



October 8, 2019

Chancellor Robert J. Jones
University of Illinois at Urbana-Champaign
517 Swan Land Building
601 E. John Street
Champaign, IL 61820

Dear Chancellor Jones,

I write to you on behalf of the Louis D. Brandeis Center for Human Rights Under Law, a national public interest legal advocacy organization established to advance the civil and human rights of the Jewish people and promote justice for all. We work to combat campus antisemitism, and often engage with university administrators nationwide to offer best practices on how to recognize, counter, and prevent antisemitism on campus.

We have been informed that on September 25, 2019, at a mandatory RA/staff meeting held in Weston Hall, one of UIUC's Multicultural Advocates (MAs) gave a presentation titled "*Palestine & Great Return March: Palestinian Resistance to 70 Years of Israeli Terror.*" Students who attended reported that the MA's talk challenged the legitimacy of Israel's very existence and denied the right of Jewish self-determination – positions that are internationally recognized as antisemitic. "70 Years" in the title of the program corresponds to 70 years since the establishment of the State of Israel. During the presentation pro-Israel UIUC students were called "pro-terrorist."

This presentation at a mandatory RA/staff meeting constitutes a flagrant abuse of the MA's role. In her official capacity as an MA, the individual who gave the presentation represented the university, rendering the university fully responsible for the program's antisemitic content.

We urge that you promptly take corrective action and issue a statement condemning the antisemitic nature of the presentation. You should also initiate proper disciplinary action against the MA, and establish a comprehensive training program to ensure that UIUC administrators, staff, and students fully understand and recognize antisemitism in all its manifestations.

Denying the right of Jewish self-determination is an example of antisemitism.

The International Holocaust Remembrance Alliance ("IHRA") Working Definition of Antisemitism includes as an example of antisemitism: "Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of a State of Israel is a racist endeavor."¹ The UN Secretary-General Antonio Guterres has noted that "attempts to delegitimize the right of Israel to

¹ Working Definition of Antisemitism, International Holocaust Remembrance Alliance, https://www.holocaustremembrance.com/sites/default/files/press_release_document_antisemitism.pdf

exist, including calls for its destruction” are contemporary expressions of antisemitism.² The UN Special Rapporteur for Freedom of Religion or Belief quoted Secretary-General Guterres and reaffirmed this position just two-weeks ago in the Special Rapporteur’s report on antisemitism which concluded that the “IHRA Working Definition of Antisemitism can offer valuable guidance for identifying antisemitism in its various forms, and therefore [the Special Rapporteur] encourages States to adopt it for use in education, awareness raising and for monitoring and responding to manifestations of antisemitism.”³

Similarly, on September 25, Israel’s Ministry of Strategic Affairs released a report, *Behind the Mask: The Antisemitic Nature of BDS Exposed*, which details how the Boycott, Divestment and Sanctions (BDS) movement is antisemitic because it denies the Jewish people’s right to self-determination.⁴

Zionism is an integral fundamental component of Jewish identity.

Zionism – the desire and intention of Jews to exercise their right to self-determination and to re-establish their Jewish homeland in the Land of Israel – is an essential ethnic and religious component of Jewish identity. Zionism as a *political* movement may have originated in the nineteenth century, but the desire and determination of Jews to return to their ancestral homeland in Israel is thousands of years old.⁵

For centuries Jews have not only prayed facing Jerusalem, they have prayed to return to Jerusalem. Every year at Passover and Yom Kippur (the Day of Atonement), Jews have declared and continue to declare, “Next Year in Jerusalem.” Jewish prayer contains a daily benediction for the rebuilding of Jerusalem, and for God to “return his presence to Zion.” The Jewish Grace After Meals contains a blessing that God should “build Jerusalem, the holy city, speedily in our days,” and begins with Psalm 126, a vision of the Jewish people’s return to Zion. For thousands of years, Jewish brides and grooms have taken a moment during their joyous wedding rites to recall the destruction of Jerusalem and shatter a glass as a token of mourning while reciting a verse in Psalm 137 that vows: “If I forget you, Jerusalem, may my right-hand wither.”⁶

