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## **HARVARD SUED FOR TOLERATING RAMPANT AND PERVASIVE ANTI-SEMITISM**

### **Complaint accuses Harvard of being “deliberately indifferent” and adopting double standard when it comes to Jew-hatred**

**Washington, D.C., May 22, 2024:** [The Louis D. Brandeis Center for Human Rights Under Law](#) is suing Harvard University for leaving “cruel anti-Semitic bullying, harassment, and discrimination” unaddressed for years, pre- and post-10/7. According to the complaint, “when Harvard is presented with incontrovertible evidence of anti-Semitic conduct, it ignores and tolerates it. Harvard’s permissive posture towards anti-Semitism is the opposite of its aggressive enforcement of the same anti-bullying and anti-discrimination policies to protect other minorities.”

The [waffling this week and last](#) when it came to enforcing consequences for protestors who violated numerous university rules and harassed, threatened and intimidated Jewish students is another example of what is described in this lawsuit.

The complaint was filed today in the U. S. District Court for the District of Massachusetts. The legal team includes Holtzman Vogel Baran Torchinsky & Josefiak PLLC, as well as Vogel Law Firm PLLC, Libby Hoopes Brooks & Mulvey PC, Weil Gotshal & Manges LLP, and the Brandeis Center.

According to the complaint, daily since 10/7, Harvard students and faculty have called for violence against Jews and celebrated Hamas’ terrorism. Student protestors have occupied and vandalized buildings, interrupted classes, and exams, and made the campus unbearable for their Jewish and Israeli classmates. Professors, too, have explicitly supported anti-Jewish and anti-Israel terrorism, and spread anti-Semitic propaganda in their classes. Jewish students are bullied and spat on, intimidated, and threatened, and subject to verbal and physical harassment.

Harvard’s student message board provides a window into the toxic environment for Jewish students. It is filled with vile anti-Semitic slurs, threats and conspiracy theories, including calls for Jews to “cook” and the Harvard Hillel to “burn[ ] in hell,” and an anti-Semitic cartoon resembling Nazi-era propaganda that depicts a hand etched with a Star of David and a dollar sign holding a noose around the necks of what appear to be a black man and an Arab man. The cartoon was posted not only by student groups but also by faculty.

Jewish students report self-censoring, both in and out of the classroom, and avoid taking certain classes, attending certain events, or traversing certain areas on campus out of fear that they will be physically or verbally abused. Jewish and Israeli students report feeling isolated, unwelcomed, and unable to enjoy the educational rights and benefits to which they are legally entitled. One of the students mentioned in the complaint describes how she literally hides in her room and avoids public spaces, including her research lab, for fear of being harassed and attacked.

Detailed in the complaint are numerous examples documenting how Harvard, pre- and post-10/7, has deliberately ignored anti-Semitic incidents and threats to Jewish students, while supporting and protecting students and faculty perpetrators, allowing anti-Semitism to grow and flourish. According to the complaint, “Harvard’s message was clear: discrimination, harassment, or violence is acceptable so long as it is directed at Israelis and Jews.”

For example, when right after 10/7 a thousand protestors showed up at Harvard calling for genocide against Jews and began harassing, intimidating, and threatening Jewish students, Harvard’s first action was to form a task force to protect the individuals spewing the vile anti-Semitic hatred. In fact, according to the complaint, Harvard held itself out as a resource for helping perpetrators erase their digital footprint and hide their actions.

Another example involves the physical assault of a Jewish student. When protestors realized a student was Jewish and/or Israeli, from a blue bracelet he was wearing in solidarity with Israel, a mob swarmed and surrounded him, and began physically accosting him and yelling in his face. The student pleaded with them to stop but, assailants violently grabbed him, pushed him, and he was physically attacked until he was ultimately able to escape the mob. The assault was captured on video, yet Harvard took no action to redress the physical assault. And even now that the perpetrators have been charged with criminal assault and battery, Harvard has yet to discipline, suspend, or expel the attackers, or remove them from their leadership positions. In fact, it is believed that Harvard staff have assisted some of the perpetrators in their criminal hearing.

