PROJECT SHEMA

A GUIDE FOR UNIVERSITIES

NAVIGATING FREE SPEECH & ANTISEMITISM ON CAMPUS

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PROJECT SHEMA

TRANSLATIONS

ABOUT THE PODCAST

Translations brings our mission to life through dialogue, curiosity, and empathy across difference, engaging academics, practitioners, educators, and community voices alike. **Together, we're creating spaces where people can listen deeply, reflect honestly & recognize one another's humanity.**

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WE MIGHT BE WRONG

TOM GINSBURG ON FREE SPEECH, CAMPUS LIFE, AND PROTECTING JEWISH STUDENTS

What does "free speech" actually mean, and where are its limits, especially on a college campus?

In this episode of Translations, we talk with Tom Ginsburg, a professor at the University of Chicago Law School and faculty director of the Forum for Free Inquiry and Expression, to break down how free speech really works. We talk about the difference between public and private universities, why the classroom, the quad, and the dorm room all operate under different rules, and how Title VI comes into play when speech crosses into harassment. We dig into real campus cases, including an incident where a Jewish student was targeted in their own dorm room, and talk through a practical way to think about the difference between protected political speech and targeted harassment.

Along the way, Tom shares a simple idea he believes could fix a lot of what's broken on campus discourse: we might be wrong.

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TABLE OF CONTENTS

01 **The current challenge**
What University administrations are balancing

02 **Understanding the impact**
Start with a threshold question

03 **Different types of speech**
The difference between targeted and non-targeted speech

04 **General Principles**
Things to keep in mind

05 **Speech in key spaces**
- The classroom
- The Public Square
- The community
- Additional considerations

THE CURRENT **CHALLENGE**

University leaders shoulder a dual responsibility to **foster academic inquiry and the free exchange of ideas**, while cultivating a **healthy learning environment** that is genuinely safe, inclusive, and pluralistic.

These commitments are not in opposition, but they are often in tension.

The challenge is in **balancing both free speech** (the ability to express even controversial or unpopular views) while maintaining an **environment where all students are safe.**

This resource is designed to help you **navigate these dynamics** in conversations involving antisemitism, Israel, and Palestine.

UNDERSTANDING THE IMPACT

You need to assess whether speech or conduct **prevents Jewish students from equal access to the learning environment**

This includes speech that

- **harasses**, intimidates, or threatens
- **excludes** student(s) from full participation in campus life
- can reasonably be interpreted as endorsing, justifying, or encouraging **violence**

START WITH A THRESHOLD QUESTION

Is the speech or conduct targeted at an individual, identifiable group of students, or Jewish institutions on campus?

TARGETED SPEECH

Speech or conduct is **targeted** when it is **directed** at identifiable Jewish students, Israeli students, Jewish organizations, Jewish spaces, or individuals perceived to be Jewish because of their identity or affiliation.

EXAMPLES

- **Directly confronting** Jewish or Israeli students with accusations of collective guilt over the Israeli government's actions or policies
- **Singling out** students for harassment because they are Jewish or Israeli
- Chants that **reasonably imply violence** (e.g., endorsing "resistance by any means necessary" when **directed** at Jewish or Israeli students)

NON-TARGETED SPEECH

Speech is **non-targeted** when it is **expressed broadly**, such as in protests or classroom discussions, and is **not directed** at specific individuals or groups.

EXAMPLES

- Critique of **Israeli government policy** in a Middle East studies classroom
- **Political slogans or statements** made in a public forum without targeting individuals
- A **student-organized webinar** discussing the impact of the war on Palestinians

General Principles

WHEN SPEECH IS NOT TARGETED

You should err on the side of **protecting free expression**, even when the content is controversial or makes people uncomfortable.

WHEN SPEECH IS TARGETED

You should err on the side of **protecting Jewish student concerns,** understanding that personal harassment is not protected speech.

WHAT TO KEEP IN MIND

01

Differentiate discomfort from danger

Distinguish between **speech that challenges** or creates discomfort versus **speech that causes harm** or could undermine safety.

