

April 27, 2024

Dear President Jameson, Provost Jackson, and Senior Executive Vice President Carnaroli,

We are deeply disturbed by the email you sent last night, which demands that peaceful protesters leave College Green on the basis of unsubstantiated allegations, including claims that their encampment threatens the safety of others. These allegations have been disputed to us by faculty and students who have attended and observed the demonstration. Your statement mischaracterizes the overall nature of an antiwar protest that necessarily involves strong emotions on both sides but has not, to our knowledge, involved any actual violence or threats of violence to individuals on our campus. To the contrary, those involved in the demonstration have worked to maintain a nonviolent space of discussion, debate, and even disagreement, in the spirit of an educational environment. Moreover, we have received reports of potential harassment and intimidating conduct directed at the peaceful protesters themselves, creating the concerning impression that complaints of harassment are being evaluated and policies applied in a discriminatory manner—a potential violation of Title VI of the Civil Rights Act. Penn's administration has already been accused of establishing a pattern of discriminatory behavior in its public statements as well as its actions this year. For instance, in futile attempts to appease donors, lobbying organizations, and politicians who would like to control what can be taught, studied, and publicly discussed in the United States, you have restricted a Jewish student group's ability to screen a film critical of the state of Israel; you have banned the student group Penn against the Occupation; you have failed to show adequate concern for the harassment of Palestinian, Muslim, Iranian, and Arab students and faculty; and you have issued public statements that have contributed to that harassment. This pattern must not continue. We urge you not to use disputed claims and partial depictions as justifications for a crackdown on peaceful protesters.

We are further concerned by your claim that the encampment violates unnamed facilities policies. On the one hand, as a demonstration under the Guidelines on Open Expression, the encampment is not an event requiring a facilities permit at all. On the other hand, you may be implying that the encampment violates some other facilities policy—which one, we cannot know and cannot evaluate while your implicit threat to clear the encampment within 24 hours looms. What we do know is that during this academic year, Penn's central administration, like university administrations nationwide, has turned to silencing speech critical of the war in Gaza through discriminatory enforcement of mundane and petty rules; in one highly publicized case on our campus, the Vice Provost for University Life reported a student to CSA for allegedly posting stickers about the Palestine Freedom School, claiming that this was a violation of the Code of Student Conduct. As all of us know, students routinely post stickers on our campus about all manner of subjects without being hauled into disciplinary proceedings, and in prior cases when students have been penalized for stickering, they have been fined \$1, not accused of serious violations of the Student Code of Conduct. This pattern of discriminatory rule enforcement, in every instance targeting speech critical of the war in Gaza, is itself a violation of Penn's

Guidelines on Open Expression, which prohibit the University from restricting assembly and demonstration on the basis of the substantive content of the views expressed. And it raises further questions about Penn's adherence to Title VI of the Civil Rights Act.

You say you "have closely monitored the protest." We write to inform you that we are closely monitoring your actions. Penn has the opportunity to set a different example from the university administrations at Columbia, NYU, Emory, the University of Texas Austin, Indiana University, Ohio State, and other institutions that have committed grievous violations of open expression and academic freedom, and unleashed shocking police violence against students and faculty. On Thursday when the demonstration began, we were pleased to see Penn avoid unnecessary escalation and respect the rights of members of our community to participate in peaceful protest. We urge you to maintain that commitment to open expression. Do not escalate the situation. Do not violate the rights of students and faculty. Remember that the actions you choose to take today will be your legacy.

Peaceful protest has a long and proud history at our university. We expect to see it respected in the present.

Sincerely,

AAUP-Penn Executive Committee