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## **VIA EMAIL**

Dr. Francine Conway, Chancellor Rutgers University – New Brunswick 83 Somerset Street New Brunswick, NJ 08901

Ms. Michelle Jefferson, Associate Dean, Student Conduct and Conflict Resolution Rutgers University - Office of Student Conduct 115 College Avenue New Brunswick, NJ 08901

Re: Rutgers' Students for Justice in Palestine

Dear Chancellor Conway and Associate Dean Jefferson:

We write on behalf of the Zionist Organization of America (ZOA), the oldest pro-Israel organization in the U.S., dedicated to fighting antisemitism in schools, on college campuses, and wherever this ugly bigotry arises. As you may know, the U.S. Department of Education's Office for Civil Rights (OCR) is investigating Rutgers University for allegedly failing to protect Jewish students from antisemitic harassment and intimidation in violation of Title VI of the Civil Rights Act. OCR's investigation was triggered by a student-supported Title VI complaint filed by the ZOA.

We were gratified to see that last month, Rutgers suspended a major perpetrator of antisemitism at Rutgers, the anti-Israel hate group that calls itself "Students for Justice in Palestine" (SJP). But horrifyingly, Rutgers has already lifted the suspension.

SJP plainly has learned nothing from such a short-lived suspension. In announcing that this hate group has been reinstated, an SJP member (her face masked by a keffiyeh) <u>called for</u> the liberation of their homeland – "Palestine" – "from the river to the sea," which is a well-known call for Israel's elimination. In addition, the SJP publicly praised and called for a global intifada. This is a call for violence and terrorism against Jews and Israelis around the world.

In Associate Dean Jefferson's letter to SJP about its interim suspension, she reportedly wrote that there was a "reasonable basis to conclude" that SJP "pose[d] a substantial and

immediate threat to the safety and well-being of others." In a separate letter, Chancellor Conway reportedly <u>wrote</u> that while Rutgers is "a public institution that protects and values free speech and the open exchange of ideas, this exchange cannot come at the expense of individual and campus safety."

It is based on these continuing concerns for campus safety and the well-being of students and others that Rutgers should reinstate SJP's suspension for the remainder of the academic year, with specific conditions that must be met before the group can ever be reinstated. In addition, we urge you to take the following steps:

- Exercise your own First Amendment rights and issue a statement which condemns calls for a global intifada and for "Palestine" to be free "from the river to the sea." Explain to the Rutgers community that calling for violence and terrorism against Jews and Israelis is abhorrent and against the university's values. And calling to "liberate" the land between the Jordan River and the Mediterranean Sea is an antisemitic call for the elimination of the one Jewish state in the world, Israel.
- In your statement, condemn the other false and hateful rhetoric that SJP is promoting at Rutgers, creating a hostile campus environment for Jews and Israelis, including the falsehood that Israel has "stolen" land and that it is a "settler, colonial, apartheid Zionist state." Make it clear that Jews are indigenous to the land of Israel going back thousands of years, and that the State of Israel is a sovereign state recognized by the United Nations. Please also make it clear that Israel has given up land (including by withdrawing completely from Gaza in 2005) in the pursuit of peace, only to be met with terrorism and violence. Hamas' brutal massacre and mutilation of Jews on October 7, 2023, is the most heinous example.
- As for the "apartheid" accusation, please educate the Rutgers community in your statement that this is an outrageous lie: Approximately two million Arabs are citizens of Israel, with full and equal rights. Arabs serve in Israel's Knesset (parliament) and on the judiciary, including on Israel's Supreme Court. Arabs and Jews work together in hospitals and in other institutions and businesses. Apartheid does exist in the region, but it is in regions controlled by the Palestinian Authority (PA) in Judea and Samaria (the "West Bank") and in Gaza, which are free of Jews (other than the hostages kidnapped and taken to Gaza by the terrorist group Hamas on October 7). The PA pays terrorists to murder Jews.
- Since SJP students called for the university to divest from companies that invest in Israel, make it clear in your statement that Rutgers does not and will not support any divestment and/or boycott efforts against the State of Israel.
- Adopt the International Holocaust Remembrance Alliance working definition of antisemitism, which you will find here:
  <a href="https://holocaustremembrance.com/resources/working-definition-antisemitism">https://holocaustremembrance.com/resources/working-definition-antisemitism</a>. It is an

internationally accepted definition, including by the U.S. government, and has already been adopted by many <u>cities and towns</u> in New Jersey. The IHRA definition is a useful tool for administrators, professors, staff and students to understand how antisemitism is expressed today, including related to Israel. Understanding antisemitism is the first step to addressing the problem, which is at "<u>shocking</u>" levels in New Jersey and around the world.

Kindly advise us as soon as possible whether you will be taking these and any other steps to protect the physical and emotional safety and well-being of your Jewish and Israeli students, consistent with your obligations under Title VI of the Civil Rights Act.

Very truly yours,

Morton A. Klein National President

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Susan B. Tuchman, Esq. Director, Center for Law & Justice