

812th Meeting of the Academic Senate on January 24, 2024

Agenda Item 3. Report of the Executive Committee

Not the official transcript of the speech as given

(1) Conflict on Campus: Antisemitism, Demonstrations, Occupation of Lecture Halls, Police Action, Punitive Measures

Starting point

The Executive Board of Freie Universität sent a university-wide email on December 5, 2023, in which we called upon all members of Freie Universität to uphold our long-established and quintessential principles of respectful, open, and responsible dialogue. I was quite pleased that you, the members of the Academic Senate, joined in this call in the last meeting on December 6. We have published this email (in English as well) along with other documents under the heading “University Management on the Middle East Conflict” on our homepage, www.fu-berlin.de.

What is the situation that we are discussing on campus?

The news has recently conveyed the impression that antisemitic groups have been active on campus without restraints over the past several weeks. Most recently, last night the program “Frontal” on the public television channel ZDF claimed that there was “antisemitism at a German university, and even for a period of several hours.”

This is a misleading portrayal of what happened.

First, I must point out that an exceptionally large part of the members of the university reject all forms of antisemitism, is uneasy about the events on campus, do not want to have any conflict on campus, and are concerned about the reputation of the institution with which most of the member of the university strongly identify.

The majority of those who take a position on one side is also ready for dialogue grounded in facts. We have held many discussions about this in the past few months and are working to address this large moderate group. On both sides of the conflict, however, there are a small number of people who polarize and provoke and, as we have unfortunately learned, are not interested in solutions and dialogue. Apparently, they are concerned mostly with interpretive sovereignty and dominating the narrative in the media. This is tragic because it does not reflect the situation of the university, because it is destructive to their own groups, and serves only to obscure justifiable worries and fears.

What does it mean to have “zero tolerance for antisemitism” on our campus?

Political demonstrations on campus are in principle not approved or authorized by the university management, but may in certain exceptional cases be tolerated temporarily, as long as the criteria set out in the December 5 email are not disregarded. This category of demonstrations includes actions such as the flashmobs that met in front of the university cafeteria in the Silberlaube building and in the plaza in front of the Holzlaube. We were not aware in advance of these flashmobs, which ended quickly before we were able to react to them. If the university management learns that the aforementioned provisions have been violated, then the police will end the demonstration, and we will file criminal complaints.

Political demonstrations on campus, whether on public streets or on premises of the university that are freely available to the public, may be registered with and authorized by the police without any action by the university management. Since October, such demonstrations have been duly registered and held by both the “Students for a Free Palestine” and “Fridays for Israel.” The police accompany and secure these demonstrations, and restrict or end them if necessary. The university management can – and does – file criminal complaints in the context of such public demonstrations only when it is informed of cases of punishable statements or the use of force.

Occupation of the lecture hall on December 14, 2023

Before I discuss this, allow me to first reiterate what we declared in our December 15, 2023, statement: Freie Universität Berlin encourages students and other university members to engage with socially relevant issues and partake in critical debates about such topics, as long as doing so remains within the parameters of the law. To this end, Freie Universität Berlin offers a variety of resources, from contact persons to debate forums and committees. However, it does not consider occupying university spaces as a suitable means of communication or protest. These spaces are meant to be used for conducting the regular appointed tasks of a university in the areas of teaching and research.

In order to assess the occupation of the lecture hall on December 14, I would like to present the university management’s view of the events, in reaction to the various portrayals in the media.

- The occupation of the lecture hall was the act of a group called “Students for Free Palestine.” This action was not approved and was apparently announced on Instagram just before it started. The Executive Board was not informed in advance of the action which began in the late morning with banners and wall posters in front of lecture hall 1a in the Silberlaube building.
- Counterdemonstrators from the Jewish pro-Israel side quickly appeared on the scene. The police were called due to subsequent confrontations between the two sides outside

of the lecture hall, and the officers collected criminal complaints of defamation and battery.

- Next, people from the “Students for Free Palestine” group “occupied” the lecture hall.
- Meanwhile, staff members of the Executive Board arrived in the lecture hall area in order to see what was happening, to determine whether a peaceful end to the action was possible, and to call the police if necessary.

At the start of the “occupation,” people from the “Students for Free Palestine” group blocked counterdemonstrators from entering the lecture hall. When that happened, the Executive Board staff members who were present immediately took action to de-escalate the situation, emphasizing that our discussion culture (see December 5 email) requires that the “other side” must also be able to attend events held in a lecture hall. As a result, the counterdemonstrators were allowed into the lecture hall and were present thereafter.

Representatives of various external groups (“Young Struggle” and “ZORA”) were also present in the lecture hall during the occupation. The mood was quite tense and there were verbal confrontations between the various “occupying” groups and the counterdemonstrators.

Since no orderly discussion was possible, even after the efforts of the Executive Board staff members (to whom I would now like to extend my gratitude for their proactive engagement), at 3:00 p.m. I called for the lecture hall to be cleared by the police. (In the “Frontal” program it was alleged that “only in the evening did the president of the university have the police clear the lecture hall.”)

We announced clearly, in both German and English, that the hall would be cleared by the police at 4:00 p.m., and that anyone who was still there would be apprehended by the police and subject to trespassing charges. One staff member consulted with the police and addressed the people in the lecture hall over the PA system, but this message remained unheeded. The occupiers went on to present counterarguments and called on everyone to stay in the room instead.

