

# ACLU protests U of M's suppression of resolution condemning US/Israel genocide

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On December 19, the American Civil Liberties Union (ACLU) of Michigan issued a strongly worded public letter to the University of Michigan denouncing its suppression of a student vote on a resolution condemning the Gaza war as “genocide” and calling on the administration to divest from Israel.

The ACLU letter, addressed to U-M President Santa Ono and General Counsel Timothy Lynch, bore the heading “Re: Suppression of Student Speech and FOIA Request for Public Records.”

The reference to a FOIA request concerns the ACLU’s official filing of a request under the Freedom of Information Act for public records of the university related to internal discussions on its decision to disallow the student government referendum on the Gaza war and other attempts to stifle opposition among university students, staff and faculty to the ongoing mass murder of defenseless Palestinians.

The letter, whose signatories include Legal Director Dan Korobkin and Executive Director Loren Khogali, begins by expressing “our concern with what appears to be a pattern of actions by the University of Michigan that demonstrates an increasing willingness to censor, suppress, and harshly punish student advocacy relating to the ongoing crisis in Palestine and Israel.”

The letter goes on to characterize the university’s actions as “McCarthyite,” stating:

And our concern is deepened by the fact that the University’s actions take place in the context of what many have described as a rising nationwide McCarthyite wave of retaliation against speech related to Palestine and Israel.

The ACLU letter was clearly prompted, in particular, by the university’s announcement on November 30, in the midst of a three-day online student referendum that began on

November 28, that it would not allow the vote to be completed and would not reveal the results of the ballot.

This was an extraordinary and transparently authoritarian intervention into a referendum on two competing resolutions, one urging the university to acknowledge that the US/Israel war on Gaza is a case of genocide and the other supporting Israel. At the end of October, the university’s Central Student Government (CSG) had placed the resolutions on the ballot for a vote simultaneous with student elections held at the end of November.

Student turnout for the referendum was unprecedented, with over 10,000 ballots cast before the university disallowed the vote. The International Youth and Students for Social Equality (IYSSE) at U-M campaigned on campus for a “yes” vote on the resolution condemning the genocide of Palestinians, which was backed by a coalition of 60 student organizations and was clearly headed for victory.

As its pretext for suppressing the referendum, the university seized on a provocation staged by Zionist opponents of the anti-war resolution, who posted an online statement falsely accusing two pro-Palestinian students of “stealing” students’ emails when they used the general email list to post a message urging students to vote for the anti-genocide resolution. The Zionists posted photos of the students, libeled then as antisemites and demanded that they be expelled. In fact, as university staff soon made clear, the students doxxed by the Zionists had received official authorization to post the anti-war email.

Nevertheless, rather than defending the doxxed students and taking action against their accusers, U-M General Counsel Lynch announced on the afternoon of November 30, while voting was ongoing, that the anti-war students’ supposed violation of email protocols had fatally “tainted” the vote on the resolutions, “forcing” the university to disallow the referendum and conceal the vote results.

The Central Student Government strongly objected to the suppression of the vote, and the following day, 500 students marched in a driving rainstorm to denounce the university’s egregious violation of free speech and political expression

and demand that the votes be counted in full and the results made public.

Four days later, President Ono posted an open letter admitting that the email sent by the pro-Palestinian students had been sanctioned by university staff and did not violate the rules, thus eviscerating the justification used to suppress the vote on the resolutions. Nevertheless, he proceeded in his letter to defend the suppression of the referendum and declare that the university would neither reveal the vote results nor permit a future vote on similar resolutions. He justified this dictatorial action on the grounds that the resolutions on Gaza were “divisive” and “controversial.”

In fact, the university shut down the vote because it knew the anti-genocide resolution was headed for victory, and the corporate billionaires, intelligence and military officials and Democratic Party figures, from President Biden down to Michigan Governor Whitmer, who control the university determined that such an outcome would be a serious blow to US imperialist interests in the Middle East and beyond—one that would, moreover, encourage even bigger anti-war protests at U-M, across and US and around the world.

The ACLU letter also cites other examples of the university’s heavy-handed efforts to suppress student opposition to the US/Israel genocide in Gaza, including:

- Bans imposed by the university’s Medical and Law schools on community-wide emails,
- The removal by university staff of anti-war and pro-Palestinian signs from the office windows of graduate students and faculty members,

¶The mobilization of over 50 police cars from more than 10 local police departments to harass students protesting in front of the office of President Ono and remove a group of students who staged a peaceful sit-in. The letter notes that “over forty student protestors were issued notices that they were barred from entering the Ruthven administrative building for one year,” thereby banning them from attending public meetings of the U-M Board of Regents.

Summing up, the ACLU writes:

Taken together, we fear that the University’s actions in recent weeks are sending an alarming message about the state of free speech on campus: if students continue to engage in speech that the University disagrees with or deems counterproductive, the University seems poised to censor or suppress that speech and respond to protests with disproportionate and unnecessarily confrontational responses.

The ACLU associates these actions by U-M with “a McCarthyite wave of retaliation against pro-Palestine speech.” It continues:

People have lost their jobs, have been doxxed or added to blacklists, and have even been physically harmed for supporting Palestinian rights or criticizing Israel. Advocacy groups have made unfounded calls for universities to investigate pro-Palestine student groups for supporting terrorism. Elected officials have even called for the Department of Justice to investigate student supporters of Palestine and have introduced a bill that would expel Palestinians from the United States.

The ACLU closes its letter with nine recommendations. These include a revote on the two resolutions authorized by the CSG in October, a reversal of limitations on “community-wide student listservs,” and the lifting of any prohibition on faculty, staff or students posting signs on office windows. It also calls for exemptions for student protesters banned from entering and attending meetings in the Ruthven building.

The U-M’s only public response to the ACLU letter thus far has been an email sent by university spokesperson Rick Fitzgerald, who claims “the University of Michigan has the highest regard for free speech, and our long-standing policy affirms that position.” This obviously insincere, pro-forma statement only underscores the administration’s contempt for free speech and democratic rights.



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