

April 21, 2024

Dear President Shafik, Provost Olinto, General Counsel Rosan, Board of Trustees, and Deans of Columbia University,

As members of the faculty of Columbia Law School, we are deeply troubled by recent events on our campus. On April 18, more than one hundred students were arrested by the New York Police Department (NYPD) for being present at an on-campus protest encampment after the University summarily suspended the participating students en masse. While we as a faculty disagree about the relevant political issues and express no opinion on the merits of the protest, we are writing to urge respect for basic rule-of-law values that ought to govern our University.

Thus far, the justifications for the suspensions and arrests that the University has provided are that the student encampment violated unspecified “new policies,” “severely disrupt[ed] campus life,” and “create[d] a harassing and intimidating environment for many of our students.” Beyond those assertions, the University has offered very little public information about the rules invoked, processes used, and facts found to support the blanket suspension of over one hundred students. That lack of transparency is itself concerning. Furthermore, publicly available accounts, including those provided by the NYPD, indicate that the protest encampment was peaceful and did not pose an imminent threat to public safety.

The University has established procedures for enforcing campus rules, including content-neutral regulations of speech and assembly and prohibitions of harassment and discrimination. But it is not clear that any of those established procedures were followed here. It is true that the University has asserted the authority to issue interim suspensions “if it is determined that the student’s behavior may make their presence on campus a danger to the normal operations of the institution, the safety of themselves, others, or to the property of the University or others.” But the use of this authority to issue a blanket suspension to over one hundred unidentified students would cast serious doubt on the University’s respect for the rule-of-law values that we teach and cherish. The possibility that this mechanism was used is especially concerning given that President Shafik’s justification for involving the NYPD seems to have partly turned on a finding, pursuant to unknown standards and procedures, that the targeted students were creating a “harassing and intimidating environment.”

Procedural irregularity, a lack of transparency about the University’s decision-making, and the extraordinary involvement of the NYPD all threaten the University’s legitimacy within its own community and beyond its gates. We urge the University to conform student discipline to clear and well-established procedures that respect the rule of law.

Sincerely,