

For immediate release:

LDB Urges University of Tennessee to Condemn Anti-Semitic Social Media Posts

August 12, 2016 Washington, D.C: Yesterday, the Louis D. Brandeis Center for Human Rights Under Law (LDB) urged the University of Tennessee – Knoxville (UTK) Chancellor Jimmy Cheek to condemn recently reported anti-Semitic social media postings by current and former University of Tennessee – Knoxville students, demonstrating a long-standing problem on the UTK campus. [The Brandeis Center](#) is a national civil rights legal advocacy organization, best known for its work fighting anti-Semitism in higher education.

[LDB President Kenneth L. Marcus](#) commented, “The University of Tennessee needs to take these incidents seriously, to investigate fully, and to respond with greater firmness and resolve than we have seen so far. [University administrators](#) would also be wise to view this situation as an opportunity to raise public awareness within their community about the persistence of anti-Semitism and other forms of bigotry.”

Sources have reported that nearly 100 anti-Semitic, racist, bigoted, or threatening posts were found on the social media accounts of current UTK students and recent graduates. The postings include 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 Twitter messages, as reported by the *Algemeiner*, included statements 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 Jew. All your people do is f***ed s*** up. Wish hitler [sic] was still around to show you guys”; and “‘@PalAnonymous Today marks the 26th anniversary of the First #Intifada #Palestine.’ About time for another one...”

At a time when [anti-Semitism](#), and anti-Semitism masked as anti-Zionism, is [on the rise](#) throughout our country, university leaders must be forceful in condemning such anti-Semitism and bigotry.

The full text of LDB’s letter can be found below:

August 11, 2016

Jimmy G. Cheek
Chancellor
University of Tennessee – Knoxville
527 Andy Holt Tower
Knoxville, TN 37996-0184

VIA E-MAIL (chancellor@utk.edu)

Dear Chancellor Cheek:

We write on behalf of the Louis D. Brandeis Center for Human Rights Under Law (LDB), a national public interest advocacy organization established to advance the civil and human rights of the Jewish people and promote justice for all. We fight campus anti-Semitism through legal advocacy, and often work with university administrators nationwide to offer best practices on how to combat and prevent anti-Semitism on their campuses. We are concerned about the recently reported anti-Semitic social media postings by current and former University of Tennessee – Knoxville students, demonstrating a long-standing problem on your campus.

This past December, outgoing U.S. Secretary of Education Arne Duncan reminded us that “we must be vigilant about maintaining safe, respectful, and nondiscriminatory learning environments for all students in our schools and institutions,” noting that Jewish students are among those who are “especially at risk of harassment,” and urging educators like yourself to “anticipate the potential challenges” that they may face (*see attached* Sec. Arne Duncan, Dear Colleague Letter (Dec. 31, 2015)). Today, we urge you to promptly and properly address this challenge at UTK, in an effective manner, as other universities are doing nationwide.

While we are aware that your administration issued a statement saying that you do not “condone the statements” expressed by the UTK statements, we believe you must go a step further, and *condemn* the statements as anti-Semitic. The tweets which were revealed last week,¹ and even more tweets which were revealed early this morning,² include 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 Twitter messages included statements 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 Jew. All your people do is f***ed s*** up. Wish hitler [sic] was still around to show you guys”; and “@PalAnonymous Today marks the 26th anniversary of the First #Intifada #Palestine.’ About time for another one...”³ Sources are reporting as many 97 bigoted, anti-Semitic or threatening posts on social media.⁴

While we do not dispute the right of students to express themselves, even outrageously or hurtfully, these messages revive bigoted anti-Semitic and discriminatory tropes, and we are concerned that these types of statements, and similar statements, could create an

¹ <http://www.algemeiner.com/2016/08/04/exclusive-cesspool-of-antisemitic-anti-israel-racist-behavior-at-u-of-tennessee-uncovered-by-watchdog-group/#>

² <http://www.algemeiner.com/2016/08/11/exclusive-after-university-of-tennessee-downplays-campus-antisemitism-covert-watchdog-releases-extended-dossier-says-prior-report-only-tip-of-iceberg/>

³ The term “intifada,” which means “uprising” in Arabic, has long been associated with violence against Jews, and the term is especially troubling in the context of the recent attacks on Jewish civilians in Israel.

⁴ <http://www.algemeiner.com/2016/08/11/exclusive-after-university-of-tennessee-downplays-campus-antisemitism-covert-watchdog-releases-extended-dossier-says-prior-report-only-tip-of-iceberg/>

environment that Israeli students, Jewish students, LGBTQ students, and other students, will reasonably perceive to be hostile.

