as the *Antisemitism Awareness Act*, which would codify the International Holocaust Remembrance Alliance (IHRA) *Working Definition of Antisemitism* along with its “contemporary examples,” despite considerable ongoing concern about how they could be used to unfairly target and silence legitimate debate on Israel-Palestine. GOP Members have introduced additional problematic legislation, such as the *Stop Anti-Semitism on College Campuses Act*, which would prohibit colleges from participating in federal student loan and grant programs if they authorize events on campus that are deemed antisemitic under the IHRA definition.

3. **Passing the Countering Antisemitism Act:** Congress should pass the *Countering Antisemitism Act*, which establishes the first-ever National Coordinator to Counter Antisemitism and a new interagency task force to implement President Biden’s National Strategy. It also requires the Department of Education to designate a senior official responsible for countering antisemitism in higher education and US intelligence agencies to produce an annual threat assessment of antisemitic violent extremism, while commending rather than codifying the IHRA definition.

4. **Opposing violent crackdowns on campuses:** The Administration and Congress must stand against acts of police violence, including arrests of peaceful student protesters.

Most importantly, in order to truly ease campus tensions and curtail violence at home and in Israel-Palestine, the US government must spare no effort to advance a hostage deal and *negotiated ceasefire*. Given what is at stake in this November’s presidential election, the future of both American and Israeli democracy may depend on it.