



SHUSHAN STREET: PROTECT CAMPUS FREE SPEECH, COMBAT ANTISEMITISM, AND DEFEND DEMOCRACY

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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.