

centerforconstitutionalrights

on the front lines for social justice

March 25, 2014

Via Email

Debora Spar
President, Barnard College
3009 Broadway
New York, NY 10027

Re: Removal of Columbia Students for Justice in Palestine banner

Dear President Spar:

On behalf of Columbia Students for Justice in Palestine (C-SJP), we are writing in response to your email of March 14, 2014 to me, in which you sought to explain Barnard's decision to remove a political banner sponsored by C-SJP. While we appreciate that Barnard College shares a commitment to freedom of speech and expression, the concerns we expressed in our March 13, 2014 letter to you about Barnard's action remain.

Your email suggested that the Barnard administration removed the C-SJP banner because its placement near the official Barnard College banner may have inadvertently implied the College's endorsement. This claim is questionable given Barnard College's "long-standing tradition"¹ of permitting student groups to hang banners, including those hung in the same location as C-SJP's, combined with the College's swift and unprecedented decision to remove this banner within *hours* of receiving complaints about the content of the banner's message. The enforcement of any such anti-endorsement policy against this – and only this – banner raises the obvious inference that the policy serves as a pretext for the administration's desire to censor a message it deemed controversial.

For decades, Barnard College has installed banners promoting student events alongside the official Barnard banner. C-SJP followed the standard procedure for student groups wishing to advertise an event: they reserved the banner space; the College provided the students with the banner material; the students painted their message and the College installed the banner in the designated location around 5 p.m. on Monday, March 10. Within hours of the C-SJP banner's installation, the former president of the Columbia/Barnard Hillel started an email campaign expressing disagreement with the banner.² A Facebook post from the former Hillel president called the Israeli Apartheid Week events being advertised an "attempt to perpetuate the

¹ Dean Avis Hinkson, Barnard to reexamine banner policy (Mar. 11, 2014) at <http://barnard.edu/news/barnard-reexamine-banner-policy>.

² Seffi Kogen, Post Urging Emails to President Spar Re C-SJP Banner (Mar. 10, 2014) <https://www.facebook.com/photo.php?fbid=10201723162144419&set=a.1551171582835.2075581.1341480016&type=1&theater>.

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pernicious lie that Israel is an apartheid state” and an “anti-Semitic” display.³ Without notice, and within hours, Barnard removed the banner.⁴

Even as the College failed to inform C-SJP of its action, it chose to send to the campus Israel public affairs committee, LionPAC, by 11 a.m. on March 11, a “swift and thoughtful response” to their objections to the banner.⁵ This response informed LionPAC of the banner’s removal, explained Barnard’s reexamination of its banner policy, elaborated on Barnard’s banner tradition, outlined Barnard’s policy about student banners going forward, and thanked the group for its “thoughtful email bringing this matter to [their] attention.” In contrast, Barnard’s email to C-SJP, which it did not send until after 5pm on March 11, simply asked to meet with the group’s leadership without offering any comparable explanation for the administration’s actions. The College did not provide a written explanation to C-SJP until Friday, March 14 – three days after removing the banner and three days after providing a written response to LionPAC.

Barnard’s differential treatment of a student group that advocates a dissenting viewpoint is disconcerting, particularly where this student group, comprised largely of Muslims and Arabs, already experiences marginalization on campus. In the wake of your swift removal of the C-SJP banner, Columbia and Barnard students have reported being called Nazis, being asked about their “terrorist brothers,” having their mock Apartheid Wall located near Low Steps spat upon, and being told that everyone in Gaza is a terrorist and that Palestinians are an invented people. We fear that the College’s summary and apparently discriminatory treatment of C-SJP has actually signaled the endorsement of a different and more troubling message: that Palestinians, Muslims and Arabs are deserving of disparate treatment.

Accordingly, we respectfully request that Barnard College reconsider its decision to stop hanging student banners at Barnard Hall and that the College publicly apologize to C-SJP for the harm caused to the student group and its members by the College’s removal of their banner. We also request that you ensure that students groups, including C-SJP, are included in conversations regarding the future of Barnard’s banner placement policy.

We thank you in advance for giving serious attention to the concerns of C-SJP and other student groups that are committed to an open, vibrant and fair exchange of ideas on campus.

Very truly yours,

/s/ Baher Azmy

Baher Azmy
Legal Director
Center for Constitutional Rights

³ *Id.*

⁴ C-SJP students noticed the banner had been removed by 7 a.m. on Tuesday, March 11.

⁵ LionPAC, Post thanking President Spar for Response Re: SJP Banner (Mar. 10, 2014) at <https://www.facebook.com/lionpac.at.columbia/posts/626693454071086>.