



Via Email

January 17, 2017

Rev. Joseph M. McShane
Office of the President
441 East Fordham Road
Bronx, NY 10458

Re: Ban on Students for Justice in Palestine at Fordham University

Dear Rev. McShane,

We write on behalf of students who applied to start a Students for Justice in Palestine (SJP) chapter to express our serious concerns with respect to Fordham University's decision to deny SJP student group status at the Lincoln Center campus, after a year of meetings, questioning, and delays. All evidence indicates that the denial was based on the viewpoint of students' message and/or their national origin. The denial violates free speech and association principles, the University's commitment to protect free inquiry, and could give rise to a violation of Title VI of the Civil Rights Act. Accordingly, we demand that you immediately approve SJP, apologize, and reaffirm Fordham's commitment to free speech, associational rights and academic freedom.

Our understanding of the relevant facts is as follows:

On November 19, 2015, four Fordham students ("Students") applied to start a student group, Students for Justice in Palestine, at the Lincoln Center campus.¹ The students expected Fordham would approve their group within a few weeks so that they could start their educational programming. SJP's proposed mission is "to build support in the Fordham community among people of all ethnic and religious backgrounds for the promotion of justice, human rights, liberation, and self-determination for the indigenous Palestinian people."² The students intended for their club to foster a greater understanding of Israel-Palestine on campus. All four of these original executive board applicants were students of color, three were Muslim, and one, Ahmad Awad, who hoped to be president, was Palestinian-American.³

¹ Gunar Olsen first inquired about starting a student club on July 8, 2015. Email from Gunar Olsen to Dorothy Wenzel, Director of the Office of Student Leadership and Community Development and New Student Orientation, (July 8, 2015) (on file with Palestine Legal).

² Students for Justice in Palestine, Constitution.

³ The executive board applicants for the current 2016-17 academic year were: Ahmad Awad, Gunar Olsen, and two other students. Three of these four members are students of color, and two are Muslim.

Students received no substantive response.

In February 2016, Dr. Dorothy Wenzel, Director of the Office of Student Leadership and Community Development and New Student Orientation, asked to meet with one of the students to discuss concerns regarding the student's position on the executive board of the Muslim Students Association (MSA).” Wenzel told this student that she could not also be vice-president of SJP, and asked her about SJP's plans. Wenzel mentioned that she visited Israel and understands the conflict is “tragic.” The student decided to give up her SJP position, and Dr. Wenzel made no further inquiries about her position with the MSA.

The students continued to wait to hear back from Fordham as to the status of their application to start an SJP group.

On April 6, 2016, Ahmad wrote Dr. Wenzel inquiring about SJP's status and letting her know that the student she met with in February would not be vice-president of SJP. Ahmad wrote:

We've effectively missed a whole semester of being involved on campus, and would appreciate approval soon so we can begin hosting meetings for fellow Fordham students who are interested to learn about what SJP is.

We are very motivated to make this club happen. It is an issue very dear to our hearts, especially as I, Ahmad, am Palestinian myself.⁴

Near the end of the spring semester, on April 26, 2016, Dr. Wenzel and Amanda Ritchie, then-Vice President of Operations for the United Student Government (USG), met with Ahmad and another student interested in forming SJP. At the meeting, Dr. Wenzel and Ritchie asked that SJP make a few boilerplate edits to their constitution regarding election of officers and membership requirements. They also directed the two students to ask if National Students for Justice in Palestine (NSJP) needed anything additional from SJP – such as certain language in SJP's constitution – and stated that SJP could be approved in the fall. The students confirmed with NSJP that NSJP is a separate, student-run organization which organizes annual conferences but otherwise is independent of campus SJP organizations. The students also confirmed that nothing was needed from Fordham administrators or Fordham SJP and provided an email from NSJP to Kayla Wolf, the incoming Vice President of Operations for USG, confirming that NSJP has “not had any requirements for any group that comes to our conference to include specific language in their respective constitutions.”⁵

In September 2016, the students came back to school, eager to get their club started, since several of them were now seniors, and Ahmad was graduating in December. Specifically, students planned to organize events that would educate Fordham students about Palestinian culture and identity, Israel's decades-long occupation, military attacks in Gaza, its two-tiered system of citizenship, and the impacts on Palestinians' historical and contemporary experience.

⁴ Email from Ahmad Awad to Dorothy Wenzel, (Apr 5, 2016) (on file with Palestine Legal).

⁵ Email from Gunar Olsen to Kayla Wolf, (October 27, 2016) (on file with Palestine Legal).

