

Dr. Ahmed Shaheed
United Nations Special Rapporteur on Freedom of Religion or Belief
c/o Office of the High Commissioner for Human Rights
United Nations at Geneva
8-14 avenue de la Paix
CH-1211 Geneva 10
Switzerland

Dear Dr. Shaheed:

In response to the call for written submissions on antisemitism, the Family Research Council (FRC) submits the following comment regarding the recent rise of *institutional* antisemitism at American colleges and universities.¹

Antisemitism and the Holocaust

Antisemitism, the hatred and mistreatment of Jewish people, has been a scourge of history for over three thousand years. For example, in the book of Esther, the Bible records what may have been the first systematic attempt to annihilate the Jews – to wipe them from the face of the Earth. Haman, the evil Persian bureaucrat who instigated a genocidal plot against the Jewish people, was executed on the gallows he had built for his Hebrew rival. Esther 7: 10. The Jews survived, and many returned to Zion where they rebuilt the Jewish nation.

In the past century, a modern-day Haman, Adolf Hitler, led the German state in a decade-long effort to persecute and then exterminate all European Jews. As the esteemed historian, Robert S. Wistrich, has summarized the essence of the Nazi Holocaust:

The Holocaust was an unprecedented crime against humanity that aimed at the annihilation of the entire Jewish population of Europe, down to the last man, woman, and child. It was the planned, deliberate policy decision of a powerful state, the Nazi Reich, which mobilized all its resources to destroy an entire people. The Jews were not condemned to die for their religious beliefs or for

¹ FRC was founded in 1983 and has always been dedicated to the promotion of marriage, the family, the sanctity of life, and religious freedom. Through books, pamphlets, media appearances, public events, debates and testimony, FRC staff strives to ensure that the unique attributes of the family are recognized and respected by legislatures, courts, and regulatory bodies whether national or international. Additionally, FRC supports policies and laws that recognize the sanctity of human life in national and international policy. FRC also strives to support religious freedom, and, in this context, we believe the religious freedoms of Jewish Americans are being threatened and must be protected. Consultative status was granted to FRC in 2002.

their political opinions. Nor were they an economic or military threat to the Nazi state. They were killed not for what they had done but for the simple fact of their existence.²

In the period following the Second World War in the United States, the horrific memory of the Holocaust and the declaration of an independent Jewish nation in ancient Israel had a profound effect on Americans.³ These events ushered in a protracted period of at least fifty years in which Jews held a place of *unmolested* respect, admiration and affection in American society. This is not to assert in any way that antisemitism did not exist in innumerable ways. Rather, it is to say that most Americans worked assiduously to foster better relations between Jews and Christians.

However, in the past fifteen to twenty years there has been an accelerating negative change in the way Jews are treated in Europe and the United States. Dr. Alvin Rosenfeld, a renowned Holocaust scholar at the Indiana University Bloomington, made the following observation three years ago:

“Antisemitism has become a serious threat once again,” ... saying that he had thought that after the demise of the Nazis and knowledge of the destruction they wrought, serious public Jew-hatred was unlikely to surface again in the West in any major way.

“I was wrong ... Antisemitism is on the rise again, and the situation on campuses seems especially acute ... We cannot hope to stop it or overturn it immediately, but our goal is to open more eyes toward what is happening, to get more people to start paying attention to contemporary antisemitism and the role that hostility to Israel plays in generating it...”⁴

While FRC perceives the situation in many European countries to be far worse than in the United States, the trendline in the United States, especially at universities and colleges, is alarming.

Twenty-first century American antisemitism seems to come from both the political left and right.⁵ The antisemitism from the right exists in small, dangerous groups and

² Robert S. Wistrich, *Hitler and the Holocaust* (New York: Modern Library, 2001), xi.

³ For people of a certain age the BBC's 26-episode documentary on the Second World War, *The World at War*, shaped our worldview on that worldwide conflict making the acceptability of antisemitism impossible to imagine. America's growing culture of antisemitism was reinforced in many ways. It was inconceivable that this era of diminished antisemitism could ever end or be reversed.

