

University of California Jewish Student Campus Climate Fact-Finding Team Report & Recommendations

President's Advisory Council on Campus Climate, Culture, & Inclusion

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Charge & Scope

The President's Advisory Council on Campus Climate, Culture, and Inclusion was established by UC President Mark Yudof in June 2010 to identify, evaluate and share "promising practices." It also monitors and evaluates the progress of each campus toward ensuring conditions and practices that support the University's mission to provide equal opportunities for its community of students, faculty and staff consistent with campus Principles of Community. The Advisory Council is led by President Yudof and UC Berkeley School of Law Dean Christopher Edley and includes affiliated members from each campus and leaders from various constituent and community groups.

In June 2011, the Advisory Council commissioned council members Alice Huffman, President of the California NAACP, and Richard D. Barton, National Education Chair of the Anti-Defamation League and Partner at Procopio, Cory, Hargreaves and Savitch LLP, to visit several UC campuses to meet with members of the Jewish community. Between October 2011 and May 2012, the Team visited six campuses -- Santa Cruz, Davis, Irvine, Berkeley, Los Angeles, and San Diego.

The council members were charged with engaging in fact-finding about the challenges and positive campus experiences of Jewish students at UC and to identify steps needed to make campuses more inclusive and welcoming for Jewish students as well as all community members.

The meetings on each campus lasted the entire day, with significant attention devoted to hearing from directly Jewish students including undergraduates, graduate students, and at least two law students. The team also met with Jewish faculty, as well as representatives from a variety of Jewish organizations that surround the respective campuses. Each visit also consisted of meetings with senior administrators, including student affairs leadership, campus diversity officers, and the five Chancellors. When possible, visits were not exclusively with members of the Jewish community but also included visits also included students from other communities on campus including the Black Student Union leaders at UC San Diego and UC Santa Cruz, student cultural organization leaders at UC Davis, and students in an open forum at UCLA.

Jewish Student Experiences: Themes & Impressions

The visits revealed several themes which characterize the climate for Jewish students. First, it was clear that Jewish students have thriving, open communities and occupy a prominent place on the campuses visited in terms of numbers, access to services and opportunities to explore their religion, its history and culture. Second, the Jewish communities on the campuses are very diverse, making generalizations difficult and complicating any specific recommendations for addressing some of the issues discussed in this report. This is especially true when it comes to the issue of Israel. Third, Jewish students are confronting significant and difficult climate issues as a result of activities on campus which focus specifically on Israel, its right to exist and its treatment of Palestinians. The anti-Zionism and Boycott, Divestment and Sanctions (BDS) movements and other manifestations of anti-Israel sentiment and activity create significant issues through themes and language which portray Israel and, many times, Jews in ways which project hostility, engender a feeling of isolation, and undermine Jewish students' sense of belonging and engagement with outside communities. The issue of anti-Zionism activities was a focal point of our discussions with all of the students, Jewish organizations, faculty and administration.

As will be discussed at length, the solutions for how to deal with the issue of anti-Israel activism are extremely complex in an environment where the First Amendment and Academic Freedom allow for the dissemination and expression of words and ideas which are controversial, diverse, and many times discomfiting and hurtful to so many in the Jewish community. What came through in our discussions, however, was a sense from Jewish students and others of a double standard when it comes to the themes and language used by those protesting Israel and its policies. Specifically, Jewish students described the use of language and imagery which they believe would not be tolerated by faculty and administration, or would at least be denounced with more force, if similar themes and language were directed at other groups on campus. Importantly, no students indicated feeling physically unsafe on UC campuses.

The 2010 Undergraduate Experience Survey (UCUES) reports that 3% of UC undergraduates who completed the survey identify as Jewish. This number is much lower than campus administrator and student estimates ranging from 7% to 12%. UC does not systematically collect population data on religious identity for all groups.

| Jewish Undergraduates UCUES 2010 (N=61073) | |
|---|------|
| Universitywide | 3.0% |
| Berkeley | 3.0% |
| Davis | 3.1% |
| Los Angeles | 3.4% |
| Riverside | 1.3% |
| San Diego | 2.9% |
| Santa Cruz | 4.0% |
| Santa Barbara | 4.1% |
| Irvine | 1.7% |
| Merced | 1.7% |

It is important to note that the extensive diversity that exists within the Jewish community itself limits the ability for the Team to over-generalize the impact of anti-Israel activities to the entire community. The political and ideological spectrum for the Jewish community at UC is wide. In fact, some Jewish students participate actively in pro-Palestinian and anti-Zionist activities. In addition, at least at UC Santa Cruz, the dynamic within the Jewish community was a specific focus for Jewish students during the visit there. This diversity within the community further complicates UC's ability to respond.

