

CrossCheck: Dialogue over Demagoguery | 2016 04 19
Jerry Kang, Vice Chancellor for Equity, Diversity and Inclusion

Back in November 2015, someone put up hostile posters accusing two student organizations – the Muslim Student Association (MSA) and Students for Justice in Palestine (SJP) – of being murderers and terrorists. Although posted anonymously, an outside provocateur named David Horowitz eventually took credit. The Administration responded firmly, including messages from the [Chancellor](#) as well as the [Dean of Students](#). As part of that response, I wrote a [CrossCheck](#) that specifically rebuked the “[tactic of guilt by association, of using blacklists, of ethnic slander, and sensationalized images engineered to trigger racially-tinged fear.](#)”

Last Friday, Horowitz struck again. But this time, he also listed individual students and faculty by name. This serious escalation amounts to a focused, personalized intimidation that threatens specific members of our Bruin community. In response, the Chancellor sent messages to those individually targeted. In addition, various resources within Student Affairs under the leadership of Vice Chancellor Janina Montero were activated. I’m writing to you now to broadcast a larger message.

My job as Vice Chancellor for Equity, Diversity and Inclusion is to build equity for all, and to make sure that there is an equal learning and working environment for everyone, regardless of political or religious affiliation. But if your name is plastered around campus, casting you as a murderer or terrorist, how could you stay focused on anything like learning, teaching, or research? In modern times, we may have to resign ourselves to the reality of negative, unfair, and often anonymous statements about us strewn throughout the Internet, with little practical recourse. But I refuse to believe that we can do nothing about hateful posters pushed into our school and workplaces by outsiders. Indeed, the recent [Statement of Principles Against Intolerance](#) adopted by the UC Regents encourage quick and forceful response (Principles i and j). This message is sent in that spirit.

First, we repudiate guilt by association. I, the Chancellor, and the entire Administration categorically reject guilt by association. The Muslim Student Association is an officially recognized student organization, based on religious and cultural identity, that is in good standing. Students for Justice in Palestine is an officially recognized student organization, based on political commitments, that is also in good standing. Like any other student group, they have equal rights and claims to engage and participate in campus life. Indeed, this is core to the diversity we celebrate. We reject any religious, political, or academic orthodoxy that is coerced by threat and intimidation.

Second, we recognize the serious escalation. Listing people by name raises the stakes. The chilling psychological harm cast by such blacklist campaigns, especially when pushed into our physical campus grounds, cannot be dismissed as over-sensitivity. If you don’t find these posters repulsive, consider your own name on them with whatever ludicrous stigmas that outsiders could conjure up. And if this isn’t enough, consider what might follow. What will you say when the next round of posters on campus includes photos, phone numbers, email addresses, home addresses, names of parents, names of children? These are not just hypotheticals. They have happened in other political contexts, such as the website called the “[Nuremberg Files](#),” which targeted individual doctors who provided lawful abortions.

Third, we will deploy all lawful resources to counter any harassment or intimidation. To be clear, these posters violated University policy. Regardless of content, UCLA has neutral time, place, and manner regulations that prohibit unauthorized graffiti and the like. For example, [University system-wide regulations](#) (Title V, Division 10, Chapter 1, § 100014(B)), passed pursuant to State law ([Educ. Code § 92440.5](#)), make clear that non-affiliates cannot affix signs and posters on campus property without permission, regardless of content. In addition, the Ninth Circuit Court of Appeals’ final opinion concerning the “Nuremberg

Files” website, [Planned Parenthood v. American Coalition of Life Activists](#), 290 F.3d 1058 (9th Cir. 2002), makes clear that the closer that any posting gets to a true threat, the easier it will be to officially penalize. (I can’t help but notice the irony here. The entire point of blacklists is to chill speech. But those who engage in this tactic will hypocritically hide behind freedom of expression for protection.)

In my earlier CrossCheck replying to hateful posters, I explained why I took blacklists so seriously. With this escalation, I take the matter still more seriously because outsiders have targeted fellow Bruins, by name, through physical posters trespassing in our own House. This tactic may work elsewhere without formal rebuke. But it won’t work here at UCLA. This tactic may deter scholars elsewhere from staking out unpopular positions. But it won’t work here. This tactic may prompt leaders elsewhere to avoid those who have been targeted. But it won’t work here.

Regardless of our religion, regardless of our politics, we should all agree that thuggish intimidation is beneath us, that demagoguery isn’t our style. Fellow Bruins, let us stand together for at least this.