On September 7, 2016, students emailed Wolf, again inquiring about the status of their approval process, again mentioning that NSJP had no formal requirements for SJPs, and asked if it was feasible to begin advertising their club at Fall Club Day on September 22, an event where clubs promote their activities and collect emails of students who are interested in joining. On September 11, 2016, Wolf informed Gunar she was “getting [his] paperwork (and status of club) figured out,” and would get back to him within a few days.⁶ On September 14, Wolf informed Gunar that she had spoken with Dr. Wenzel about SJP, and would be “reaching out to [Gunar] with next steps very soon.” On September 20, Dr. Wenzel emailed Ahmad, stating that Wolf would be the club’s contact person for this academic year, asked for written communications “that the national organization does not require anything for your group to be a chapter at the LC campus” and asked to review the proposed constitution again.⁷ The email also stated that Dean of Students Keith Eldredge had further questions “about [the group’s] proposed programming and some information in [the group’s] constitution” and asked to meet again.⁸

Gunar wrote back, reiterating that NSJP needed nothing from SJP, and inquired when Dr. Wenzel would be finished reviewing the constitution.⁹ Dr. Wenzel set up a meeting for October 5, 2016, and stated she would have edits to SJP’s constitution by that date.¹⁰

On October 5, 2016, Ahmad, Gunar and two other students interested in joining SJP met with Dean Eldredge, Dr. Wenzel and Wolf. At the meeting, Dr. Wenzel and Dean Eldredge expressed concern that SJP’s presence would “stir up controversy,” in the same manner that had happened when Professor Norman Finkelstein, whose scholarship supports Palestinian rights, spoke on campus in 2009. Dr. Wenzel and Dean Eldredge asked students if they would consider not using the name “Students for Justice in Palestine” and expressed concern about the club’s support for using the tactic of boycotts, divestment and sanctions (BDS) to pressure Israel into respecting Palestinian rights. Dr. Wenzel also said that she spoke to several Jewish faculty members about SJP in the previous academic year, and requested their opinion on whether SJP should be established at Fordham.

Students responded that they wished to educate the Fordham community on Israel-Palestine, that BDS is a time-honored civil rights tactic that targets Israeli government policy, not Jewish people. They expressed that they had chosen the name Students for Justice in Palestine to connect the name to the broader movement for justice in Palestine and that they would like to keep it. Dean Eldredge stated that he would get back to students by next Friday, October 14, to “flesh more things out,” and may need to meet with them again.

The following day, students reiterated via email several of the points discussed at the meeting, and stated that they would make new boilerplate edits to their constitution and submit

⁶ Email from Kayla Wolf, Vice President of Operations for USG to Gunar Olsen, (Sept. 11, 2016) (on file with Palestine Legal).

⁷ Email from Dorothy Wenzel to Ahmad Awad, (Sept. 20, 2016) (on file with Palestine Legal).

⁸ *Id.*

⁹ Email from Gunar Olsen to Dorothy Wenzel, (Sept. 21, 2016) (on file with Palestine Legal).

¹⁰ Email from Dorothy Wenzel to Gunar Olsen, (Sept. 22, 2016) (on file with Palestine Legal).

new officer and advisor forms, as Wolf requested, in the next few days.¹¹ On October 14, the students sent another email to Dr. Wenzel, asking if it was okay with her if they edit the group's constitution to state that "NSJP requires nothing of us, and we have no responsibility to it."¹² Students submitted the updated constitution later that day. Dean Eldredge responded, asking: "[C]an [you] add more information about boycott, divestment and sanctions of Israel. . . In addition, in that same section it would be helpful to articulate your understanding of the relationship of your organization to and with the National Students for Justice in Palestine organization."¹³

On October 27, Ahmad, Gunar, their faculty advisor, and four students interested in joining SJP met with the USG Operations Committee, which, along with the Dean of Students, reviews proposed constitutions and submits them to the USG Senate "for final approval or denial."¹⁴ At the meeting, Wolf said that she would make sure USG voted on SJP the upcoming Thursday, November 10 or the Thursday after that. Gunar replied that this was an incorrect order of the club approval process according to the Club Registration Process document¹⁵ which states that after the Operations Committee approves a club's constitution, they should send it to Dr. Wenzel (the student affairs director) and Dean Eldredge – not the USG Senate. Wolf said, "I know." When Gunar asked why she was not following Fordham policy, Wolf stated that Dr. Wenzel gave her permission to make such a move so long as SJP made the final edit to the constitution. Wolf also mentioned that she would inform the Jewish Student Organization (JSO) that there would be an upcoming vote to grant SJP club status at Fordham. When Gunar asked why JSO had a say in the establishment of SJP, Wolf simply replied that Dr. Wenzel had instructed her to let them weigh in. Gunar asked Wolf to let Dr. Wenzel know he believed this was inappropriate.