The Jewish Community on UC Campuses. As stated above, it was apparent during the Team's visits that Jewish students occupy a prominent place both in numbers and access to services on their respective campuses. Every UC campus is home to a wide range of organizations which directly serve the Jewish student population and one cannot be help but marvel at the diverse network of organizations on each campus dedicated to the promotion of Jewish student life. Jewish Student Unions, Hillel, Chabad, Jewish Sororities and Fraternities, and many other organizations perpetuate and enhance the life of Jewish students as Jews. For example, the Team discovered that there are 13 Jewish student organizations on the UC Berkeley campus alone focusing on a range of cultural, religious, political, and social causes. Other campuses come close to or exceed that number. Each campus has a surrounding Jewish community which provides opportunities for Jewish students to practice and explore their heritage. It would be a disservice to in any way describe the UC campus environment as one which does not offer Jewish students the opportunity to explore and express their Jewish identity in myriad ways.

In the Team's assessment, it is important for the Jewish organizations, as well as administration and faculty on the respective campuses, to work toward better integration into the broader campus community, and for Jewish students to seek out multiple opportunities on campus to reduce any feelings of isolation or alienation. In one of the

more disturbing aspects of our visits, however, Jewish students detailed how being a supporter of Israel can limit those opportunities. Many described being denied access to work with organizations dedicated to issues of social justice specifically because of the stance those non-Jewish student organizations have taken regarding Israel. Students involved with Jewish organizations which support Israel, or which do not denounce Israel, reported their perception that various overtures to outside organizations have been rejected. This was particularly disheartening for the Team because of concern regarding any litmus test of this nature, and because of the knowledge of the past history of Jewish involvement and impact on issues confronting all minorities.

What was also clear was that the State of Israel occupies a prominent place within the network of Jewish organizations on UC campuses. Opportunities exist today on every campus for Jewish and non-Jewish students to learn about Israel, its history, and the current geopolitical situation. Israel advocacy organizations play an active role on each campus and have engaged outside agencies such as AIPAC, J Street, ADL, Stand With Us, and many others in the effort to promote a deeper understanding for all students of the challenges which confront Israel, the Palestinians and the region as a whole.

It is noteworthy that the issues of anti-Semitism, anti-Zionism and anti-Israel activities were not the first subjects some of the groups wanted to discuss. More broadly, Jewish students at UC expressed frustration with institutional insensitivity in accommodating the needs of the observant Jewish community such as holy days and dietary provisions. For example, at UC Davis the initial conversation consisted of students' expression of difficulty accessing Jewish life outside of the UC Davis campus. The students at UC Davis spoke at length about how their campus differs from UCLA, UC Berkeley, UCI and UCSD in its proximity to synagogues, Jewish organizations and an extensive Jewish community. At UC Irvine, Jewish students clearly expressed their frustration at the way outside communities, the media and others have portrayed, or misconstrued, life for Jewish students on the UC Irvine campus. As one Jewish student put it, UC Irvine has made the front page of every newspaper in Israel with the sole focus on the anti-Israel and anti-Zionist activity which exists there. The Jewish students expressed concern that Jewish applicants to the UC system are being discouraged from attending UC Irvine and the students believe this has impacted the strength of Jewish organizations and life on campus.

At UC Santa Cruz, Jewish faculty and students revealed another complex reality. Specifically, Jewish student and faculty participants in the Team's meetings actively participate in the anti-Zionism movement. A member of the faculty directly stated his anti-Zionist position and graphically described the tension which exists within the faculty regarding this difference in belief. Jewish students who support Israel directly engaged the Jewish student members of the Committee for Justice in Palestine during our meeting and the tension between these groups occupied much of the discussion at.

