

May 6, 2024

Minouche Shafik  
Columbia University  
202 Low Library  
535 West 116 Street MC 4309  
New York, NY 10027

Dear President Shafik,

Since the October 7 terrorist attacks by Hamas, Columbia University has become ground zero for the explosion of student disruptions, anti-semitism, and hatred for diverse viewpoints on campuses across the Nation. Disruptors have threatened violence, committed assaults, and destroyed property. As judges who hire law clerks every year to serve in the federal judiciary, we have lost confidence in Columbia as an institution of higher education. Columbia has instead become an incubator of bigotry. As a result, Columbia has disqualified itself from educating the future leaders of our country.

If Columbia were serious about reclaiming its once-distinguished reputation, it would undertake the following steps, at a minimum:

1. Serious consequences for students and faculty who have participated in campus disruptions and violated established rules concerning the use of university facilities and public spaces and threats against fellow members of the university community.

In recent years, citizens have been told that unlawfully trespassing on and occupying public spaces is a sufficient basis to warrant incarceration. So that same conduct should surely be sufficient to warrant lesser measures such as expulsion or termination. After all, elite universities purport to train not just law-abiding citizens but future leaders. Universities should also identify students who engage in such conduct so that future employers can avoid hiring them. If not, employers are forced to assume the risk that anyone they hire from Columbia may be one of these disruptive and hateful students.

2. Neutrality and nondiscrimination in the protection of freedom of speech and the enforcement of rules of campus conduct.

Freedom of speech protects protest, not trespass, and certainly not acts or threats of violence or terrorism. Speech is not violence, and violence is not speech. Universities that are serious about academic freedom understand the difference, and they enforce the rules accordingly. It has become clear that Columbia applies double standards when it comes to free speech and student misconduct. If Columbia had been faced with a campus uprising

of religious conservatives upset because they view abortion as a tragic genocide, we have no doubt that the university's response would have been profoundly different. By favoring certain viewpoints over others based on their popularity and acceptance in certain circles, Columbia has failed as a legitimate, never mind elite, institution of higher education.

3. Viewpoint diversity on the faculty and across the administration—including the admissions office.

Recent events demonstrate that ideological homogeneity throughout the entire institution of Columbia has destroyed its ability to train future leaders of a pluralistic and intellectually diverse country. Both professors and administrators are on the front lines of the campus disruptions, encouraging the virulent spread of antisemitism and bigotry. Significant and dramatic change in the composition of its faculty and administration is required to restore confidence in Columbia.

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Considering recent events, and absent extraordinary change, we will not hire anyone who joins the Columbia University community—whether as undergraduates or law students—beginning with the entering class of 2024.

Justice William Brennan refused to hire law clerks from Harvard Law School because he disliked criticisms of the Supreme Court by some of its faculty. The objective of our boycott is different—it is not to hamper academic freedom, but to restore it at Columbia University.

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cc: Gillian Lester, Dean, Columbia Law School