A further example involves an incident from a year ago when three Israeli students were intentionally discriminated against and tormented throughout a course that they took at Harvard Kennedy School with Professor Marshall Ganz. After they proposed a project about their Israeli Jewish identity, Arab and Muslim classmates objected, complaining that the idea of a “Jewish democracy” was “offensive.” The professor and teaching fellows agreed. The professor compared the existence of a “Jewish state” to “white supremacy,” and threatened the students with “consequences” if they proceeded with the topic. When the students persisted, Ganz’s misconduct metastasized into repeated taunting and humiliation throughout the course. Ganz then lowered the students’ grades as a “consequence” for their refusal to change their topic.

After the Brandeis Center sent a [complaint](#) to the university, in March 2023, Harvard launched a third-party-investigation, which agreed with the Brandeis Center and [concluded](#) Ganz had illegally created “a hostile education environment,” denied the Israeli students “a learning environment free from bias,” and “denigrated” them “on the basis of their Israeli national origin and Jewish ethnicity and ancestry.” Harvard Kennedy School Dean Douglas Elmendorf accepted the investigator’s findings and [committed](#) to addressing the illegal harassment and discrimination. Yet to date Harvard has not announced the incident, publicly apologized for the discrimination, fired or suspended the professor or disciplined the teaching assistants. It has not even provided training to prevent anti-Semitism or anti-Israel bias in the future. Instead, Harvard’s magazine [profiled](#) Ganz and touted him as a civil rights hero.

“For years Harvard’s leaders have allowed the school to become a breeding ground for hateful anti-Jewish and radical anti-Israel views,” stated Kenneth L. Marcus, founder and chairman of the Brandeis Center and the former U.S. Assistant Secretary of Education for Civil Rights. “An outside investigator warned of the problem more than a year ago, Harvard Kennedy School’s Dean acknowledged it, and yet crickets. When are university leaders going to learn that in order to prevent your school from becoming a cesspool of anti-Semitism action is required? Schools must hold students and faculty accountable. They must follow through with public consequences when Jews are harassed and discriminated against like they would for any other minority group, as required by law.”

According to the Brandeis Center complaint, “Jews are fair game” at Harvard. “Students and faculty can harass and discriminate against Jews, and they can do so openly and with impunity.” And making matters even worse, “Harvard will go out of its way to protect anti-Semitic protestors and conspiracy-theorists.” It goes on to say that had Jewish students been “members of any other protected class, Harvard would have disciplined the offenders swiftly and vigorously.”

The complaint documents how Harvard aggressively enforces anti-bullying and anti-discrimination policies to protect other minorities, and it cites numerous examples over the last few years where the school has been vigilant to oust students or force out professors for taking positions that do not fit with school’s philosophy, vision, and policies.

The lawsuit alleges that Harvard has violated numerous of its own policies as well as Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color and national origin, including discrimination against Jews on the basis of their actual or perceived shared ancestry or ethnic characteristics, in educational institutions that receive federal funding. Under the law, harassing, marginalizing, demonizing, and excluding Jewish students on the basis of the Zionist component of their Jewish identity is just as unlawful and discriminatory as attacking a Jewish student for observing the Sabbath or keeping kosher. UNESCO has cautioned that “Jew” and “Zionist” are often used interchangeably today in an attempt by anti-Semites to cloak their hate. In fact, according to President Biden’s U.S. National Strategy to Counter Antisemitism, released in May 2023, “Jewish students and educators are targeted for derision and exclusion on college campuses, often because of their real or perceived views about the State of Israel. When Jews are targeted because of their beliefs or their identity, when Israel is singled out because of anti-Jewish hatred, that is antisemitism. And that is unacceptable.”

In 2023, Harvard received \$676 million in federal funding. The Department of Education and the U.S. House Education and Workforce Committee are currently investigating Harvard for anti-Semitism.