

Statement of

Mr. Michael H. Schill
President, Northwestern University

before the

Committee on Education and the Workforce
U.S. House of Representatives

May 23, 2024

Our Nation's universities are on the front lines of a disturbing rise in antisemitism in America that has only accelerated following Hamas' terrorist attack on October 7, 2023 and the conflict in Gaza that followed. The open harassment and intimidation of Jewish people on the streets and on social media has also infected our classrooms and campuses.

At the same time, students who oppose Israel's response to Hamas' attacks have sought to voice their opinions. In furtherance of this pursuit, students at scores of college campuses in the United States and abroad, including the one I lead, chose to erect encampments. These actions have brought further instability to campuses. This environment has threatened the safety of our Jewish students and tested the boundaries between free expression and student safety.

Northwestern University, like many universities, has an antisemitism problem. Doing all I can to protect our Jewish students from antisemitism is among the most basic of my responsibilities as Northwestern's President of Northwestern. Where there is conduct that threatens the health, safety and well-being of individual members of the Northwestern community, we must act to protect them and use our disciplinary process to do so. Our rules and policies fell short in this respect, and we must review our processes to ensure they are designed to meet our current challenge.

Universities reflect the world around us. The increasingly polarized and uncivil discourse that we see everywhere in our polity has found its way into our campuses. A major part of our effort to combat antisemitism must be to do what we do best: bringing students and faculty together to promote greater understanding about the roots and causes of antisemitism and to engender empathy for one another. In short, wherever possible, we must work with our students to bridge differences rather than exacerbate them.

The decisions Northwestern's leadership team has made in recent months have attracted praise and criticism from both inside and outside our community; I am under no illusion that all the members of this Committee will find themselves in agreement with either our approach or the specific actions our institution has taken. The task before us is highly complex; the line between protected speech and harassment or discrimination can be very thin. We are determined to respect the former while disciplining the latter.

I know the members of the Committee will have questions for me, and I look forward to addressing them. With the goal of providing background information that will better inform the Committee's hearing, I would like to use my written testimony to share my perspective on four aspects of the matter before the Committee: the very real problem of antisemitism on campus; the health and safety of our community as the foundation for education and academic freedom; managing the encampment itself; and our priorities moving forward.

Antisemitism on Campus

The Committee is right to focus on what is a profoundly troubling reality facing the nation today: antisemitism is rising on campuses across the country, including at Northwestern. I am determined to confront this head-on. This fight could not be more personal for me.

My great-grandfather was killed in a pogrom on Good Friday in Russia. Four of my grandmother's five sisters perished in the camps in Poland and many of my father's first cousins were similarly rounded up. The fact that the world's Jewish population has still not recovered to where it was pre-World War II is not abstract to me. The fact that Israel is a cherished homeland is not theoretical to me; it is where my family members who survived the Holocaust found refuge after the war. My family's story, which unfortunately is not unique among American Jews, makes me deeply appreciative of Israel, and is a constant reminder to me of what can happen when antisemitism is allowed to take root and spread.

Like this Committee, I am deeply troubled by reports from Jewish members of our community who have been harassed and targeted because of their identity or faith. I have not been spared from this antisemitic targeting; just a few weeks ago, a poster was put up on campus that depicted me with horns and blood—a dangerous antisemitic trope. Another sign featured the Star of David with an "X" through it. I am a passionate supporter of free expression. But my commitment to free speech does not and will never extend to conduct like this. Discrimination, harassment, or intimidation targeting members of the Northwestern community are not protected expression or a proper exercise of academic freedom.

On November 13, I called on the Northwestern community to reject statements or banners that have taken on a meaning of promoting murder and genocide, including the slogan "from the river to the sea." Statements or banners with this type of expression should have no place in our community.

To assist in the fight against antisemitism and hate and to promote dialogue across students, faculty, and staff, I created the Advisory Committee on Preventing Antisemitism and Hate. The focus of this committee was to provide guidance and advice to the provost and me to help ensure that members of the Northwestern community can engage in debate and discussion without fear of harassment or intimidation. Regrettably, like several similar committees at peer institutions, this committee could not reach a consensus on specific proposals, which led to the resignation of some of its members. I remain grateful to all the members who volunteered to serve, and I am determined to continue working to find the long-term solutions that this committee was designed to help inform. This was not a one-and-done attempt at consensus building, but a start.

