



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.

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LDB Statement on South Carolina Anti-Semitism Bill

Washington, D.C., May 11 – Kenneth L. Marcus, president of the [Louis D. Brandeis Center for Human Rights Under Law](http://www.louisdbrandeiscenter.org), made the following statement today after the South Carolina General Assembly adjourned before final passage of a bill to combat campus anti-Semitism:

“Anti-Semitism is escalating at a frightening rate on our nation’s college campuses. The South Carolina bill is exactly what is needed to attack this rapidly spreading virus and protect Jewish students from rising discrimination and hate. The measure enjoys widespread support throughout South Carolina and in both legislative chambers among Democrats and Republicans. It passed the House by a landslide 103-3 vote and sailed through all Senate committees with unanimous support. It’s a shame that one lone Senator decided to temporarily stand in the way of giving Jewish students the protections they need and deserve. But all he did was cause a slight delay. The bill made it to the finish line during this session and we will cross it in 2018.”

H. 3643 overwhelmingly passed the South Carolina House of Representatives, by a vote of 103 – 3, in March, and received unanimous support from the Senate education committee. The bill was awaiting a vote in the South Carolina Senate and was expected to receive widespread bipartisan support until one Senator, Brad Hutto, D-Orangeburg, who never objected to the bill in the past, decided to put an unexpected hold on it. However, South Carolina leadership has committed to vote on the bill as soon as the legislature resumes in January 2018. South Carolina Governor Henry McMaster has already committed to sign it into law.

The bill will help address growing anti-Semitism on campus and protect students’ rights to a learning environment free of unlawful discrimination. It provides South Carolina’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 included in the bill is a global standard, which is used by the U.S. federal government to assess incidents that occur abroad. It is substantially similar to the definition that has been 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.

The South Carolina bill is careful to protect students’ First Amendment rights. Contrary to false mischaracterizations of the bill, H. 3643 in no way regulates or restricts free speech or academic freedom. Rather, the bill ensures that authorities consider the federal government’s definition of anti-Semitism in instances when it is necessary to determine the intent of constitutionally *unprotected* activities, including assault, battery and vandalism.

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The Louis D. Brandeis Center (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.