



Pro-Palestinian protesters are being arrested at Indiana University on April 25, 2024, by the State Police riot squad. All the arrested protesters, including professors, have been banned from Indiana University's campus for a year.

● JEREMY HOGAN/SOPA IMAGES

Indiana is not alone in making sudden changes to policies dictating when and where students can gather and what they can say as the war in Gaza enters its ninth month. As colleges and universities have become the focal point of Gaza protests, at least a dozen have overhauled campus conduct rules in ways that will effectively limit speech and make it riskier to protest. And this marks an abrupt change from the direction academia had been moving in. Over the past decade, universities including Indiana have become more lenient in allowing protests and encampments to stand without resorting to the kind of force we've seen recently, in a vivid example of what some call the "Palestine exception".

Brian Soucek, a law professor at UC Davis and a member of the American Association of University Professors' Committee on Academic Freedom and Tenure, says schools are both clarifying or tightening their rules and making new decisions about how to enforce them. Brown and UC Berkeley, for example, negotiated with students and reached agreements to reconsider divestment from Israel, which led to the voluntary dismantling of encampments.

But elsewhere changes to policy have led to the overwhelming use of state power — typically law enforcement dressed in riot gear — to clear encampments on campuses across the country. Policy changes have also led to widespread disciplining of students and faculty through suspensions or expulsions and, in some cases, withholding diplomas. In some cases, it's prompted the walling off of the university itself. Columbia, for example, was on lockdown through the end of the semester while NYU erected a plywood wall around part of its campus.

As a result, colleges are coming to look more like a police state than institutions of higher learning. And this is just the beginning. With students leaving for the summer and most encampments removed, at least for now, university administrations have the chance to overhaul campus policies and implement newly repressive measures in the fall.

"I have a feeling there's going to be a lot of changes made over the summer," said Laura Beltz, director of policy reform at the Foundation for Individual Rights and Expression (FIRE), which has been tracking policy changes at colleges and universities since October. "I do have concerns that they're going to be adopting more restrictions in the

days to come."

Many schools, including the University of Pennsylvania, which recently banned encampments and "overnight demonstrations" anywhere on campus, have implemented interim or temporary policies that could be made permanent in the coming months. Others, like the University of Michigan, have floated sweeping new proposals redefining "disruptive activity" and introducing new enforcement mechanisms that could be finalized before the fall semester begins. According to Beltz, these overly broad changes could have far-reaching implications for future student movements.

"Rules designed to suppress protests on this particular issue can just as easily be applied to restrict protest on a variety of issues on campus," Beltz wrote in an email.

Changing policies to target a particular movement or opinion — eschewing the so-called viewpoint neutrality — is a violation of the First Amendment, but that appears to be what several universities have done. (The ACLU and FIRE have challenged many of the new policy changes on First Amendment grounds. Public universities, which receive government funding, are bound by the First Amendment while private institutions are not. However private colleges and universities usually have free speech policies that mirror those of their public counterparts.)

IU's President Whitten even acknowledged in her email to faculty that the policy change was made in response to student plans to set up an encampment in Dunn Meadow. Shortly after the Hamas attacks of October 7, Columbia created a Special Committee on Campus Safety that, like IU's ad hoc group, is composed solely of top administrators, with no student or faculty representation. While colleges and universities typically consult student and faculty governing bodies before implementing consequential changes, one of the Columbia committee's first moves was unilaterally updating the university's events policy to grant the administration "sole discretion" over disciplinary matters — effectively making itself judge and jury. Less than three weeks later, the new policy was used to suspend campus chapters of Students for Justice in Palestine (SJP) and Jewish Voice for Peace. (SJP has been suspended or banned from at least half a dozen universities across the country.)

In May, as protests spread across the country, University of Virginia's (UVA) Office of Environmental Health and Safety (OEHS) made a last-minute

change to its regulations to require administrative approval for any temporary structures erected on campus, whereas previous guidelines had allowed for the recreational use of tents as long as they were under a certain size. Several hours after the policy was altered, UVA's encampment was cleared and more than two dozen students were arrested. (In a statement, UVA said the OEHS regulations posted on its website in May were out of date and the university was merely clarifying existing policy.)