Over half of the 613 commandments in the Pentateuch are connected to the Land of Israel and can only be fulfilled in the Land of Israel.⁷ The Jewish People’s connection to the land is so

²Secretary General’s Remarks, September 26, 2018, <https://www.un.org/sg/en/content/sg/statement/2018-09-26/secretary-generals-remarks-high-level-event-power-education>

³ https://www.ohchr.org/Documents/Issues/Religion/A_74_47921ADV.pdf

⁴ <https://mfa.gov.il/MFA/ForeignPolicy/AntiSemitism/Pages/Ministry-of-Strategic-Affairs-report-exposes-the-antisemitic-nature-of-BDS-at-the-European-Parliament-in-Brussels-25-Septem.aspx>

⁵ Daniel Gordis, *Israel: A Concise History of a Nation Reborn*, 31 (2016)

⁶ *Psalms*, 137:5-6.

⁷ Yotav Eliach, *Judaism, Zionism and the Land of Israel*, 5 (2018)

strong that for generations, wherever Jews have lived, they have prayed for rain, but not for rain where they reside, but for rain in the Land of Israel.⁸

Recent narrations by black Jews of Ethiopia (the “Beta Israel”) demonstrate how inherent Zionism is to Judaism. In recent years thousands of these Ethiopian Jews have returned to Israel from isolated villages far removed from modernity. They endured tremendous hardship in reaching Israel.⁹ Some literally walked across the desert to do so. Throughout their ordeal, these Jews were motivated by a compelling personal determination to reach Zion – their Jewish homeland.¹⁰ When they finally arrived in Israel, many were shocked to learn that the Jewish Temple had been destroyed almost twenty centuries earlier.¹¹ Ethiopian Jews had been sequestered for centuries and were totally unaware of Zionism, the *political* movement. But their *religious* devotion to the land of Israel – an integral component of their historic Jewish identity – motivated them to persevere and eventually reach Israel.

Zionism, therefore, is as integral a component of Jewish identity as observing the Sabbath or adhering to kosher dietary rules. Just as it is antisemitic to attack Jews who choose to follow these practices, so too is it antisemitic to deny Jews their right to express the Zionist part of their Jewish identity. Not all Jews observe the Sabbath or eat only kosher food, but attacking or marginalizing those who do as part of their Jewish identity is universally understood to be antisemitic. Similarly, many Jews strongly identify with and work to support the Jewish homeland. They understand Zionism to be a key component of their Jewish identity. Harassing, marginalizing, demonizing, or

⁸ <https://www.jpost.com/Jewish-World/Jewish-Features/Praying-for-rain-at-Simhat-Torah>

⁹ https://en.wikipedia.org/wiki/Operation_Solomon

¹⁰ The Executive Director of Israel’s Association for Education and Social Integration of Ethiopian Jews in Israel recently wrote:

How strong was our belief in the sanctity of Jerusalem in our homes in Ethiopia!

The most powerful educational concept that resonated within children and adults alike in Ethiopia, passed down from generation to generation, was awareness of the need for us to safeguard the purity of our hearts and deeds in order that we would one day be worthy of entering Jerusalem — Heaven on earth.

The ideal of Jerusalem was the force that provided us with the stamina to persevere during the arduous trek through the desert. It was the dream that kept us going. We wanted to reach it, achieve it. We buried our beloved family members, left possessions behind willingly, and lost them to vicious thieves. We struggled to keep going despite the terrible conditions and the hunger, only because of our goal to reach Jerusalem of Gold, and after so many generations, stand at the gates of the Holy Temple.

Michal Avera Samuel, *We Did Not Know: How Ethiopian Jews Discovered the Second Temple Was Gone*, Times of Israel (July 17, 2018) <https://blogs.timesofisrael.com/we-did-not-know-how-ethiopian-jews-discovered-the-second-temple-was-gone/>

¹¹ *Id.*

excluding Jewish students on the basis of their Zionist identity is unlawful, discriminatory, and constitutes racial and religious bigotry. That is exactly what apparently occurred in Weston Hall on September 25, 2019.

National student organizations are engaged in a deliberate campaign to marginalize and harass pro-Israel/Zionist students.