However, Jewish students at all campuses were clear that the most pervasive negative issue impacting their daily experiences on campus were intergroup challenges related to political disagreements about the State of Israel and Palestine. Students indicated that while generally the campuses are thriving environments supportive of Jewish student life, fear

and intimidation were an annual occurrence around student events such as Palestinian and Israel/Jewish awareness and activism weeks. While sometimes uneasy tension was impactful on all campuses, it should be stressed that not one Jewish student indicated that they perceive the Jewish student community as physically unsafe at UC.

The Anti-Zionism/Anti-Israel Movement and its Impact on Climate. The Team found that on UC campuses there is a movement which targets Israel and Zionism through an ongoing campaign of protests, anti-Israel/anti-Zionism “weeks”, and, on some campuses, the use of the academic platforms to denounce the Jewish state and Jewish nationalist aspirations. This reality does not discount the many attempts, and often successes, by both campus administrators and students themselves to engage civilly and respectfully in intergroup dialogue, debate, and disagreement. Jewish students indicated that this tension was directed not only from other groups, but also that a tension exists within the Jewish community pertaining to political disagreement. On every campus pro-Zionist Jewish students described an environment in which they feel isolated and many times harassed and intimidated by students, faculty and outsiders who participate in these activities. Most often students expressed the perception of a double standard, insensitivity, and a lack of understanding on the part of faculty and administrators regarding the depth of what Jewish students experience as a result of a movement that is directed at the Jewish state using imagery and accusations evocative of historical campaigns against Jews. A Jewish student at UC Davis described being told that the Star of David was a symbol of hate. A student at UC Santa Cruz who served in the Israeli military described frequently being called a “baby killer.” As another student at UC Santa Cruz put it, “I wish I could actually get to a discussion about the Israeli occupation and Israel’s policies [with the protesters] because there is much to discuss. Unfortunately, it is hard to get to that point because I and other students who support Israel are constantly confronted with the argument that there is no benefit to dialogue because Israel simply has no right to exist”.

Jewish students described different manifestations of anti-Israel or anti-Zionism protests. There are the organized weeks which generally take place in the spring surrounding what the Palestinians refer to as the “Nakba”, the “day of the catastrophe”, commemorated on Israeli Independence Day. These protests routinely include “Apartheid Walls”- a depiction of the barrier/wall constructed by Israel along its border with the West Bank; “die ins” in which students portraying Palestinians spontaneously fall down as though they have been subject to mass killings by Israelis; mock “checkpoints” which are intended to mimic Israel checkpoints on the West Bank in which students coming through the “check point” are supposed to experience what Palestinians are allegedly subjected to. These “check points” include students re-enacting scenes in which Israeli soldiers are portrayed as engaging in indiscriminate acts of violence and degradation of Palestinians; and the dissemination of literature and information which accuse Israel of “genocide”, “ethnic cleansing”, and the imposition of an “apartheid state”. These protests describe alleged atrocities committed by Israelis devoid of context with the unmistakable message that Israelis/Jews are carrying out a unilateral campaign of violence directed against innocent Palestinians. Most outrageously for Jewish students, the protests routinely analogize Israeli treatment of Palestinians to the Nazis’ treatment of Jews. The use of the swastika drawn next to, or integrated with, the Jewish Star of David is commonplace. The term Holocaust is routinely

used to characterize Israeli behavior toward Palestinians. Outside, non-UC affiliated speakers are a regular feature of these anti-Israel and anti-Zionism weeks.

Students generally indicated that Israeli Apartheid/Palestinian Awareness weeks are sometimes the only source of negative experience Jewish students have on campus, and indicated that negatively themed events are quite rare on UC campuses. As one Jewish professor indicated the university community thrives on the promotion of diversity and appreciation of other cultures, religions and ethnic groups. During any academic year, this professor said, one can walk around a UC campus and find celebrations of the culture, food and customs of peoples throughout the world. Yet, he said, there is one week during the year specifically dedicated to the denunciation of one country, Israel, in terms which are hurtful and which adopt themes reminiscent of other anti-Jewish movements. Other manifestations described by students include spontaneous protests which are usually organized electronically through texts and social media. On any given campus, these protests occur in response to events taking place in the Middle East or elsewhere. Many students expressed how intimidating these protests can be and that they have been the subject of the most insensitive and hurtful statements and accusations.