Other changes have been more carefully considered but no less troubling. American University, in a decision widely criticized by civil liberties groups, has banned all indoor protests and established strict new requirements on registering student groups and posting materials such as flyers on campus, which must be "welcoming to all students". This measure would effectively prohibit the dissemination of unpopular or controversial viewpoints. Meanwhile, Cornell, Harvard, Franklin & Marshall, Lehigh, Caltech, Barnard, and Columbia have all released statements clarifying or updating policies on speech and assembly on campus, many of which will restrict students' ability to engage in First Amendment-protected activity.

The crackdown on the Palestinian solidarity campaign is not only taking place within colleges and universities. At the federal level, the International Center for Not-For-Profit Law found, eight new laws have been proposed that would punish students arrested during campus protests, in some cases by revoking visas for non-US students or cutting off financial aid.

All of this is part of a broader legislative push, at the state and federal levels, to undermine social movements — from the anti-pipeline campaigns of the 2010s to Black Lives Matter and Stop Cop City — by enhancing penalties for common protest-related crimes such as trespassing or blocking traffic. Several states have cited recent protests against US policy on Israel as their motivation for creating stiffer punishments for blocking traffic. In its most extreme form, New York Democrats in a recent legislative session put forward a bill that would make blocking a highway or bridge an act of domestic terrorism. Trump, for his part, has reportedly said that, if he's re-elected, he will deport student protesters and "set that movement back 25 or 30 years".

The full article first appeared on *In These Times*.

## Victory at Columbia University

# Now, drop all charges!

### OPINION

Over six months after Hamas initiated the Al-Aqsa Flood in Gaza on October 7, students at Columbia University in New York City occupied Hamilton Hall on April 30. They protested the school's millions of dollars of investment in the apartheid, Zionist regime of Israel, along with Israel's ongoing racist genocide against the people in Gaza.

New York City Police Department cops brutally arrested 46 of those students, at the request of the school administration, for "criminal trespassing," considered a misdemeanor. In a bit of irony, the NYPD were the real trespassers.



Pro-Palestinian protesters arrested for seizing the Hamilton Hall (renamed to Hind's Hall) at Columbia University announce in a press conference that they will be refusing court deals, outside a Manhattan criminal courthouse after their court appearance on June 20, 2024.

● AP

The Washington Post carried an article that revealed that pro-Zionist billionaires — such as Daniel Lubetzky, Daniel Loeb, Len Blavatnik, and Joseph Sitt — pledged campaign donations to Mayor Eric Adams if he would allow the NYPD to "handle" the protesters in collusion with university President Minouche Shafik, a former financial adviser, and the Board of Trustees. (May 16)

These arrests took place following a student encampment set up the week before, which was dismantled by the New York Police Department. The encampment ignited the student Intifada that spread, first throughout the US and then globally, in solidarity with Palestine.

Of the 46 people arrested, 31 were Columbia students or others with a current tie to the university; charges were dismissed against the 30 students on June 20 due to a lack of evidence. One other student had their charges dropped earlier. The remaining arrestees — 12 of whom are considered "outsiders" by authorities — were eligible to have their charges dropped if they accepted an "adjournment in contemplation of dismissal". This is a provision in New York law that, if the ACD is accepted, the case against the arrestee will be dropped and put away for six months only if they are not arrested for another offense in the interim.

Fourteen of the 15 remaining defendants, proudly wearing their Palestinian keffiyehs defiantly in court, turned down the ACD deal and issued a joint statement stating the reason for their decision: "We stand here today united by our action and the Palestinian cause. The state has attempted, once again, to divide us — dismissing some of our cases and offering others deals in accordance with their outside agitator narrative."

"All of us who took part in the liberation of Hind's Hall [renamed in honor of a six-year-old Palestinian girl murdered by the Israeli Occupation Force] were driven by the same necessity to escalate, to escalate for Gaza, to resist the savage genocide of our siblings in Palestine."

"We exercised our shared right to oppose the US war machine by putting our bodies upon the years of Columbia, one of its most well-oiled domestic components." (June 21)

Workers World salutes these heroic students and their allies who refused to be bullied and divided by the pro-Zionist school administration, Mayor Eric Adams, and the state repression of the NYPD and the courts.

These young activists, an integral part of a global movement, have been inspired by the determined struggle for the Palestinian people's right to liberation and self-determination, including reclaiming their ancestral lands.

Long live the student Intifada!

The article first appeared on *Workers World*.