At the same meeting, Wolf also asked Gunar if Governor Cuomo's executive order on BDS¹⁶ prevented the formation of SJP, since SJP supported BDS. She also asked if the recent New York City Council resolution condemning BDS also meant that SJP should not be permitted to form on campus.¹⁷ Students explained to Wolf that boycotts are protected speech activity, and pointed her to statements by the New York Civil Liberties Union and other legal experts on the matter in an email the next day. The email also stated:

¹¹ Email from Gunar Olsen to Keith Eldredge, Dorothy Wenzel, and USG Operations Committee, (Oct. 6, 2016) (on file with Palestine Legal).

¹² Email from Gunar Olsen to Dorothy Wenzel, (Oct. 14, 2016) (on file with Palestine Legal).

¹³ Email from Keith Eldredge to Gunar Olsen *et. al.*, (Oct. 14, 2016) (on file with Palestine Legal).

¹⁴ Fordham University, Operations Committee, n.d. <http://www.usgrh.info/committees/operations>; Fordham USG Club Registration Packet, n.d., available here <http://www.usgrh.info/committees/operations>.

¹⁵ According to students, the document provided them on October 21, 2015 and again on October 5, 2016 stated: "After all revisions to the constitution have been made in accordance with constitutional guidelines, the packet will be submitted to the Director of the Office for Student Involvement and then to the Dean of Students. Once the club's constitution is approved by the Director of the Office for Student Involvement and the Dean of Students, the packet will be given to the USG Senate for their recommendations and approval."

¹⁶ N.Y. Exec. Order 157 (2016).

¹⁷ N.Y. City Council Res. 1058-A (2016)

You also mentioned that Dr. Wenzel advised you to notify the Jewish Student Organization following our meeting with you about when SJP would be put up for a USG vote. We immediately expressed concern that notifying JSO is an exploitation of the democratic process because it gives JSO an undue advantage to mobilize support against us.¹⁸

On October 31, USG President Leighton Magoon wrote SJP stating that Dr. Wenzel, members of the Office for Student Involvement, and the USG executive board just realized that “the club registration process listed in the Club Registration Packs, was, unfortunately, written incorrectly.” He apologized for the “lapse in editing”¹⁹ On November 3, Wolf emailed SJP stating that the Senate voted to postpone the vote on SJP from November 10 to the following Thursday. On November 13, Wolf asked SJP students to speak at the USG meeting “so the Senate can hear about Students for Justice in Palestine” and “why the club is important.”²⁰ Gunar asked if they were also speaking with the JSO, and Wolf informed him that the Senate also asked to meet with JSO “so they could hear their perspective.”²¹

SJP responded, asking,

We are still confused as to why JSO is being asked to speak to the Senate, especially since USG has already spoken with JSO. We thought we came to the understanding that SJP and JSO are two totally different clubs, and we do not see why their perspective is needed in making a decision on our club (and the same line of reasoning applies to not needing the approval from MSA or any other religious or cultural club). We feel it is unfair that another club at Fordham has been asked to come speak on our behalf in order to impact the vote.

Can you please let us know the purpose of having JSO speak? Specifically, are there any concerns other than what we have already addressed? Since USG did not raise any concerns after our last meeting, we assumed there were no more. Yet, by having JSO come to speak again in front of the Senate, it seems as though there are concerns we have not been told of.²²

¹⁸ Email from Gunar Olsen to Kayla Wolf, (Oct. 28, 2016) (on file with Palestine Legal).

¹⁹ Email from Leighton Magoon, USG President to Ahmad Awad *et. al.*, (Oct. 31, 2016) (on file with Palestine Legal).

²⁰ Email from Kayla Wolf to Ahmad Awad, Gunar Olsen, *et. al.*, (Nov. 13, 2016) (on file with Palestine Legal).

²¹ Email from Kayla Wolf to Ahmad Awad, Gunar Olsen, *et. al.*, (Nov. 16, 2016) (on file with Palestine Legal).

²² Email from Ahmad Awad to Kayla Wolf, (Nov. 16, 2016) (on file with Palestine Legal).

