



The Louis D. Brandeis Center for Human Rights Under Law is an independent, unaffiliated, nonprofit corporation established to advance the civil and human rights of the Jewish people and promote justice for all.

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JUDGE RULES ANTI-SEMITISM LAWSUIT AGAINST HARVARD SHOULD BEGIN

Washington, D.C., Nov. 6, 2024: Kenneth L. Marcus, chairman of [The Louis D. Brandeis Center for Human Rights Under Law](#) and the former U.S. Assistant Secretary of Education for George W. Bush and Donald Trump issued the following statement in response to [U.S. District Judge Richard Stearns' decision](#) to begin proceedings in the Brandeis Center's [lawsuit](#) alleging Harvard University failed to address anti-Semitism:

"This is a huge win for Jewish students, both at Harvard and across the country. Just as the [House of Representatives report](#) recently concluded, Judge Stearns recognized that Harvard failed to address anti-Semitism, and he flat out rejected Harvard's disgraceful and continued attempts to gaslight Jewish students. Harvard has repeatedly turned a blind eye to the egregious anti-Semitism gaining ground by the day on its campus. Students have been discriminated against, threatened and assaulted - both by students and professors. And many avoid campus out of fear for their safety. Enough is enough. This lawsuit aims to hold Harvard accountable and force it to take the rights and safety of Jewish students seriously. And Judge Stearns' ruling now clears the way for us to begin the important discovery process. Far too many universities have not responded effectively to the dangerous and rising anti-Semitism on their campuses, and we hope this important lawsuit sends a message to Harvard and all institutions that those days are over."

Judge Stearns recognized the Brandeis Center's main and most important claim that Harvard left "cruel anti-Semitic bullying, harassment, and discrimination" unaddressed for years, pre- and post-10/7. The Brandeis Center attorneys argued "when Harvard is presented with incontrovertible evidence of anti-Semitic conduct, it ignores and tolerates it." Harvard attorneys urged the judge to dismiss the Brandeis Center's complaint, however, Judge Stearns concluded Harvard took no reasonable action in response to the hostile environment and anti-Semitic incidents it knew about, and the Brandeis Center's complaint warrants a hearing. While the court did not recognize all the Brandeis Center claims, the recognition of the primary claim paves the way for Brandeis to obtain full discovery and move forward.

According to the complaint, filed six months ago in the U. S. District Court for the District of Massachusetts, since 10/7, Harvard students and faculty have called for violence against Jews and celebrated Hamas' terrorism. Student protestors have occupied and vandalized buildings, interrupted classes, and exams, and made the campus unbearable for their Jewish and Israeli classmates. Professors, too, have explicitly

supported anti-Jewish and anti-Israel terrorism, and spread anti-Semitic propaganda in their classes. Jewish students are bullied and spat on, intimidated, and threatened, and subject to verbal and physical harassment.

Judge Stearns' ruling comes days after the U.S. House of Representatives Education Committee issued a more than 100-page [report](#) on its year-long investigation into anti-Semitism on U.S. college campuses that found that many elite schools, including Harvard, have become rife with anti-Semitism and university leaders "turned their backs" on Jewish students.

The Brandeis legal team includes Weil Gotshal & Manges LLP, Holtzman Vogel Baran Torchinsky & Josefiak PLLC, Vogel Law Firm PLLC, and Libby Hoopes Brooks & Mulvey PC.

Jonathan Polkes of Weil Gotshal argued the motion to dismiss.

The Brandeis Center and other Jewish organizations recently reached a historic [agreement](#) with the University of Illinois Urbana-Champaign to protect Jewish students, and the Department of Education also recently resolved the Brandeis Center's complaint against [Brooklyn College](#) as part of a comprehensive resolution agreement the Department with the City University of New York. North Carolina State University also recently entered an [agreement](#) with the Brandeis Center to combat campus anti-Semitism, and, as a result of a Brandeis Center complaint, the Community School of Davidson [agreed](#) to address K-12 anti-Semitism. The Department of Education is investigating Brandeis Center complaints for unaddressed anti-Semitism at numerous campuses, including [Chapman](#), [Wellesley](#), [SUNY New Paltz](#), and the [University of Southern California](#).

The organization has also filed state or federal lawsuits and administrative agency complaints against numerous schools, including the [University of California at Berkeley](#), the [New York Department of Education](#), the [Santa Ana Unified School District](#), [American University](#), [UC Santa Barbara](#), [Occidental College](#), [Pomona College](#), [UMass-Amherst](#), and [Ohio State University](#) for unaddressed anti-Semitism.