We urge your administration to exercise its obligation to address the harms that arise when speakers misuse that right in ways that poison the environment and sends a message of exclusion and hate.

Allowing such statements by UTK students, without strong condemnation from the University administration, will signal that UTK takes a disparaging view of Jewish students and students of Israeli national origin. Such messages are incompatible with UTK's values – and federal civil rights law.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs that receive federal funds. The U.S. Department of Education's Office for Civil Rights (OCR) has announced that Title VI applies to discrimination on the basis of Jewish ethnicity or ancestry in guidance issued in 2004 (*see attached* Kenneth L. Marcus, Dear Colleague Letter (Sep. 13, 2004)). In 2010, OCR clarified that unlawful harassment need not include intent to harm, be directed at a specific target, or involve repeated incidents (*see attached* Russlynn Ali, Dear Colleague Letter (Oct. 26, 2010)). Speech that invokes anti-Semitic stereotypes against Israelis and Jews, such as the social media messages at issue, can create a hostile environment for Israeli and Jewish students on campus in violation of Title VI.

Furthermore, according to UTK's Student Handbook, "The University of Tennessee is committed to maintaining a safe environment grounded in civility and respect for all members within the campus community." (*See* Incidents of Bias, p. 54, <http://hilltopics.utk.edu/files/Hilltopics%202015-16.pdf>). A "bias incident" is defined as "[a]ny act of bigotry, harassment, intimidation, coercion, or damage to property by known or unknown perpetrators that occurs on UT's campus or within an area that impacts the UT community and that one could reasonably conclude is directed at a member or a group of the UT community because of that individual's or group's actual or perceived. . . . national origin, race, religion, . . . or any combination of these or related factors."

While we respect the right of all members of the university community to express their opinions, such hateful and bigoted speech should be strongly condemned by UTK's administration. We hope that you will seize this as a teachable moment to educate your students about the evils of anti-Semitism and racism and the need to take a firm stand against them, by doing the following:

- Address the harm done to the community by issuing a stronger university statement condemning anti-Semitism, along the lines that we discuss in "Best Practice Guide for Combating Anti-Semitism and Anti-Israelism" (*see attached*), firmly, promptly, and with specificity. As we describe in our Best Practice Guide, it is necessary for university leaders to exercise moral leadership by expressing their views of difficult subjects. A good example of a strong leadership statement was seen at UCLA this past semester, when Vice Chancellor Janina Montero

issued a statement to her university community in response to anti-Semitic Facebook postings by a UCLA student, stating in part that the “hurtful and offensive comments displayed ignorance of the history and racial diversity of the Jewish people, insensitivity and a disappointing lack of empathy. Bigotry against the Jewish people or other groups is abhorrent and does not represent the values of UCLA or the beliefs of our community.”

- Investigate the situation thoroughly and take responsive actions consistent with your policies.
- Reach out to targeted student groups, local community leaders, and experts, including UTK Hillel, and offer support and resources as needed.
- Provide extracurricular programming to raise community awareness about global and campus anti-Semitism, making use of valuable UTK resources, such as, by way of example, a public showing by the Office of the Chancellor of UTK Honorary Artist in Residence Gloria Greenfield’s path-breaking film on *Unmasked Judeophobia*.
- Provide training to students and faculty like on the nature of and different manifestations of anti-Semitism, and the appropriate means of addressing it.
- Adopt a uniform definition of anti-Semitism, such as the definition used by the U.S. State Department (see attached) or the recently adopted University of California Regents’ *Statement of Principles Against Intolerance*, in order to avoid and properly identify anti-Semitism should it arise in the future.
- Create more academic, curricular, and other programming on anti-Semitism.

In accordance with the directive of the U.S. Commission on Civil Rights, we ask you to exercise your “ethical moral obligation to act as leaders, and promote the values of respect, tolerance, and inclusiveness on campus,” and to educate your students and faculty “that with freedom of speech comes responsibility.” We urge you to take these actions to remedy the current situation, and lower the likelihood that anti-Semitic discrimination will recur. We are available to share our expertise on these issues, and further discuss our recommendations with you, and can be reached by e-mail at klmarcus@brandeiscenter.com or by phone at (202) 559-9296.

Thank you in advance for your serious consideration of this matter.

Sincerely,

The Louis D. Brandeis Center for Human Rights Under Law

/s/ Kenneth L. Marcus

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