Students for Justice in Palestine (SJP) posted its “goals” for its most recent national conference on its conference website. Goal #2 of the 2018 conference stated (emphasis added):

Regearing from Mythos to Action: The aim of this theme is to remind us that Zionism is not an insurmountable force. We know that Zionism is ethnic cleansing, destruction, mass expulsion, apartheid, and death, but it is also something very tangible. The reason we can have hope is that Zionism is a human ideology and a set of laws that have been challenged and can be destroyed. This is a reminder that the successful challenges to Zionism have come from direct action. We need to work on reframing Zionism not as some age-old force that's too great to confront but as actual laws and institutions that can be broken down and dismantled. *At this conference we will continue to make space for theorizing ideologies but will also focus on developing actionable local and regional campaigns with clear targets.* We have decades of successful action supporting us in our struggle.¹²

SJP states openly that one of its aims is to “destroy” and “dismantle” Zionism and that it will develop “local and regional campaigns with clear targets” to accomplish this goal. Programs that target Zionists and dehumanize them in the eyes of their peers, such as the September 25 event at UIUC which described pro-Israel students as “pro-terrorist,” are examples of this antisemitic campaign.

Title VI of the Civil Rights Act requires UIUC to protect Jewish students from a hostile environment.

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. U.S. Department of Education Office for Civil Rights (OCR) guidance has extended Title VI protections to cover discrimination on the basis of Jewish ethnicity or ancestry. *See* Kenneth L. Marcus, Dear Colleague Letter (Sep. 13, 2004)¹³ Unlawful harassment need not include intent to harm, be directed at a specific target, or involve repeated incidents. *See* Russlynn Ali, Dear Colleague Letter (Oct. 26, 2010)¹⁴ The incendiary antisemitic presentation delivered by one of UIUC’s Multicultural Advocates on September 25

¹² <https://www.nationalsjp.org/2018-conference.html>

¹³ <https://www2.ed.gov/about/offices/list/ocr/religious-rights2004.html>

¹⁴ https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010_pg2.html

unlawfully attacked and marginalized particular UIUC students on the basis of their shared ethnic and religious Zionist identity.

This is not the first time that the Brandeis Center or the Jewish community has reached out to UIUC to highlight of insidious antisemitism on campus. We have been informed that due to the university's failure to adequately address the situation, this form of harassment has become so persistent and pervasive it has created a hostile environment on campus where students are afraid to wear clothing that identifies them as Jews or Zionists.

We urge you to seize this teachable moment to educate your administrators, staff and students to take a firm stand against antisemitism, just as you would condemn all other forms of racism. We recommend the following corrective and preventive actions:

- (1) Promptly issue a statement that demonstrates your support for those UIUC students who have been targeted. The statement should recognize that Zionism is a key component of Jewish identity for many UIUC students. Please consider the following language as an example:

"We condemn antisemitism in all its forms. We recognize that Zionism is a key component of the religious and ethnic identity of many students on our campus. Efforts to demonize Zionism and make these UIUC students feel unsafe expressing this part of their religious and ethnic identity is contrary to our university's basic values of mutual respect and inclusion. Our university must be a place for the free and open exchange of ideas. It is never acceptable to harass, intimidate, marginalize, exclude or demonize any part of our university community on the basis of its identity."

- (2) After promptly investigating the situation, remove the MA who delivered the September 25 presentation from her MA position and take such other disciplinary actions as are authorized by UIUC policies and applicable constitutional protections.
- (3) Establish a comprehensive training program to ensure that UIUC administrators, staff and students fully understand and recognize antisemitism in all its manifestations.



These actions will partially remedy the current situation and help provide a safe environment for Jewish and pro-Israel students at UIUC. We are available to share our expertise on these issues, and further discuss our recommendations with you. I can be reached via the e-mail address listed below, or by phone at (202) 559-9296.

Sincerely yours,

A handwritten signature in black ink that reads 'Alyza D. Lewin'. The signature is fluid and cursive, with a large initial 'A' and a long, sweeping tail.

Alyza D. Lewin
President and General Counsel
The Brandeis Center for Human Rights Under Law
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cc: President Timothy Killen ~ tkilleen@uillinois.edu