Leighton responded that the Senate was meeting with the JSO because the JSO has previously requested a meeting with USG E-Board and because the Senate was interested in hearing the group's opinions from the group directly.²³

At the November 17 hearing, USG asked SJP if they were advocating for the Palestinian Right of Return and the "dismantling of the Israeli state." SJP was also asked about New York University's SJP's flyering of dorm rooms in spring 2014, and whether SJP would partner with JSO at events.²⁴ A student interested in joining SJP answered by stating that SJP was open to suggestions about their activities on a case-by-case basis, and inquired why a political advocacy organization should be asked to partner with a religious organization.

The USG Executive Board and Senate voted to approve SJP as a club at the Fordham University Lincoln Center Campus that day. In a letter to SJP, USG wrote:

United Student Government invited representatives from both Students for Justice in Palestine and the Jewish Student Organization to hear their perspectives and ask questions to both groups.

After careful deliberation, United Student Government has faith that this chapter of Students for Justice in Palestine at Fordham and its members will positively contribute to the Fordham community in such a way that is sensitive to all students on campus. United Student Government is dedicated to the safety of all students and has faith that Students for Justice in Palestine can function on campus respectfully. This chapter of Students for Justice in Palestine at Fordham fulfills a need for open discussion and demonstrates that Fordham is a place that exemplifies diversity of thought. Their presence will help to create a space for academic discussion and promote intellectual rigor on campus. We do not believe that the presence of Students for Justice in Palestine will take away from efforts to promote a safe environment on our campus.

As with all United Student Government decisions, we welcome all students to voice their concerns and participate in the open dialogue which USG promotes.²⁵

Shortly after USG's decision, Dean Eldredge wrote Ahmad, Gunar and two other students hoping to be part of SJP, stating that he was informed of the decision to approve the SJP club and that he "now need[s] to review the request before it is finalized."²⁶

²³ Email from Leighton Magoon, to Ahmad Awad *et. al.*, (Nov. 16, 2016) (on file with Palestine Legal).

²⁴ See, Palestine Legal, "NYU: SJP Investigated Over Human Rights Flyers", Mar. 10, 2015, <http://palestinelegal.org/case-studies/2015/3/4/new-york-university>.

²⁵ United Student Government at Lincoln Center, "Re: Students for Justice in Palestine," (Nov. 17, 2016) (on file with Palestine Legal).

²⁶ Email from Keith Eldredge to Gunar Olsen *et. al.*, (Nov. 17, 2016) (on file with Palestine Legal).

On December 2, 2016, SJP’s advisor, Professor Glenn Hendler, met with Dean Eldredge at Dean Eldredge’s request. At the meeting, Hendler reassured Eldredge that he would be in regular contact with SJP. Eldredge remarked that it was difficult to find information on SJP “that was neutral or objective.” In an email summarizing the meeting, Prof. Hendler said:

I was prepared for that remark, and I told him that I’d spent time reading the Anti-Defamation League’s 8-page pdf on SJP, which you can find [here](#). I told him that while this clearly was not an objective source, what was interesting about it was that even this document, which is written in opposition to SJP and is clearly in disagreement with everything SJP stands for, had nothing in it that would lead anyone to say that SJP should not be a recognized student group.²⁷

Professor Hendler also informed Eldredge that

[T]he position that advocating for BDS is inherently anti-Semitic is just factually wrong, I said, and the positions taken by SJP that are controversial--for instance, using the analogy with apartheid--are minority positions in the US but not marginal. After all, they are shared by people as different as former president Jimmy Carter and Trump’s nominee for defense secretary James Mattis (not that I want to be on *his* side!).²⁸

On December 9, Dean Eldredge wrote students, apologizing for not getting back to them sooner, and stated that “it would be helpful for me to meet with you as the students who are proposing the club before I make a final decision on the club request. I recognize that today is the last day of classes, and I hope that you might have some flexibility on Monday since that is a reading day.”²⁹

On December 12, Gunar and another student interested in joining SJP met with Dean Eldredge and Dr. Wenzel. At the meeting, Dean Eldredge and Dr. Wenzel asked the two students:

- What does BDS mean to you?
- Does BDS mean the dissolution of the state of Israel?
- Why use the term apartheid?
- Does SJP support or work with Jewish Voice for Peace, J Street, and Seeds for Peace?

²⁷ Email from Glenn Hendler to Ahmad Awad, Gunar Olsen *et. al.*, (Dec. 2, 2016) (on file with Palestine Legal).

²⁸ *Id.*

²⁹ Email from Keith Eldredge to Gunar Olsen *et. al.*, (Dec. 9, 2016) (on file with Palestine Legal).

