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February 3, 2020

Via Mail & Email

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Re: Pervasive, College-Sponsored Anti-Semitism at the Claremont Colleges

Dear Drs. Starr and Oliver:

Our law firm represents the David Horowitz Freedom Center, a conservative foundation dedicated to the defense of free societies whose moral, cultural, and economic foundations are under attack by radical extremists. We write to inform you of your colleges' liability under Title VI of the Civil Rights Act of 1964 ("Title VI"), 42 U.S.C. § 2000d, *et seq.*, and related statutes, arising from your institutions' ambivalence toward—and even support and funding of—anti-Semitic hate group events and activities on your campus, including those orchestrated by the Claremont Students for Justice in Palestine ("SJP"), a "5c" student organization registered with the Associated Students of Pomona College.

Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance. To combat the rise of anti-Semitism on college campuses in the United States, President Donald J. Trump signed [Executive Order 13899](#) on December 11, 2019. The Order directs executive agencies to enforce Title VI against all prohibited forms of discrimination rooted in anti-Semitism just as vigorously as against all other forms of discrimination prohibited by Title VI. It does so by providing guidance to government agents responsible for enforcing Title VI.

Specifically, the Order adopts International Holocaust Remembrance Alliance's definition of anti-Semitism, which states, "[a]ntisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews..." Further, the Order provides that those charged with

enforcing Title VI to consider the “Contemporary Examples of Anti-Semitism identified by the IHRA, to the extent that any examples might be useful as evidence of discriminatory intent.”

These “Contemporary Examples of Anti-Semitism” [include](#):

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

In applying the Federal government’s definition of anti-Semitism to SJP, it is abundantly clear that SJP engages in anti-Semitic activities, which your colleges have condoned, funded, and supported, in violation of Title VI. First, SJP [promotes](#) the Boycott, Divestment and Sanctions (BDS) campaign against Israel on American campuses. BDS, in turn, is widely understood to have [ties](#) to the anti-Israel terrorist organization, [Hamas](#). Indeed, the founder of the BDS movement [Omar Barghouti](#) has frequently denounced Israel as “racist,” denied Jews the right to self-determination, and [compared](#) Israeli treatment of Palestinians to the Nazi persecution of Jews—all clear indicators of anti-Semitism under the examples listed by the IHRA and invoked in President Trump’s executive order.

Following Barghouti's and other extremists' example, members of SJP are known to adopt as their own, variations of the anti-Israel slogan "[f]rom the river to the sea, Palestine will be free," a call to [annihilate](#) the state of Israel by military force:



Indeed, [SJP](#) openly “reject[s] any and all collaboration, dialogue, and coalition work” with purportedly Zionist organizations, claiming that even mere “dialogue” with such organizations “normalizes” the purportedly “apartheid” state of Israel.

Unfortunately, SJP does not appear to be the only anti-Semitic group active at the Claremont Colleges, though we continue to investigate the extent of SJP's ties to other anti-Semitic acts. Other examples of recent anti-Semitic acts on your campuses include:

- discriminatory [exclusion](#) of Jewish students from voting against BDS as a result of a vote by the Pitzer College Student Senate deliberately scheduled for the Jewish holiday of Passover.
- a vote by the Pitzer College Council, a governing body consisting of students, faculty and staff, to impose the Hamas-funded and anti-Semitic BDS movement on the College by [suspending](#) the study abroad program at the University of Haifa in Israel.
- [threats of violence](#) directed at a Jewish student leader who opposed the Haifa boycott.
- eviction notices [targeting](#) Jewish students.
- what one Jewish student [described](#) as a “targeted harassment campaign aimed at me, members of my school's pro-Israel club, the Claremont Progressive Israel Alliance (CPIA), and random Israeli and Jewish students.”
- the [theft](#) of a mezuzah, a Jewish prayer box, from a student's dorm room door.
- [support](#) for the Hamas-funded Boycott, Divestment and Sanctions campaign against Israel and other Hamas objectives at university-sponsored functions.
- the repeated [display](#) of a mock “apartheid wall” on campus that demonizes and delegitimizes the state of Israel and invokes numerous forms of the anti-Semitism condemned by President Trump's executive order.
- Pitzer students' [chant](#) “from the river to the sea, Palestine will be free,” a genocidal call to abolish the state of Israel, after a College Council vote to impose BDS.

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Rather than prioritize the safety of your Jewish students, such as by thoroughly investigating and preventing acts of anti-Semitism on your campuses, the Claremont Colleges instead condone, fund, and support *further* anti-Semitic activities, including those of SJP, in violation of Title VI.

For example, on November 14, 2019, both of your colleges co-sponsored a SJP event featuring a screening of the film “Gaza Fights for Freedom,” which promotes the recent Hamas assault on Israel’s borders which was conducted under the guise of the “Great Return March.” Hamas is a terrorist organization which celebrates Hitler and has called for the murder of all Jews. The event included a discussion with the film’s director, Abby Martin, a self-described “radical” who believes the U.S. government is responsible for the 9/11 terror attacks. During the question-and-answer period after the screening, Martin accused a Jewish student journalist of being affiliated with “white nationalists,” leading to laughter and cheers from the assembled crowd of Claremont faculty and students.

In April 2018, the Pitzer Working Group on Israel Palestine received funding from the Office of the President to assist in holding an [event](#) titled “Perspectives on Colleges and the Israeli-Palestinian Conflict.” Speakers at the event [made statements](#) delegitimizing Israel, with one calling the Jewish state “a textbook example of apartheid,” and another claiming that “Israel is currently solidifying its hold on the apartheid regime that exists over the Palestinians” and invoking classic claims of Jewish blood libel by adding “Israel actually wants to rid itself of the Palestinian burden.” Speakers at the event also promoted the Hamas-funded BDS movement against Israel and the so-called “right of return” for Palestinians which would destroy Israel’s status as a Jewish state.

By contrast, DHFC’s efforts to protect and defend Jewish students at the Claremont Colleges—a responsibility you should be fulfilling—has been met with stark resistance by your administrations. In November of this year DHFC distributed a report on educational institutions that promote anti-Semitic propaganda which included Pitzer College. When DHFC placed copies of this report on your campuses, Dr. Oliver described DHFC’s criticism of Pitzer’s role in spreading Jew-hatred as “attack speech or hate speech so extreme that it requires our response.” Dr. Oliver offered no examples of DHFC’s alleged hate speech.

It is unfortunate that though Dr. Oliver described DHFC’s efforts to protect the civil rights of Jewish students on your campus as extreme hate speech, by contrast, when SJP invited conspiracy theorists and bigots who have compared Jews to Nazis and justified terrorism against Jews to your campus, you were silent. Worse you provided funding and support for these noxious events.

SJP’s hatefests are clear examples of the anti-Semitic atmosphere created on your campuses, which you have passively and actively worked to support. Indeed, not only have you failed to take action against your colleges’ SJP chapter, but you have actually condemned its Jewish critics. As a result of your actions, the Claremont Colleges are liable for violations of Title VI, which concerns we will be raising with the proper authorities if not immediately corrected.

Drs. Starr and Oliver

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We look forward to your prompt attention to this matter, and request that you contact this office **no later than February 14, 2020** to confirm that the Claremont Colleges will be taking immediate corrective action to prevent further anti-Semitic events and groups from creating a hostile, discriminatory atmosphere. If you have any questions about the contents of this letter, please contact me or my associate, Gregory R. Michael.

Regards,

A handwritten signature in blue ink that reads "Harmeet K. Dhillon". The signature is fluid and cursive, with a long horizontal stroke at the end.

Harmeet K. Dhillon

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