02

Differentiate intent from impact

Many popular slogans or protest chants **carry varied meanings**. Individuals may not be aware of their potentially problematic undertones and don't intend harm. You can follow up directly with the individuals or groups involved and invite them to a **clarifying conversation about intent versus impact**, encouraging the individual to **use more nuanced language** that aligns with their intent and that wouldn't be interpreted as harmful. **A willingness to reflect or adjust language often indicates openness to learning, whereas resistance may signal harmful intent or a lack of empathy.**

03

Promote facilitated dialogue & education over discipline

Prioritize **education and engagement** over punishment - universities are places for people to learn and grow.

THE CLASSROOM

THINGS TO CONSIDER

Classroom considerations are unique given what the classroom represents: a hub of openness and critical inquiry. Educators rightly enjoy academic freedom, but that freedom is accompanied by the responsibility to foster an educational space in which all students can fully and safely engage in critical inquiry regardless of their identity, while also being mindful of potential university liability.

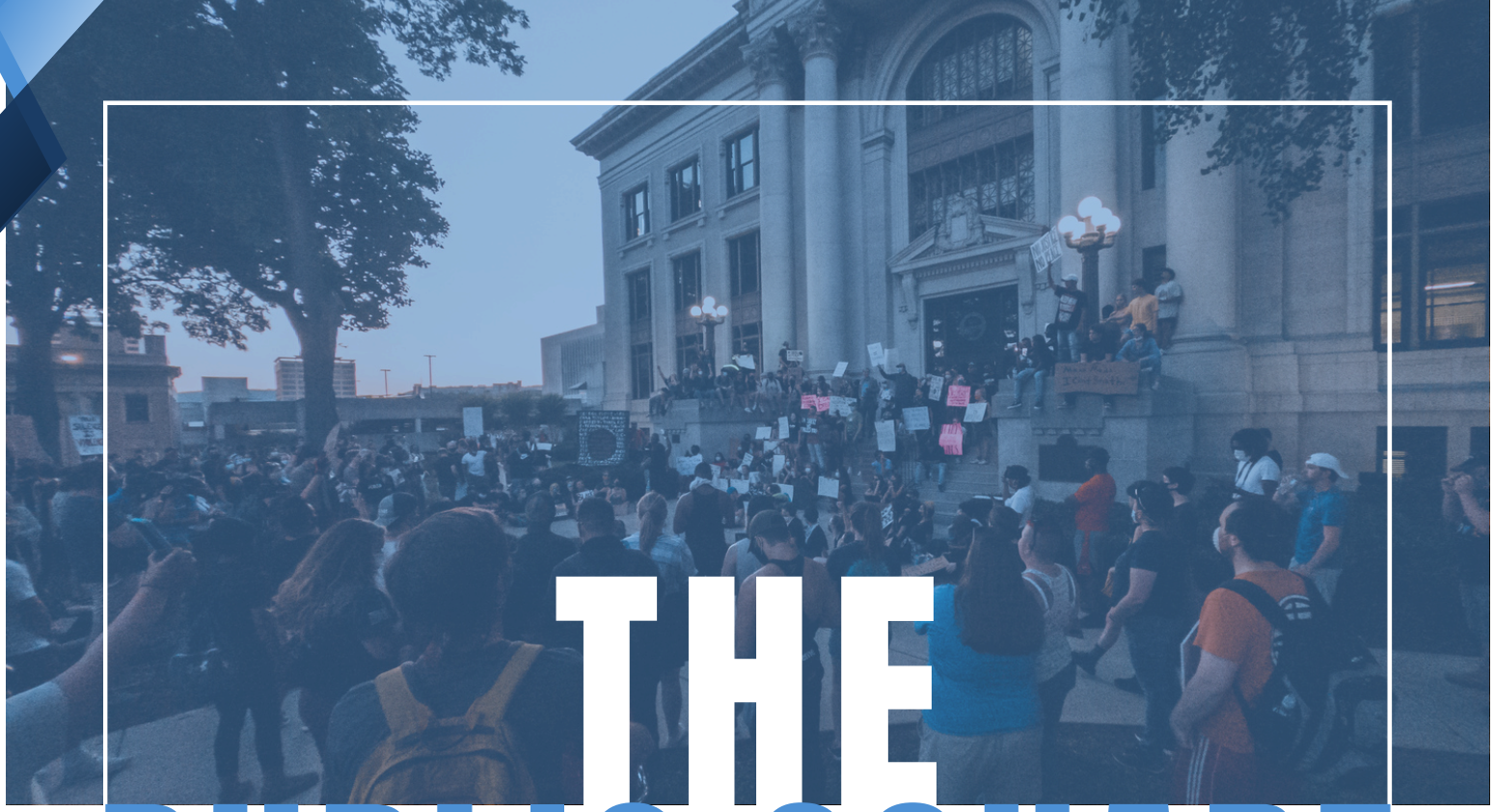
RECOMMENDATIONS

Administrators play a critical role in shaping this environment by **setting clear expectations** for faculty and students and **providing skills-based training to create healthy classroom experiences.**

- Offer training for instructors on establishing & maintaining **healthy classroom engagement norms**
- Offer training for instructors and students on how to **depolarize difficult discourse**
- Ensure instructors recognize the **impact of the power of their position** with students and how that power can create a **silencing effect**
- Ensure students understand the **difference between discomfort and danger**

Additionally, you can assess the **academic relevance of topics** introduced into the classroom. Faculty should distinguish between **teaching** about and **endorsing** contested ideas

- Ex: Discussions about Zionism, including critical frameworks such as settler colonialism, are understandable for courses exploring the region.
- Ex: Content defining Zionism as inherently racist in a social work course focused on providing care in a multi-cultural society risks perpetuating anti-Jewish harm in a field rooted in care and empathy for all.



THE PUBLIC SQUARE

THINGS TO CONSIDER

The public square is the heartbeat of a campus.

It is where students exercise the freedoms that are foundational to higher education: exchanging ideas, organizing, and protesting. A vibrant public square reflects a university's commitment to those cornerstone values of democracy and pluralism.

