Office of the President  
Loyola University Chicago  
Lewis Towers-Suite 1500  
820 N. Michigan Avenue  
Chicago, IL 60611

Re: Demonstration and Fixed Exhibit Policy  

January 12, 2016

To Interim President John Pelissero and other Loyola University Chicago (LUC) Administrators:

As civil rights organizations, we must express our opposition to LUC’s Demonstration and Fixed Exhibit Policy. We believe that your 12/8/15 announcement declaring a temporary moratorium on sections one, two and three of the Policy is an important first step in correcting past LUC abuse of students’ rights to organize and express controversial viewpoints. However, as you review these specific sections, we urge that you completely repeal, rather than simply temporarily suspend, the Demonstration Policy. We also call on LUC to adopt stronger due process measures during the student disciplinary process, in order to protect students from arbitrary and unfair punishment. Finally, we join student organizers in demanding that LUC formally apologize to Students for Justice in Palestine for the University’s unfair and selective enforcement of the Demonstration Policy.

The National Lawyers Guild is the nation’s oldest public interest bar association. As a network of lawyers, legal workers and law students, we aim to support social justice activism in the streets and in the courts, and we fight to ensure that the First Amendment rights of progressive activists are respected. Palestine Legal is an organization dedicated to protecting the civil and constitutional rights of people in the U.S. who speak out for Palestinian freedom.

We have closely followed recent LUC applications of the Demonstration Policy. We are aware that your administration recently charged three African-American student organizers, who are also members of LUC’s Students for Justice in Palestine (SJP), with violating the Policy. This was in spite of earlier promises made by senior administration officials that none of these student leaders would face discipline for organizing a wildly successful, and well attended, on-campus November demonstration in solidarity with students at the University of Missouri. While charges were dropped several weeks ago against all three student organizers, they should never have been brought in the first place. We are also aware that in 2014, LUC placed SJP on probation and forced its members to attend “dialogue” trainings even though SJP did not formally organize or endorse the impromptu and unauthorized student demonstration that gave rise to that disciplinary measure. These two instances clearly indicate that LUC has applied the Demonstration Policy in a discriminatory fashion that privileges some viewpoints over others.¹

¹ A lawyer from Palestine Legal, who is also an NLG member, was present during the students’ disciplinary hearing on December 4. Palestine Legal and other local attorneys also advised SJP during last years’ disciplinary process.
Specific Demonstration Policy provisions such as the requirement that student groups register demonstrations three days in advance has a chilling effect on First Amendment rights. Students should be permitted to express themselves free from the discretionary authority that the policy gives to LUC administrators to regulate and approve which types of demonstrations can take place on campus. As LUC’s recent track record demonstrates, student groups of color in particular have been unfairly regulated and disciplined by the university for their public actions confronting social injustices, including injustices at LUC itself. LUC’s discriminatory treatment must cease.

In addition to permanently abolishing the Demonstration Policy, Chicago NLG and Palestine Legal echo requests from Loyola student activist leaders that LUC issue a public apology to SJP organizers for the unequal and discriminatory enforcement of this Policy, which resulted in a concrete and lasting harm to SJP and students’ ability to organize on campus when the group was put on probation for almost an entire academic year.

Additionally, LUC should work to expand its students’ due process rights during disciplinary proceedings. Students and student groups should be afforded the opportunity to know the specific charges they face, as well as have a right to review any evidence against them well in advance of any disciplinary hearing.²

Chicago NLG and Palestine Legal will continue to monitor the situation at Loyola University with great interest and concern. We believe that LUC’s administration can and must do much more to protect and expand the rights of your students to express marginalized viewpoints.

Sincerely,

Palestine Legal
National Lawyers Guild-Chicago

² For further information, see Palestine Legal, Loyola Drops Charges Against Student Organizers, but Must Do More, http://palestinelegal.org/news/loyola-drops-charges-against-student-organizers-but-must-do-more.