

March 23, 2016

The Honorable Monica C. Lozano  
Chair  
Board of Regents for the University  
of California  
Office of the Secretary and Chief of Staff  
to the Regents  
1111 Franklin St., 12th Floor  
Oakland, CA 94607

The Honorable Janet Napolitano  
President  
Board of Regents for the University  
of California  
Office of the Secretary and Chief of Staff  
to the Regents  
1111 Franklin St., 12th Floor  
Oakland, CA 94607

Dear Ms. Lozano and President Napolitano,

On behalf of the organizations signing this letter, who represent much of California (and American) Jewry, as well as groups representing Jewish students and faculty at the University of California (“University” or “UC”) and other universities, we write to urge the Regents to support the resolution the “Adoption of the Report of the Regents Working Group on Principles Against Intolerance.”

The Report of the Regents Working Group (“Report”) succinctly describes the problem of anti-Semitism on UC campuses, analyzes possible ways of addressing it, and recommends solutions that we believe do not create other problems, most particularly, limiting freedom of speech or the ability of students and faculty to engage in vigorous debates over the Middle East.

The Report cogently analyzes disturbing evidence of bigotry of a kind it was reasonable to assume was long gone from higher education. Many groups suffer such prejudice, Jews amongst them. Bigotry of any kind has no place at elite institutions of higher learning like the University of California. But such intolerance exists, and pretending otherwise will not make the problem go away.

Another no-less disturbing reality is that some would diminish academic freedom and the freedom of speech in favor of insulating students from thoughts that challenge their existing perspective. Such efforts—when reaching inquiry and speech, and not threats or targeted harassment—conflict with the core values of institutions of higher learning dedicated to free inquiry. We are pleased that the Report and Principles forthrightly address this problem as well, and reaffirm the importance of academic freedom and freedom of speech.

Turning first to the proposed Regents policy, *Principles Against Intolerance* (“Principles”), the operative portion of the Report, we believe that the Working Group has produced a document that cuts through much of the fog surrounding the University’s right, indeed, duty, to itself speak out against intolerance, even as it commendably does not seek to require (or permit) the University to punish or suppress speech said by its targets to be intolerant.

Some hold the pernicious notion that any official criticism of student, faculty or visitor speech necessarily has an impermissible effect of chilling free discussion. That view grants a first speaker immunity from subsequent criticism, and it denies all subsequent speakers, including the University, their right and—as the Principles correctly and importantly note—responsibility to express themselves against bigotry and biased stereotyping whenever it surfaces on campus and in whatever form.

In the context of other Principles, which commit the University to vigorously protecting freedom of speech and inquiry, we think that the risk that the University would abuse its right to condemn bigotry and bias, turning it into a weapon to bludgeon the politically incorrect into silence, is all but non-existent. Should we prove wrong, there will be time enough to address excess. For now, the far greater risk is that the University's lack of forthright response in the face of expressions of anti-Semitic and other forms of bigotry will be seen as acquiescence or indifference.

The narrative contained in the Report accurately describes the atmosphere on campus regarding anti-Semitism in light of current campus realities as many students tell us they perceive it. And so we welcome the Report's acknowledgment that the problem is real and requires attention.

We believe that, as a general matter, Jewish students are not treated unequally and are treated with respect at the University. Neither are they generally unsafe or unwanted on campus. We do not believe that Jews are in day-to-day physical danger. Having said that, it is important that the Report takes seriously the very troubling manifestations of anti-Semitism that have occurred on University of California campuses—mostly centered around the question of Israel and its policies.

In recent years, there have been increasing numbers of disturbing examples of anti-Israel actions and rhetoric that have embodied or been shaped by anti-Semitic claims, or that have stirred currents of anti-Semitism. Incidents have ranged from anti-Israel speakers spouting anti-Jewish conspiracy theories to singling out a Jewish student candidate for civil service simply because she was Jewish, to malicious vandalism and anti-Semitic graffiti. Invoking anti-Jewish stereotypes or conspiracy theories, raising contemporary versions of the age-old blood libel, employing openly anti-Semitic imagery and drawing exaggerated comparisons to Nazis are profoundly offensive and intended to wound.