Students also described encounters with faculty in class and outside which they believe raise serious questions regarding faculty members' objectivity regarding the conflict in the Middle East. They described instances of overt hostility toward Jewish or other students who try to express contrary viewpoints on the subject. Students questioned how these activities can be reconciled with the desire of the universities to promote scholarship and Principles of Community.

One of the most significant issues expressed by Jewish students, faculty and community members is their difficulty with sponsorship by university departments, campus organizations and others of events which are very clearly designed to promote themes which are biased and unbalanced in their portrayal of Zionism and Israel. The students indicated that University administrative offices, such as multicultural or cross cultural centers, sponsor student organization events that are dominated by groups adopting anti-Zionist platforms. Others indicated that they were doubtful that academic departments exhibited balance in their sponsorship or hosting of events – symposiums, speaker series, etc. – as they related to Israel and Zionism.

In the Team's assessment it is clear that for many Jewish students, their Jewish cultural and religious identity cannot be separated from their identity with Israel. Therefore, pro-Zionist students see an attack on the State of Israel as an attack on the individual and personal identity. It is important for faculty and administrators to understand why some Jewish students and the Jewish community cannot simply dismiss the allegations directed toward Israel during "Justice for Palestine" or "Anti-Apartheid" weeks as simply a geopolitical "discussion" to address the plight of Palestinians. This requires particular sensitivity as identity development and affirmation is so profound during a student's college years. Routine accusation that Israeli treatment of the Palestinians is comparable to Nazi treatment of Jews is has outraged pro-Zionist Jewish students and faculty, and

increased frustration as they are defended as an exercise of free speech or academic freedom.

It must also be said that student participants also expressed an understanding of the constraints which exist on the ability to prohibit discussion of a geopolitical conflict on a college campus. All stated that they appreciate the distinction between criticism of Israel and anti-Semitism. One of the tools used to dismiss the concerns expressed by Jewish students is the accusation that supporters of Israel are unwilling to tolerate any criticism of Israel and that the charge of anti-Semitism is used in a manner to suppress that criticism. The Team's conversations with students revealed no such confusion or effort to curtail the First Amendment rights.

It is clear that administrators on all campuses who are tasked with promoting a positive climate for students revealed very committed individuals who are strong promoters of addressing anti-Semitism in its traditional forms and negative campus climate experiences for Jewish students. All students on campuses have access to a tremendous amount of scholarship, classes and other resources to educate themselves regarding anti-Semitism and Jewish history. Notwithstanding, pro-Zionist Jewish students and faculty perceive a difference in how the movement against Israel and Zionism is viewed and addressed by those in faculty and administration responsible for dealing with campus climate. There is a perceived gap in the level of appreciation by administrators for how the Jewish community sees these protests. That is reflected in the absence of Jewish student representation on the most of the individual campus Climate Councils.

The Intersection of Free Speech and Principles of Community. The discussion regarding Jewish campus communities cannot be separated from an important reality that these protests address a geopolitical conflict on campuses whose core values are the dissemination of ideas, the First Amendment and academic freedom. The Israeli-Palestinian conflict is the subject of intense scrutiny and scholarship, and its complexity and centrality in world events demand that open debate and examination be defended. Against this backdrop, it makes it extremely difficult for those responsible for ensuring a positive climate for students to separate out and address speech that revolves around an issue that demands openness. To that end, education and greater understanding are essential for all stakeholders. The Principles of Community operate under the assumption that not all speech is protected. Words and accusations which at their core demean, defame and degrade must be addressed and denounced. The goal must be to find the balance between the core values of open discussion and the value of protecting students from harassment and intimidation. Assumptions regarding the Jewish student community need to be examined and discussion with the Jewish student community must be ongoing with the goal of enhancing an understanding of the complex dynamics underlying their experience on campus.

Recommendations

1) UC should review its policies on University sponsorship and neutrality and develop model institutional protocols for such activities.

