

May 20, 2024

Dear Interim President J. Larry Jameson and Provost John L. Jackson, Jr.,

We, the undersigned Penn faculty, staff, students and alumni, urge you to drop all disciplinary charges and sanctions against students involved in pro-Palestinian activism, including the Gaza Solidarity Encampment, over the past academic year.

Penn's [Guidelines on Open Expression](#) (OE) exist to protect the rights of the University community to **“assemble and demonstrate peaceably in University locations,”** (I.B.) where **“demonstrations”** are understood as having the **“intent to express a particular point of view in a manner that attracts attention as in protests, rallies, sit-ins, vigils, or similar forms of expression.”** (II.B)

Due Process & Wrongful Charges

The administration has imposed 30 or more sanctions on Penn students thus far. We are especially troubled by their decision to target 6 students and place them on temporary mandatory leaves of absence without sufficient grounds or due process. With no warning, these students were suddenly and indefinitely barred from entering their dorm or accessing any campus buildings, such as dining halls and libraries. Most egregiously, the students targeted for sanctions were those involved in communicating with the media and in conducting good faith de-escalation, negotiation, and liaising with the administration.

Despite the administration's claims, students at the encampment did not harm, threaten, injure, or directly disrupt the activities of members in the community. They articulated clear community guidelines for all participants at the encampment, stressing non-violence, care, and respect. They committed to non-engagement and de-escalation with counter-protestors. They caused no structural damage to campus, using only impermanent and easily removable materials like flags and chalk on the Ben Franklin Statue. The students' commitment to imaginative and thoughtful learning was evident at teach-ins, screenings, and discussions organized in collaboration with scholars, artists, and educators across Philadelphia.

Accusations that encampment participants significantly disrupted University activities or campus safety misrepresent the facts. The University decided to move Hey Day and exams out of College Hall without informing any of the students facing disciplinary action, including those on the negotiations team. By contrast, the University's dismantling of the encampment on May 10 significantly disrupted student life and campus safety. Penn Police and Philadelphia Police (PPD) dragged students and faculty off of College Green and arrested 33 protesters. As a result of such an aggressive police response, College Hall went into lockdown and final exams were moved.

Administration's Violation of its Own Policies

Students are being disciplined in part for failing to follow the interim President's directive to disband, issued through a [campus-wide email](#) on May 6th. However, such a directive only has authority if the students have in fact violated OE Guidelines; in the absence of such violations, the directive itself is a violation of the OE Guidelines. Moreover, the guidelines are

clear that duress must never be used to silence speech that is deemed controversial: **“Duress includes any express or implied threat—by an administrator, a member of an administrative staff...to an event organizer or speaker... Any such duress, express or implied, gives rise to the natural inference that the actor is seeking to suppress speech because it is controversial or unpopular.”** (VI.B) Any unjust disciplinary action imposed on students for not complying with a baseless directive, issued with the threat of escalation from campus and city police, must be reversed.

Similarly, the OE Guidelines indicate that police may be present at a demonstration if they are helping to protect open expression, or when there is an immediate danger of violence. As neither of these conditions were met, sending the Penn Police and PPD officers to destroy the encampment and arrest students, faculty and staff was, arguably, a further violation of the guidelines. As the OE Guidelines state, **“terminating a meeting, event or demonstration by force is a most serious step, as this action may exacerbate existing tensions and may lead to personal injury and property damage”** (V.4) Indeed, the administration's decision to marshal a drastically disproportionate amount of force--hundreds of university, regional, and city police, including counter-terrorism units and riot police--resulted in numerous student injuries, including several hospitalizations, as well as a climate of fear and mistrust on campus.

Context and Precedents for Peaceful Demonstrations

In deciding whether or not to impose sanctions on students involved in the Gaza Solidarity Encampment, context should matter: students were participating in a worldwide student-led movement taking place across hundreds of campuses, protesting what is uncontroversially an urgent human rights issue. This demonstration also follows in a long tradition of student political protest at Penn, including [the 1969 College Hall sit-in against chemical warfare research](#), the 1986 coalition for [divestment from the South African apartheid](#) regime, the 2006 divestment from [genocide in Sudan](#), and [climate justice](#) activism by Fossil Free Penn since 2016. Calls to disclose and divest from specific corporations that profit from Israel's war on Gaza are neither unreasonable nor [unprecedented](#). What is unusual and unprecedented is the repression and punishment Penn's administration has wrought upon its students, faculty and staff.

Consider how history will remember this moment, and where Penn will stand in that history.

Penn has the opportunity to correct the course of its decisions immediately. Due process has been violated, and much harm has been done to the Penn community. The very least the administration can do now is to lift sanctions and not impose any further punishment for protest actions. Penn should protect its community members from political and donor pressure rather than forcibly repressing political expression. Force and threat will not bring about peace on campus nor will it silence protestors.

We urge the administration not to set a precedent that will irrevocably damage Penn's ability to operate as an institution of higher education. We call on Penn to immediately drop all disciplinary charges and sanctions against students involved in the Gaza Solidarity Encampment.

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