The organizations signing this letter are supporters of Israel. All of us nonetheless affirm the right of others to criticize Israel and its policies and even Zionism. We acknowledge, too, that it is perfectly legitimate, and not anti-Semitic, to oppose all forms of ethnic and religious nationalism. But the reality of contemporary anti-Israel and anti-Zionist activity on campuses goes further and is more pernicious, amounting to the repurposing of classic negative themes and claims about Jews as extraordinarily evil and malevolent into updated new claims about the Jewish State and its supporters.

We understand the Report's references to anti-Israel and anti-Zionism not to challenge these assumptions, based as they are on bedrock principles of freedom of speech and academic freedom. Rather, as we understand it, the Report addresses only a far nastier reality: the demonization of Israel and of Jews and others supportive of Israel in the ways that Jews were once demonized.

If the language in the Report regarding anti-Zionism is changed, we strongly believe that it is important for the report to make clear with respect to anti-Zionism that it is the singling out of Israel, Jewish nationalism and the denigration of Israel in ways wholly removed from reality along with the invoking of stereotypes and hateful depictions where the term Zionist is used as a substitute for Jews. Given the repeated attempts to hide anti-Semitism behind a facade of acceptable criticism of Israel, it is essential that the Report's labelling of the malevolent forms of anti-Zionism as the anti-Semitism be retained.

We urge you to vote in favor of the adoption of the Report and Principles.

Sincerely,

Academic Engagement Network  
American Jewish Committee  
Anti-Defamation League  
Hillel International  
Israel Action Network  
Jewish Community Federation of  
San Francisco

Jewish Community Relations Council of  
San Francisco  
The JCPA  
The Jewish Federation of Greater Los Angeles  
The Jewish Federations of North America

cc:

Ann Shaw  
Secretary and Chief of Staff  
to the Regents  
University of California  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607  
[ann.shaw@ucop.edu](mailto:ann.shaw@ucop.edu)

Seth Grossman  
Chief of Staff  
University of California  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607  
[Seth.Grossman@ucop.edu](mailto:Seth.Grossman@ucop.edu)

For Immediate Release  
March 24, 2016

Contact:

### Joint Statement in Support of UC Regents Policy Against Intolerance

San Francisco, CA – The undersigned organizations commend the Regents of the University of California (UC) for today’s adoption of the Working Group’s Report on Principles Against Intolerance. These principles enhance existing policies against bias and discrimination and specifically address the growing and urgent challenge of anti-Semitism and other forms of bigotry on UC campuses.

The Working Group – which included regents, the student regent, a faculty member, chancellor and vice provost – did an excellent job in balancing the protection of free speech with the need to address growing intolerance.

Many regents spoke eloquently about why the document was needed at this time and the tools it will provide campus administrators to help them focus on and respond to incidents of “anti-Semitism and other forms of discrimination.” Such incidents, if left unchecked will grow and increase the potential that not all students will feel safe on campus.

Importantly, the document – in referencing anti-Semitic forms of anti-Zionism – makes clear an ugly reality: that the demonization of Israel, and of Jews and others supportive of Israel, contributes greatly to the rise of anti-Semitic acts on campus and elsewhere.

We strongly support and endorse the newly adopted principles and hope that they will serve as a model for campuses around the country that have seen a rise in anti-Semitic actions, racism and other forms of bigotry.

Academic Engagement Network  
American Jewish Committee  
Anti-Defamation League  
Hillel International  
Israel Action Network  
Jewish Community Federation and Endowment Fund of San Francisco, the Peninsula, Marin and Sonoma Counties  
Jewish Community Relations Council of San Francisco, the Peninsula, Marin, Sonoma, Alameda and Contra Costa Counties  
Jewish Council for Public Affairs  
Jewish Federation of Greater Los Angeles  
Jewish Federation of the East Bay/Jewish Community Foundation

Jewish Federations of North America  
Jewish Public Affairs Committee of California