As the report mentions, Jewish students, faculty, and community members indicated a sense of alienation and marginalization caused by either actual or perceived University (department, administrative organization, etc.) sponsorship of unbalanced and/or biased events on campus. For example, some campus Cross Cultural Centers provide sponsorship of Israeli Apartheid week events. Is this acceptable or should the University prohibit such sponsorship? If acceptable, what protocols does the University have in place to ensure balanced perspectives are shared over time?

2) UC should adopt a hate speech-free campus policy.

While many campuses have adopted hate-free campaigns or issued commitments affirming the free and open exchange of ideas while maintaining a civil and supportive community, UC does not have a hate-free policy that allows the campus to prevent well-known bigoted and hate organizations from speaking on campus (aside for time, place, and manner provisions), such as the KKK. UC should push its current harassment and nondiscrimination provisions further, clearly define hate speech in its guidelines, and seek opportunities to prohibit hate speech on campus. The President should request that General Counsel examine opportunities to develop policies that give campus administrators authority to prohibit such activities on campus. The Team recognizes that changes to UC hate speech policies may result in legal challenge, but offer that UC accept the challenge.

3) UC should develop cultural competency training around the Principles of Community, and such training require of all community members.

Unfortunately, regulations alone, even if enacted within constitutional bounds, are of uncertain effectiveness, because they fail to address the root causes of harassment such as racism, bigotry, and ignorance. The long-term solution to bigoted harassment on campus lies in education. UC Davis has developed a model online course which is currently optional for community members (<http://occr.ucdavis.edu/poc/living-poc-online-course.html>).

4) UC should adopt a UC definition of anti-Semitism and provide model protocol for campuses to identify contemporary incidents of anti-Semitism, which may be sanctioned by University non-discrimination or anti-harassment policies.

The European Union has developed a working definition of anti-Semitism which states that “Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are

directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.” The EU also enumerates several contemporary examples of anti-Semitism including at the extreme “calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion” and more generally “making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions,” or “accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.” The EU also provides examples of ways in which anti-Semitism manifests itself with regard to the State of Israel including “using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis, “drawing comparisons of contemporary Israeli policy to that of the Nazis,” or “holding Jews collectively responsible for actions of the state of Israel.”

There are many organizations who have offered similar frameworks, as well as educational programs, which help explain the intersection, distinctions and overlap between anti-Semitism and the protest of Israel policies and actions. Those organizations should be engaged to promote education for administrators, faculty and students on these very complex and nuanced issues.

5) UC should investigate opportunities to collect population data on Jewish identity of students.

UC should develop model practices for accommodating religious holy days and suggest practices for faculty to accommodate religious holiday days when conflicts may interfere with coursework or exam schedules. UC San Diego Chancellor, for example, sends a memo at the beginning of the academic year to all faculty reminding the community of important religious holidays and encouraging their sensitivity to accommodation.

6) Adequately address the dietary needs of Jewish students, faculty, and staff on UC campuses.

This recommendation includes a review of UC dining options, and examination of opportunities to offer students kosher options in student-paid dining plans. For many observant Jewish students, dietary accommodations may be a deciding factor in college selection. Moreover, such an effort demonstrates the University’s commitment to full inclusion and recognizing the existence of diversity among its communities.

7) Develop model practices that sufficiently accommodate religious observances (holy days).

8) Ensure that all local campus climate councils include Jewish and other religious minority student representatives.

In the Team's conversations with campus administrators and Jewish community members, there was a lack of representation of religious minorities on local Campus Climate Councils established by the Chancellors in June 2010. This absence has created a perceived gap in the level of appreciation by administrators regarding Jewish campus climate and rests on assumptions and stereotypes of the Jewish community. For example, there is an impression of a Jewish community which has "made it", is "safe", and is therefore less deserving of the same degree of protection afforded to other minority groups. This last point was made evident at UC San Diego where several students and faculty insisted that their Climate Council was reserved for underrepresented minorities. While a specific council may be viewed in this way by certain communities, this may be based on assumptions which ignore the history of bigotry and hostility directed at Jews which is still very much a part of the campus community and society at large.