



The Louis D. Brandeis Center, Inc. (LDB) is an independent, non-partisan institution for public interest advocacy, research and education. The Center's mission is to advance the civil and human rights of the Jewish people and to promote justice for all.

**Contact:** Nicole Rosen  
202-309-5724

## Brandeis Center Calls on Tennessee Lawmakers to Combat Rising Anti-Semitism

**Nashville, TN, March 29:** At a key hearing today, a top attorney for [The Louis D. Brandeis Center for Human Rights Under Law](#) (LDB) testified about the spike in campus anti-Semitism and urged Tennessee lawmakers to address this rising threat.

“A resurgence in anti-Semitism has been spreading across our nation of late,” stated Kenneth L. Marcus, the individual who authored the policy used by the U.S. Department of Education to investigate anti-Semitism and the president of the Brandeis Center. “It is particularly rampant on college campuses and, sadly, Tennessee has not been immune to this escalating hatred.”

According to the latest [FBI's Hate Crime Report](#), Jewish hate crime victims outnumber victims of all other religious groups combined. And the problem is worse on college campuses. A [Brandeis Center-Trinity College study](#) found that, in 2014, 54 percent of Jewish students reported experiencing or witnessing anti-Semitism. A [Brandeis University study](#) found that by 2015, the number of Jewish students experiencing or witnessing anti-Semitism rose to nearly 75 percent. And a 2016 [AMCHA Initiative study](#) found that the number of anti-Semitic incidents rose 45 percent during the first half of 2016 as compared to the same period in 2015.

Numerous incidents have been reported on Tennessee campuses:

- **University of Memphis and Middle Tennessee State University (MTSU).** Multiple anti-Semitic tweets were posted by students between 2012 – 2016, including, “May allah annihilate the Jewish dogs.”
- **University of Tennessee, Knoxville.** Anti-Semitic social media postings from former and current UTK students were discovered which included a mixture of inciting violence against Jews and Israelis; displaying anti-Semitic, homophobic and racist sentiment; and praising Hitler, endorsing terrorist organizations, and endorsing terror. The postings included things such as, “Hitler had alot [sic] of great ideas. We need a guy like that in the White House;” “...I already hate you. You dirty filthy Jews. All your people do is f\*\*\*ed s\*\*t up. Wish hitler [sic] was still around to show you guys.” Furthermore, in March 2016, the student group Students for Justice in Palestine (SJP) erected a mock apartheid wall which included the phrase, “To Exist is to Resist” which condones terrorism against Jewish Israeli civilians, and delegitimized Israel by falsely stating “Israel is an Apartheid State.”
- **University of Tennessee at Chattanooga.** “Humpty Dumpty sat on a wall. H.D. had a great fall. See you in hell shithead,” was discovered on the office door of a faculty member. As described by the campus police report, “The ‘s’s of the phrase were made out of swastikas and the ‘I’ was dotted with the star of David. There was also a face with the tongue sticking out towards the butt drawing. The center of the face had a swastika symbol on the middle of the forehead. The picture of male genitals and butt had a brown pasty substance (consistent with the consistency of human waste) spread on the door...” In addition, University of Tennessee police responded to a call from housing after a Residence Director found a swastika carved in a bedroom.
- **Vanderbilt University.** Three swastikas were found spray-painted in the Jewish fraternity house, Alpha Epsilon Pi. And twice in the past year, printers in offices throughout Vanderbilt’s campus printed out anti-Semitic fliers with a swastika and anti-Semitic messages.

A Tennessee bill, recently introduced by Senator Dolores Gresham and Representative Judd Matheny, will help address growing anti-Semitism on campus and protect students' rights to a learning environment free of unlawful discrimination. The bill provides Tennessee's public post-secondary institutions with a uniform definition of anti-Semitism in determining whether harassment, intimidation, assaults, vandalism or other discriminatory behavior is motivated by anti-Semitism and should be investigated and addressed appropriately. The definition used in the bill is a global standard, which is used by the U.S. federal government to assess incidents that occur abroad, and is supported by the 31 governments that are members of the International Holocaust Remembrance Alliance and all 50 countries that make up the Organization for Security and Cooperation in Europe, other than Russia, and was recently adopted by the U.K. to use in colleges and universities.

"Valid monitoring, informed analysis, and effective policy-making start with uniform definitions," testified Aviva J. Vogelstein, LDB's Director of Legal Initiatives, at today's House Education Instruction & Programs Subcommittee. "The use of a uniform definition serves several important public policy objectives: enhancing clarity of policy and predictability of enforcement, improving prevention by increasing consistency, and facilitating comparison of intervention and prevention programs across jurisdictions and data collections."

The Tennessee bill also protects First Amendment rights. Contrary to misunderstandings about the bill, it in no way regulates or restricts free speech and/or academic freedom. Much anti-Semitic hate speech is constitutionally protected, just like racist and sexist speech. The bill will not change that. Rather, it ensures that authorities consider the U.S. government's definition of anti-Semitism in instances when it is necessary to determine the intent of *unprotected* activities, including assault, battery and vandalism.

This bill "gives educators a uniform tool for ascertaining intent, similar to the use of confessions in criminal proceedings. It does not penalize or restrict anyone's right to free expression," testified Vogelstein. "On the contrary, it will protect against unlawful suppression of speech. We find that Jewish pro-Israel speech is often disrupted, suppressed, intimidated, or otherwise chilled. This legislation will help to address that problem and ensure that all views can be fully expressed."

There has been significant work on the national and state level to tackle discrimination of Jewish students. The federal Anti-Semitism Awareness Act unanimously passed the U.S. Senate in December and the U.S. House is expected to take action this year. In March, a South Carolina bill passed the state House with overwhelming support, 103-3, and will be taken up by the Senate next month. Legislation was introduced in the Virginia legislature this year as well. Virginia's 30-day legislative session ran out before the bill was passed however, Virginia Deputy Majority Leader Delegate C. Todd Gilbert committed to place the initiative at the top of the docket during next year's legislative session.

###

**About The Louis D. Brandeis Center:** The Louis D. Brandeis Center, Inc., or LDB, is an independent, nonprofit organization established to advance the civil and human rights of the Jewish people and promote justice for all. The Brandeis Center conducts research, education, and advocacy to combat the resurgence of anti-Semitism on college and university campuses. It is not affiliated with the Massachusetts university, the Kentucky law school, or any of the other institutions that share the name and honor the memory of the late U.S. Supreme Court justice.

**About Kenneth Marcus:** Marcus formerly served as staff director of the U.S. Commission on Civil Rights and head of the U.S. Department of Education's Office for Civil Rights. He is also an award-winning author of two books — *The Definition of Anti-Semitism* (Oxford University Press: 2015) and *Jewish Identity and Civil Rights in America* (Cambridge University Press: 2010), associate editor of the *Journal for the Study of Anti-Semitism* and a recognized anti-Semitism and civil rights scholar.