

[Fordham ban of Palestine group contradicts free speech, Jesuit values](#)

Perhaps it is a sign that we are indeed in the age of Trump when a Jesuit university bans a student organization with "justice" in its name.

Although [Students for Justice in Palestine](#) went through all the required procedures and obtained approval from the student government, Fordham University in New York has prohibited the group's recognition as a student organization. The move raises serious concerns not only regarding Fordham's commitment to justice, long a priority for Jesuit universities, but also regarding its students' rights to free speech and association and the spirit of an open university that protects free inquiry.

In a [joint letter](#) to Fordham president Jesuit Fr. Joseph McShane, [Palestine Legal](#) and the [Center for Constitutional Rights](#) said the justification for the ban "misconstrues the facts, misunderstands the law, and ignores Fordham's contractual obligations to respect students' freedom of expression, as promised in various University policies."

The two groups also observed, "All evidence indicates that the denial was based on the viewpoint of students' message and/or their national origin," thereby placing in jeopardy the university's federal funding under Title VI of the Civil Rights Act.

Over recent decades, there have been hundreds of "Third World" solidarity groups on college and university campuses across the United States, addressing conflicts not only in the Middle East, but in Southern Africa, Central America, Southeast Asia and elsewhere. While some of these groups have been somewhat rigid and ideological in their approach, they have played an important role in raising legitimate concerns about justice, particularly as it relates to U.S. foreign policy.

More fundamentally, however, they have every right to organize.

A little over 15 years ago, I represented the University of San Francisco at a series of regional and national conferences on the role of justice in Jesuit higher education. One of the aspects of this tradition we emphasized was the important role served by student groups addressing issues of justice in both the United States and around the world, even if not everyone agreed with their specific policy objectives or style of organizing.

Keith Eldredge, dean of students at the Manhattan campus of Fordham, has tried to [justify the university's ban](#) on the grounds that Students for Justice in Palestine's advocacy of boycott, divestment and sanctions against Israel "presents a barrier to open dialogue."

Given that the Catholic church has long supported such tactics — in such movements as the boycott of lettuce and grapes in support of farmworkers, and divestment and sanctions against apartheid in South Africa — there is more than a little irony in this rationalization.

More recently, a number of Catholic institutions and organizations — including the Canadian Jesuits — have divested from companies in the [fossil fuel industry](#). Several Catholic organizations, including the Conference of Major Superiors of Men, have also divested from companies supporting the Israeli occupation and illegal settlements.

Regardless of church history on such matters, banning a student organization in such a manner is a far greater "barrier to open dialogue" than its advocacy of the time-honored tradition of advocating sanctions against governments that violate international legal norms and promoting boycotts and divestment from companies that support such violations.

Yet another disturbing aspect of Fordham University's decision is its rationalization that allowing the student group to function would be "polarizing." There are countless student organizations in both Jesuit and other institutions that address issues considered by many to be "polarizing," virtually none of which have ever been banned under such a rationale.

Indeed, many of key struggles of recent decades — such as opposition to segregation, the Vietnam War, South African apartheid, the nuclear arms race, U.S. intervention in Central America, Indonesia's occupation of East Timor, and sweatshops and other forms of economic exploitation — were considered "polarizing" at the time.

As a junior faculty member back in 1998, I organized a conference on the University of San Francisco campus focusing on the Indonesian occupation of East Timor and featuring the Nobel Peace Laureate José Ramos-Horta. The university was threatened with the loss of half a million dollars in contributions by pro-Indonesian donors if they did not cancel the conference, but due to the administration's respect for academic freedom — a commitment clearly absent at the leadership at Fordham — they refused to do so.

Unlike their Jesuit counterparts in New York, University of San Francisco leadership recognized that raising legitimate concerns about a foreign belligerent occupation was not something that the university should suppress, even if the occupier was a U.S. ally whose policies were supported by wealthy donors.

Indeed, the right of students to form organizations and organize events addressing the Israeli occupation is just as important as the right to form organizations and organize events against occupations by Morocco, Russia or any other country, regardless of individuals or organizations who may disapprove. Fordham is the first university to refuse to recognize a chapter of Students for Justice in Palestine. If the decision is allowed to stand, it may only be a matter of time before chapters of Students for a Free Tibet and similar groups are also targeted.

As with supporters of the Israeli government, supporters of Palestinian rights vary considerably in their ideology and ways of expressing their views. It is grossly unfair to assume the worst of either. This makes the Fordham administration's stereotyping and characterization of pro-Palestinian activists as inherently antagonistic and malicious particularly troubling.

For example, Jeffrey Gray, Fordham's senior vice president for student affairs, has tried to justify the ban on the grounds that some members of Students for Justice in Palestine at other campuses have allegedly engaged in disruption of speaking events and other tactics contrary to Fordham's code of conduct.

However, not only have the Fordham students interested in starting a chapter noted their total independence from other Students for Justice in Palestine chapters, but the national group's website explicitly declares that the individual campus groups are autonomous.

Furthermore, the U.S. Supreme Court has previously determined it is a violation of associational rights under the First Amendment to deny the recognition of a student group status based on the actions of a national group.

With a new administration in Washington whose commitment to civil liberties is highly questionable, it is particularly important for educational institutions to protect the free speech rights of their students, especially those who take politically unpopular positions and identify as members of marginalized groups. It is a tragic irony that a prominent Jesuit institution is taking the lead in suppressing such rights.