The two students explained that BDS is a non-violent tactic to pressure the Israeli government to respect Palestinian rights, expressed confusion over what he meant by “dissolution of the state of Israel,” and offered several examples of discriminatory laws and practices in Israel that they believed fit within the legal definition of apartheid. They also replied that they would like to work with Jewish Voice for Peace. At the time, they did not know much about J Street and Seeds for Peace, and replied that they were not planning on working with them.

On December 22, 2016, the last day of the semester, Dean Eldredge wrote Ahmad, Gunar and two other students hoping to be part of SJP, stating that:

After consultation with numerous faculty, staff and students and my own deliberation, I have decided to deny the request to form a club known as Students for Justice in Palestine at Fordham University. While students are encouraged to promote diverse political points of view, and we encourage conversation and debate on all topics, I cannot support an organization whose sole purpose is advocating political goals of a specific group, and against a specific country, when these goals clearly conflict with and run contrary to the mission and values of the University.

There is perhaps no more complex topic than the Israeli-Palestinian conflict, and it is a topic that often leads to polarization rather than dialogue. The purpose of the organization as stated in the proposed club constitution points toward that polarization. Specifically, the call for Boycott, Divestment and Sanctions of Israel presents a barrier to open dialogue and mutual learning and understanding.

In a statement announcing their vote to approve the club, United Student Government at Lincoln Center acknowledged the need for open, academic discussion and the promotion of intellectual rigor on campus; however, I disagree that the proposal to form a club affiliated with the national Students for Justice in Palestine organization is the best way to provide this. I welcome continued conversation about alternative ways to promote awareness of this important conflict and the issues that surround it from multiple perspectives.³⁰

In two follow-up emails, Gunar asked Dean Eldredge for clarification on his decision and inquired about the appeals process. He also asked:

What specifically do you mean by "conflict with and run contrary to the mission and values of the university?" We do not understand how voicing opposition to certain policies of a government--as anti-apartheid activists did in the case of South Africa and as the College Republicans and College Democrats at Rose Hill do all the time--conflicts with the mission and

³⁰ Email from Eldredge to Ahmad Awad, Gunar Olsen *et. al.*, (Dec. 22, 2016) (on file with Palestine Legal).

values of the university. What values do we contradict when we oppose discriminatory laws and practices? If Fordham is "committed to research and education that assist in the alleviation of poverty, the promotion of justice, the protection of human rights and respect for the environment," as the mission statement says, we believe that vocally opposing uniquely discriminatory laws and practices holistically embraces the mission and values of the university.³¹

On January 6, 2017, Dean Eldredge informed Awad, Olsen and students interested in starting SJP that "there is no appeal of my decision," and invited the students to schedule a meeting to talk or to contact Fordham's senior vice-presidents with concerns.³²

Fordham's Banning of SJP Violates Free Speech Principles and May Violate Civil Rights Protections

Fordham's justification for banning SJP on the basis that its "sole purpose is advocating political goals of a specific group, and against a specific country" and that the topic of Palestine "often leads to polarization," not only violates the free speech, associational and academic freedom principles to which Fordham claims to adhere, but also raises civil rights concerns. If left unaddressed, they could also give rise to a violation of Title VI of the Civil Rights Act of 1964.

It is clear, as reflected by comments from Fordham administrators, that Ahmad, Gunar, and the students interested in starting SJP were delayed over a year, interrogated, railroaded and ultimately censored because some students and faculty disagree with SJP's viewpoint supporting Palestinian rights, or received pressure from individuals and groups against Palestinian rights.

Since 2015, students interested in starting SJP have spent dozens of hours responding to emails, follow-up questions, delays, requests for meetings, and more questions from Fordham administrators.

Fordham has betrayed principles of free speech to which it promises to adhere. Fordham's Mission Statement states that it:

guarantees the **freedom of inquiry** required by rigorous thinking and the quest for truth. . . seeks to foster in all its students life-long habits of careful observation, **critical thinking**, creativity, moral reflection and articulate expression. . . [and] seeks to develop in its students an understanding of and reverence for cultures and ways of life other than their own.

Fordham is committed to research and education that assist in the alleviation of poverty, the **promotion of justice, the protection of human rights** and respect for the environment.³³

³¹ Email from Olsen to Eldredge, (Dec. 23, 2016) (on file with Palestine Legal).

³² Email from Eldredge to Gunar Olsen *et. al.*, (Dec. 22, 2016) (on file with Palestine Legal).