RECOMMENDATIONS

Because these spaces are designed for public discourse, **universities should allow the broadest protections for free expression.** That includes promoting counter-speech over censorship, when possible.

At the same time, universities should ensure that the activity in these spaces **does not promote violence**, or in any way **inhibits others' ability to fully engage in campus life.**

THE COMMUNITY

THINGS TO CONSIDER

A commitment to campus excellence extends into the broader campus community.

Issues of free speech and antisemitism also arise in co-curricular spaces such as student clubs, dining halls, residence halls, and online. These spaces exist primarily to **support students' needs, community, and full participation** in campus life, **not protest and political activity.**

RECOMMENDATIONS

Because **these spaces serve a fundamentally different purpose than the classroom or public square,** universities should adopt a **more protective approach** when activity might interfere with students' safe access to these spaces.

For example, vandalism on a Jewish student's dorm room or on a Jewish cultural center should be met with swift condemnation.

ADDITIONAL **CONSIDERATIONS**

01

Train & educate

Invest in institution-wide training and education on the history and manifestations of antisemitism.

02

Build dialogue skills

Demonstrate an **institutional commitment to building skills on having dialogue despite differences.** Leaders can model this behavior by

- Establishing clubs or groups to empower students to respectfully engage across differences
- Holding programming that models this approach, including but not limited to Israel and Palestine
- Teaching people the skills needed for empathic, depolarized discourse

03

Understand what crosses the line

A helpful guideline to determine whether speech related to Israel undermines Jewish safety is when rhetoric transcends policy critique and veers into **targeted demonization of individual people** on campus who are Jewish, whether expressed through words or acts.

04

Be mindful of language & tropes

It's important to watch for **binary language** that frames things as purely good versus evil or language that **leverages classical anti-Jewish conspiracy theories** (i.e., Jews are all-powerful).

05

Be watchful of how "Zionist" is used

It's important to be wary of rhetoric that **uses "Zionist" as a slur**, or when "Zionist(s)" is used **as a stand-in for "Jews"** to claim plausible deniability.

06

Look at the bigger picture

Consider the record and past history of a contested speaker or organization. Evaluate previous statements and materials circulated.

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