And to help facilitate civil discussion about the Israel-Hamas conflict and antisemitism more broadly we have convened several academic activities and events. For example:

- We have encouraged discussions at the local Chabad House with prominent leaders like Michal Cotler-Wunsh, Israel's Special Envoy for Combatting Antisemitism;
- The Middle East and North African Studies Program and the Medill School of Journalism have hosted conversations with authors like Nathan Thrall, whose essays have focused on Israeli-Palestinian relations;
- The Crown Family Center for Jewish and Israel Studies and the Middle East and North African Studies Program have jointly facilitated dialogues about the current conflict and its broader context.
- The Northwestern Israel Innovation Project and the Office of the Vice President for International Relations have organized webinar panels on topics such as "The Israel-Hamas War;"
- Our Office of Institutional Diversity and Inclusion launched a Religious Literacy Program to foster understanding, empathy, and inclusivity across religious differences. That program offers educational opportunities for students to learn about Judaism, as well as the painful and unique history of antisemitism; and
- In February, we established the Center for Enlightened Disagreement in collaboration with the Kellogg School of Management. Our goal is to promote respectful dialogue across differences, which aims to bring together top academics and leading thinkers to conduct research, identify best practices, and train students and leaders on how to engage across differences and harness the power of diverse perspectives

I understand that many of these aspirations towards dialogue may sound idealistic. I agree that none of the problems we are attempting to address will be solved by a single event, program, or speaker series. Discourse, we know, is only part of the solution and takes time. That is why I have also taken steps to increase corrective and protective measures beginning with our law enforcement capabilities, including enhancing on-campus security, increasing patrols around Hillel and Chabad House, and revising our Code of Conduct.

Guiding Principles

Academic Expression

We are committed to providing a learning environment that encourages a robust, stimulating, and thought-provoking exchange of ideas. Some protected speech is also abhorrent and offensive, and it is often challenging to navigate the thin line between free expression and academic freedom, on the one hand, and intolerable speech, on the other. I understand how some could view a particular statement by a student or even a member of our faculty and think they should be punished in some way for it. There are many times I feel the same way. But we must protect the ability for members of our community to have a free exchange of ideas while carefully monitoring the line where abhorrent speech becomes harassment or intimidation. I wish it were easy, just as I wish the processes to adjudicate these questions were immediate.

In January, I created the Advisory Committee on Free Expression and Institutional Speech to evaluate under what circumstances the University, its officers, academic departments, or

administrative units should make statements on behalf of constituents about political, social, or international matters. The committee's mandate also includes examining what boundaries, if any, might apply to free expression and academic freedom in teaching, research, and public discourse.

The work of this committee is not merely abstract or theoretical. I am committed to taking its findings and implementing new policies so that Northwestern can thrive as an institution where students can come together to learn and share ideas in an environment that is welcoming and safe for all. We believe that our efforts to promote constructive dialogue support an inclusive educational environment. Education and dialogue are the best ways we can combat hate in the long term.

Community Safety

In our work as educators, we must always recognize that the safety of our community is a necessary predicate for free expression. Without physical safety and a culture of respect for one another, the ability to come together to learn and exchange ideas is fundamentally compromised. We know that fear of discrimination or harassment stifles expression and prevents students from voicing their opinions. We have dealt with this challenge for decades with students and faculty who feel their political opinions will turn fellow community members against them. It is our duty as a university to stop discrimination, harassment, and intimidation.

Such behavior is not protected expression or the proper exercise of academic freedom, regardless of the espoused viewpoint, and we are committed to taking appropriate disciplinary measures in response. And in fact, we have numerous disciplinary actions in process right now, many in response to reports of antisemitic behavior at demonstrations, involving students, faculty, and other parties. We will follow our disciplinary process, which mandates due process to all involved, and impose appropriate consequences where there has been a determination of discrimination, harassment, intimidation, or other misconduct.

This process is guided by our Policy on Discrimination, Harassment and Sexual Misconduct. This policy prohibits discrimination based on identified protected categories, including religion and national origin, which includes Jewish and Israeli students. It makes clear that discrimination, harassment, and retaliation against members of the Northwestern community are **not** protected forms of expression or considered to be the exercise of academic freedom.

This policy also provides mechanisms for investigating and responding to allegations of such prohibited conduct. Northwestern's Office of Civil Rights and Title IX Compliance is responsible for investigating allegations of discrimination or harassment that are reported by students, faculty, staff, and other third parties as long as the complaint involves conduct occurring on campus or involves a respondent who is a member of the Northwestern community.

When a determination is made that an individual has violated our policies, we impose consequences, up to and including expulsion.

As we adjudicate individual cases, we also know that we must always work to improve our policies to meet the circumstances of the day, and we are in the process of updating our Student Code of Conduct to ensure it provides a more comprehensive set of tools we need to adequately

address these concerns. We will be working rigorously in the coming months to update the Student Code of Conduct so that new policies are in place for the 2024-2025 academic year.

The Encampment

The decision of student protestors, as well as some outsiders, to erect tents on Deering Meadow, the most central green space on Northwestern's campus, has attracted substantial attention from our community, the news media, and Congress. I understand why; these encampments were highly visible, highly disruptive and a source of incidents of antisemitic intimidation. They made many of our Jewish students feel unsafe, which was unacceptable to me.

They also raised concerns about the presence of outsiders and our limited ability to ensure physical safety in the encampment, both for our students and for our staff and campus police force. And they violated the clear time, place, and manner rules that I announced on April 25 in the "Interim Policy for Student Demonstrations and Other Expressive Activities on the Evanston Campus," which aimed to clarify what is considered "acceptable behavior" during demonstrations and protests, as well as the University's Demonstration Policy, which addresses the parameters for peaceful demonstrations by members of the Northwestern community.