³³ Fordham University, "Mission Statement," n.d., http://www.fordham.edu/info/20057/about/2997/mission_statement (emphasis added).

While justice for Palestinians may spark complaints because of longstanding issues regarding Israel's decades-long occupation and denial of Palestinian self-determination, complaints by some who are opposed to the message of Palestinian rights cannot justify the banning of a group while others are allowed to form and meet freely. When Fordham treats a particular viewpoint in a disparate manner based on how much controversy the viewpoint could provoke, it blatantly violates its promise to guarantee freedom of inquiry on campus. When Dean Eldredge decides that BDS is too polarizing to allow students to debate it, he makes a mockery of "rigorous thinking."

To allow students with one political viewpoint to block the speech of those with whom they disagree is a further insult to Fordham's guarantee of open inquiry. Presumably, male professors and misogynists were not asked to opine on the formation of Women in STEM, and Christian professors and anti-marriage equality students did not hold veto power over the Rainbow Alliance club.

Moreover, Dean Eldredge's reasoning that polarizing student groups cannot be allowed to operate seems to be an exceptional rule applied only to controversy on Israel-Palestine. Fordham has approved several clubs which arguably contribute to "polarization." For example, advancing LGBTQ+ rights, women's equality and the right of Muslims to be in this country, are all deeply polarizing issues; even more so given the recent election. Many would argue that Fordham's College Republicans, whose mission it is "to promote the values of the Republican Party," including "strong national defense" and "traditional social values," presents what Dean Eldredge called "a barrier to open dialogue and mutual learning."³⁴

Furthermore, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin by institutions that receive federal funding.³⁵ A university may lose its federal funding if it treats a student differently because of his/her national origin, resulting in a denial of a student's educational activities. Fordham's Nondiscrimination policy also states that: "Fordham University does not discriminate on the basis of race, color, creed, religion, age, sex, gender, national origin, marital or parental status, sexual orientation, citizenship status, veteran status, disability, gender identity or expression, genetic predisposition, carrier status, or any other basis prohibited by law" and that this policy is "strictly enforced."³⁶

Fordham University administrators denied to Ahmad Awad, a Palestinian-American who has since graduated, the opportunity to share his culture, history and story of his family's homeland on an equal basis as other students at Fordham. Fordham has clubs advancing interests, both cultural and political, of African-Americans, Asian-Pacific Islanders, the French, the Greek, the Irish, Italians, Koreans, Germans, Latinos, Poles and South Asians at its Bronx and Manhattan campuses. For example, Fordham's Asian Pacific American Coalition "seeks to enlighten the student body about cultural, social, historical, and intellectual pursuits of the Asian

³⁴ Fordham University, "College Republicans," <https://orgsync.com/39695/chapter>.

³⁵ 42 U.S.C. §2000d (1964).

³⁶ Fordham University, "Nondiscrimination," n.d., <http://www.fordham.edu/info/22823/discrimination>.

Pacific Islander community.”³⁷ However, a club relating to Palestine and Palestinians, was denied status, because it planned to express the “political goals of a specific group.”³⁸ This denied Ahmad his right to an equal education as a Palestinian-American student by preventing him from forming a club related to his national origin, and attaching a stigma to Palestinians that will chill the interest of other students who may wish to explore Palestinian identity and politics.

There is no justification for this treatment. As a university committed to providing a diverse educational environment, we expect that Fordham will live up to its contractual guarantee of free expression and its obligations under Title VI.

To ameliorate the harm done, we request that Fordham take the following immediate steps:

1. Immediately permit and facilitate the formation of SJP;
2. Apologize in writing to the students involved in forming SJP;
3. Issue a written statement recommitting to guarantees of free speech on campus, including the right to engage in controversial speech, and especially the right to engage in criticism of government policy; and
4. Ensure equal treatment regardless of national origin and other protected classes.

We are committed to ensuring that the rights of Fordham students are respected, and we expect the same of your Administration. We request a prompt response, but no later than Monday, January 23, 2017.

Sincerely,

Maria C. LaHood
Deputy Legal Director
Center for Constitutional Rights

Radhika Sainath
Staff Attorney
Palestine Legal
Cooperating Counsel
Center for Constitutional Rights

³⁷ Fordham University, “Asian Pacific Coalition,” n.d., <http://fordhamlc.orgsync.com/org/asianpacificamericancoalition36894>.

³⁸ Email from Eldredge to Ahmad Awad, Gunar Olsen *et. al.*, (Dec. 22, 2016) (on file with Palestine Legal).