⁴ Andrew Pessin, “Holocaust Scholar Says He Was Wrong to Assume Serious Jew Hatred Wouldn't Resurface after Nazi Defeat (INTERVIEW),” *Algemeiner*, March 30, 2016, accessed June 7, 2019, <https://www.algemeiner.com/2016/03/30/eminent-holocaust-scholar-to-bring-peers-together-to-address-serious-threat-of-rising-antisemitism-interview/>.

⁵ It is more accurate to say that modern antisemitism has three major sources: the political left, the political right, and the Islamist branch. For example, German authorities have recently recognized this

individuals who share various incoherent ideologies (*e.g.*, the Klan, Skinheads, and Neo-Nazis). However, antisemitism from the political right has little or no purchase in any significant American institutions like those of higher education and entertainment.

Antisemitism on the American Campus in 2019

In recent years, we have seen the rise of a new institutional antisemitism on American campuses, and it is not your father's old WASP animosity toward Jews. Rather, it is an antisemitism of the left. Why should this be surprising? With a hand full of relatively minor exceptions, the left dominates the American academic environment.

While right-wing antisemites may conduct raids onto campuses or perpetrate acts of antisemitic vandalism, such individuals or groups do not have a home in the academic community. They are intruders and interlopers. No, the institutional antisemitism that haunts Jewish students at schools across the United States is overwhelmingly a creation of the political left.⁶

It is highly likely that the most important organization tracking campus antisemitism worldwide is the California-based, AMCHA Initiative. The AMCHA Initiative performs many valuable tasks like keeping a database of campus-occurring antisemitic incidents and producing hard data on their location and frequency. That said, Dr. Shaheed, I would argue that the AMCHA Initiative's database of first-hand observations about antisemitic events, mostly by Jewish students, is invaluable. Furthermore, it offers accounts by direct observers of antisemitic events that your request for comments seems to be seeking.⁷ Your investigators should study it assiduously.

On-campus antisemitism is spearheaded in the United States by a radical left-wing, anti-Israeli, anti-Zionist organization: Students for Justice in Palestine (SJP).⁸ Founded around 2000, SJP's on-campus growth has been phenomenal. According to

fact in the context of its current climate of antisemitism. See "Anti-Semitism Among Islamists in Germany," trans. Jennifer S. Bryson, Hudson Institute (June 2019) (a translation of the report entitled "Antisemitismus im Islamismus," published in March 2019 by the German government's domestic intelligence service, the Bundesamt für Verfassungsschutz).

⁶ FRC Staff, "Left-Wing Anti-Semitism: The Greatest Campus Threat Is Ignored by the SPLC," Family Research Council Issue Analysis (IS18C01), March 2018.

⁷ AMCHA Initiative, Student Voices webpage (quotes from Jewish and other students about antisemitism on their campuses from 2014 to present day), <https://amchainitiative.org/student-voices-being-jewish-on-campus/#student-voices2/display-by-date4/>.

⁸ Dan Diker and Jamie Berk, "Students for Justice in Palestine Unmasked," Jerusalem Center for Public Affairs, 2017, http://americasurvival.org/wp-content/uploads/2017/11/SJP_Unmasked_Final_edited.pdf. Students for Justice in Palestine has its roots in both Islamist and radical left-wing ideologies. Individuals associated with SJP, including its founders, have links to Hamas and have expressed sympathy for the Gaza-based, Islamist terror group. Diker and Berk, 29.

the AMCHA Initiative, SJP had 163 active chapters on U.S. campuses as of November 28, 2016. That total increased to 189 by March 29, 2017.⁹ It would be unimaginable that any college or university would allow the Ku Klux Klan or any Neo-Nazi organization to have an institutional presence on a campus of higher education, but the rise of the SJP has been almost completely unopposed.¹⁰