As we were confronting the encampment at Deering Meadow, we were watching escalating violence at other universities around the country facing similar situations. While the majority of our protestors were peaceful, we also recognized the real fear and concern that many in our community—most particularly our Jewish students—felt. And we recognized that rules had been broken. We also understood the urgency of managing the protest before it escalated into something worse.

The resolution we reached with our students to end the Deering Meadow encampment has been extremely polarizing. I have received many emails and messages from trustees, alumni, faculty and students praising the decision, as well as calls and messages expressing distress at the result and the process we followed.

We took the decisions we faced seriously, and we felt real urgency in the moment. We knew we had to end the encampment quickly. And I wanted something more: I wanted to end it permanently. We considered every available option for doing so. Ultimately, we felt we had three options.

Option one involved allowing the tents to stay up indefinitely like many schools have done. But, for us, that meant the situation would persist until mid-June, given our late academic calendar. That was never seriously considered. For me, not acting was not a tenable option. The tents were an ongoing threat to the safety of our community and were associated with a rise in antisemitic events on campus. Furthermore, the encampment was breaking our rules. I could not stand by and let those violations continue.

The second option we considered was sending in our student affairs staff and the Northwestern Police Department to initiate arrests and academic disciplinary proceedings. But given the modest size of our police department, I decided this option posed too high a safety risk to our students, staff, and police officers. Furthermore, we took note of what was happening at other schools and made the following observations: (1) bringing in the police typically led to

escalation and physical resistance and altercations; and (2) after students were arrested, they typically returned and set up other encampments or took over university properties.

That left one option: talk with the students to get them to leave voluntarily. Evaluating all the information we had at the time, in a dynamic and exigent situation that required a decisive and prompt response, I made a judgment that this was the option that best served the priority of student safety and was also most likely to achieve the outcome of ending the encampment permanently. I knew at the time that there would be criticism of this judgment, and I understand and accept those criticisms, but I also believed, and continue to believe, that this option provided the clearest and safest path forward.

With the help of dedicated faculty members, we began meeting with student protestors. We had tough and productive discussions. The students asked for several changes to University policy, including divestment from Israel and the end of an academic program that focused on Israeli innovation. We said no to all of these requests. I will continue to say no to these asks.

Our objective in these discussions was unwavering: the tent encampment must come down, and the demonstration must be brought into compliance with our rules and regulations. And any continued demonstration must be consistent with our Interim Policy. These objectives were achieved.

Once we took divestment and the singling out of Israel for punitive measures off the table, we were able to commence constructive and productive discussions. Some of the concerns we heard from our students during these conversations were not new and spoke to the feeling of isolation that they felt on campus.

This dialogue led to our decision to establish a house for Muslim and Middle Eastern students to eat, pray, and socialize—something that had been under discussion for the past year and addressed an existing campus need. The University has a long history of being supportive of religious freedom and religious expression by our students; for that reason, spaces exist on campus or nearby for our Jewish, Catholic, and Lutheran students, and we have long maintained our University Christian Ministry. There was no similar space for our Middle Eastern and North African community to gather or for our Muslim students to pray. The dialogue highlighted the importance of prioritizing the implementation of early-stage plans for such a space.

We also committed to expanding our existing “Scholars at Risk” program by bringing to Northwestern students and faculty members whose work has been disrupted by the conflict in Gaza. This program will also include students and faculty members who have been disrupted in the region, including southern Israel. This program has previously supported scholars and students from war-torn or devastated geographic areas, including scholars from Afghanistan, Cameroon, Ukraine, and Tulane University following Hurricane Katrina. It has a well-established and comprehensive application process for any prospective participants, which includes verification of academic credentials and qualifications as well as documentation and disclosure of any illegal activities.

The Deering Meadow discussions achieved the goal of eliminating the encampment and the disruptions to student life—and threats to campus safety—that it created. That we were able to

achieve this objective while also making commitments that stand on their own and strengthen our University is a testament to the approach we took. Most importantly, we resolved the matter without violence, and the encampment has not returned.

Moving Forward to Strengthen Our Community

Our work is just beginning. Global events may have catalyzed the recent situation, but they revealed long-simmering issues on campus. These efforts to de-escalate the situation on campus allowed us to maintain a safer environment on campus, continue classes and exams, and prepare for our graduation. But this is simply a down payment on the much harder work that remains ahead of us to fight antisemitism.

We will revise our Conduct Code to deal with a problem that proved to be beyond its scope, assure that violations are punished, and improve accountability, all the while respecting due process. We will increase security. And perhaps most importantly, we will educate our community on the evils of antisemitism with our faculty and community partners. We will implement a module in orientation on antisemitism that will provide incoming students with a grounding into one of the world's longest running scourges. We will establish a task force to study the recommendations of other universities' antisemitism committees and determine which are applicable to Northwestern.

The only way we can expect sustained improvement is if we commit to sustained effort, which starts with my leadership and my commitment to that effort. Some may believe that universities will say what needs to be said to avoid scrutiny, but I'm grateful for the opportunity to learn from my peers and from the opportunity for the introspection that this hearing provides. I look forward to the Committee's questions.

#####