I am going into such detail because of a post on social media alleging that “in a complete violation of its most basic duty of care, the University threw its students to the wolves.”

A larger police presence was requested to clear the lecture hall. This unit cleared the hall (and did so very professionally, as far as I have heard) by just after 6:00 p.m. Personal identification information was collected from twenty people, including both members of Freie Universität and non-university individuals. We filed trespassing complaints against them. These complaints are currently being processed by the legal authorities.

I will admit that it did take time to make some of the assessments at the scene, and we did not know enough about certain aspects to make these assessments, but we also have learned from these events. Because of our experiences on December 14, and also because our decisions are also made on the basis of our principles (including the principles and red lines in the December 5 email), we will act faster and more decisively if something like this were to happen again.

Demands for punishment

We take the concerns of our Jewish students seriously and always take measures when we find them necessary and appropriate. Regarding the calls for expulsion, notably from Federal Minister Stark-Watzinger on X (formerly known as Twitter) among others, it must be said that expulsion is not allowed under the applicable Berlin Higher Education Act. Many of the statements made as part of the occupation of the lecture hall are not relevant under criminal law. Freie Universität will proceed according to criminal law whenever criminal acts are involved. While this is certainly a deterrent, it does not completely solve the problem of antisemitism and racism in society as a whole.

We are hearing some Jewish students say that they no longer feel safe on campus. Some Palestinian students are also saying that they face hostile treatment. We, the Executive Board, are greatly concerned and saddened by this. We are striving with all our power to create an environment that is safe for all students, but we cannot (and do not want to) control everything that happens on campus, and we certainly cannot control what goes on in private WhatsApp groups and the like. Safety is a university-wide concern and ultimately a task for all of society, and each of us must contribute to it as best as we can.

In this spirit, we as the Executive Board hold that Freie Universität is an open university and community is especially important to us. It is our duty as a community to assume responsibility for shaping Freie Universität and ensuring safety here so that it remains a space for a “culture of respectful, open, and responsible dialogue.” With due sensitivity given to the role played by differences, such as power dynamics, and a deep appreciation of diversity, Freie Universität and its members are dedicated to promoting respectful and fair interactions at our university and beyond. This is how we ensure that the context in which all members teach, study, and work is one where they are treated with dignity and respected as complex human beings with a myriad of diverse personal characteristics and lived realities. It is how we create a campus where everyone can feel safe.

A context in which all members can feel safe while teaching, studying, and working: due to the history of Germany and the history of Freie Universität Berlin since 1957 when the first contact was established with an Israeli university – the Hebrew University, now our cooperation partner – this will always mean that especially Jewish and Israeli members of our university feel

welcome, seen, strengthened, and appreciated. This is a matter of course. It is also self-explanatory that we understand and empathize when members of the university with a Palestinian background feel the need to point out the suffering among the civilian population of Gaza. All members of our university community have the right to formulate their thoughts and opinions and to exchange them in public discussions, as long as they do so responsibly without discrimination or racism against other members of our university community. Our efforts must be directed at building bridges for mutual understanding among different people, opinions, and views.

Together, we must ensure that the context in which all members teach, study, and work is one where they are treated with dignity and respected as complex human beings with a myriad of diverse personal characteristics and lived realities. It is how we create a campus where everyone can feel safe.

We are committed to our university remaining a place where hatred, violence, and discrimination do not take hold and are actively countered.

If these sentences seem familiar to you, it is because they are the same as in the December 5 email.

This concludes my report on these events. Now we turn to Verena Blechinger-Talcott with her report about what we are planning and what will happen next.

(2) Antisemitism Awareness Weeks and series of events about the Middle East conflict by the Diversity and Antidiscrimination Office

Antisemitism and discrimination are problems for society as a whole, and the university is no exception. We have taken a clear position on this as the Executive Board of Freie Universität in our statement of December 5, 2023, which received emphatic support from the Academic Senate. In keeping with this spirit, the Antisemitism Awareness Weeks will take place in various departments from January 25, 2024, until the end of the lecture period.

We are building on and enthusiastically supporting an initiative of colleagues in various departments. In light of an increase in the number of antisemitic incidents in Berlin and also at Freie Universität, we want to send a signal and also promote discussion and exchange about antisemitism. The Executive Board expressly requests active co-creation of the action weeks. You could use a session in your seminar or your lecture for an exchange on the topic of antisemitism, or offer events to the (university) public on this topic. To coordinate these events, whether publicly announced or not (both should be possible) and to clarify the corresponding general conditions (particularly for public events), please notify the planning group. A contact form for this can be found on the website.

Particularly in light of recent protests on our university campus, we would like to again make it clear: we defend the freedom to express opinions and to demonstrate, and will not tolerate any antisemitism or racism or any other form of discrimination.

As the Executive Board of Freie Universität, we have taken several measures over the past few weeks to counter these, some of which will take place during the current winter semester, and some of which will also be held in the upcoming summer semester since they need to be continued. Freie Universität has named a contact person for persons affected by antisemitism. The Diversity and Antidiscrimination Office will hold workshops beginning on January 25 for students, teachers-in-training, and staff members in which they will learn how to address the Middle East conflict, antisemitism, and racism. Further information can be found on the Freie Universität Berlin website.

In addition, we would like to invite you all to a vigil that will be held on January 26 at 11:00 a.m. in front of the building at Ihnstraße 22 as part of the International Day of Remembrance of the Victims of National Socialism.