The Kantor Center's 2018 annual worldwide report on antisemitism included a section that addressed American institutions of higher learning.¹¹ It was written by Tammi Rossman-Benjamin of the AMCHA Initiative, and she stated that there were 238 incidents of harassment, vandalism, and assault targeting Jewish students on 118 campuses in 2018.¹² Rossman-Benjamin observed that while the number of antisemitic incidents themselves were roughly the same as those in 2017, "the number of incidents identified as expressing classic antisemitism...decreased by 42 percent, while those identified as expressions of anti-Zionism or anti-Israelism...increased by 66 percent."¹³ American campuses, she noted, witnessed several emerging trends undergirding increasing hostility toward students who support Israel.¹⁴

Boycott, Divest, and Sanction efforts against Israel or its supporters have taken a turn for the worse. Previously efforts were made to get faculty bodies or student government legislatures to adopt or promote BDS efforts via "votes and statements, petitions, op-eds, and events..."¹⁵ The number of such efforts was relatively stable from 2017 to 2018. However, in 2018 "there were 127 incidents involving student or faculty attempts to implement or promote an academic boycott of Israeli universities and scholars" – which was twice that of the previous year.¹⁶ Rossman-Benjamin noted that "[u]nlike other campus-based BDS initiatives, the implementation of academic BDS directly harms the students wanting to travel to, study about or express support for Israel, disproportionately affecting Jewish and pro-Israel students."¹⁷

⁹ "Search anti-Zionist campus groups on U.S. college and university campuses." AMCHA Initiative, updated May 29, 2019, last accessed June 3, 2019, <https://amchainitiative.org/sjp-chapters>.

¹⁰ Only one university has refused to give official sanction for an SJP chapter to operate on its campus. In December 2016, Keith Eldredge, dean of students at Fordham University's Lincoln Center campus did so, even though the student government voted to grant recognition.

¹¹ Tammi Rossman-Benjamin, "Antisemitism on U.S. Campuses and Efforts to Address It," *Antisemitism Worldwide 2018*, Kantor Center for the Study of Contemporary European Jewry and the European Jewish Congress (EJC) (Tel Aviv Univ., 2019), 118-120.

¹² *Id.* at 118.

¹³ *Id.* at 118.

¹⁴ *Id.* at 118. Those trends were: first, the "Silencing and Exclusion of Zionist Students;" second, the "Den[ial] of Jewish Self-Determination;" and, third, the prominence of activity related to "academic BDS."

¹⁵ *Id.* at 119.

¹⁶ *Id.* at 119.

¹⁷ *Id.* at 119. Rossman-Benjamin wrote that this newer form of BDS activity was copied when word spread about a controversy at the University of Michigan when a faculty member "refused to write a letter of recommendation for a student wanting to study in Israel." Another incident took place at Pitzker College when the "faculty senate voted overwhelmingly to shut down [the] school's only student abroad program

So, this is where things stand in June 2019 with respect to antisemitism on American campuses. Antisemitism is a widespread scourge that has become embedded in America's higher educational system. It must be noted that there has been a spirited counter-attack which Rossman-Benjamin described in some detail.¹⁸

I believe that there can be no progress fighting campus antisemitism if Students for Justice in Palestine is permitted to roam free with official sanction and funding. The U.S. Department of Education's Office of Civil Rights (OCR) must determine whether any school with an officially sanctioned SJP chapter has presumptively created a hostile environment for Jewish students based on anti-religious bias. I believe that to be the case, and I believe the OCR must take affirmative steps to make that clear to America's colleges and universities. Then, consequences must follow.

Dr. Shaheed, thank you for your consideration and for affording the Family Research Council to comment on this critical topic.

Sincerely,
Christopher M. Gacek
Senior Fellow for Regulatory Policy
Family Research Council
Washington, D.C.

June 7, 2019

in Israel, in compliance with the academic boycott." Apparently, the Michigan and Pitzer events prompted supportive antisemitic events and actions across the country, "including conferences sponsored by multiple academic departments supporting the right of faculty to implement BDS, held at New York University and the University of Michigan."

¹⁸ Id. at 119-120.