

Statement from Katherine Franke, January 10, 2025

For the last year and a half, as students at Columbia University and across the globe have protested against the Israeli government's genocidal assault on Palestinians after the October 2023 attacks, a response that has resulted in horrendous devastation in Gaza, I have ardently defended students' right to peaceful protest on our campus and across the country. I truly believed that student engagement with the rights and dignity of Palestinians continued a celebrated tradition at Columbia University of student protest. Instead, the University has allowed its own disciplinary process to be weaponized against members of our community, including myself. I have been targeted for my support of pro-Palestinian protesters – by the president of Columbia University, by several colleagues, by university trustees, and by outside actors. This has included an unjustified finding by the University that my public comments condemning attacks against student protesters violated university non-discrimination policy.

I have come to the view that the Columbia University administration has created such a toxic and hostile environment for legitimate debate around the war in Israel and Palestine that I can no longer teach or conduct research.

Effective today, I have reached an agreement with Columbia University that relieves me of my obligations to teach or participate in faculty governance after serving on the Columbia law faculty for 25 years. While the university may call this change in my status “retirement,” it should be more accurately understood as a termination dressed up in more palatable terms. In exchange for my agreement to step down as an active member of the Columbia faculty, the university demanded that I surrender significant rights and privileges that are provided to all retired faculty as a matter of policy. To describe my change in status with the university as a “retirement” is both misleading and disingenuous.

Last January I spoke out publicly, defending Columbia students' right to protest in favor of a ceasefire in the Israeli military assault in Gaza and for Columbia University to divest from Israel, a country that is widely regarded to be engaging in a genocide against Palestinians. In my statements, including an interview on Democracy Now! on January 25, 2024, I condemned the spraying of pro-Palestinian protesters on our campus with a toxic chemical that caused such significant injuries that several students were hospitalized. In those statements I noted that the parties that sprayed our students with a chemical were Israeli students who were currently enrolled in Columbia's joint degree program with Tel Aviv University, and who had recently performed military service in Israel. These facts were confirmed both by Columbia University and the Israeli students themselves. I also noted that there had been a history of attacks against Palestinian students and their allies on our campus by Israeli students who had recently completed military service, and that Columbia University was not taking this pattern of harassment seriously enough. I have long had a concern that the transition from the mindset required of a soldier to that of a student could be a difficult one for some people, and that the university needed to do more to protect the safety of all members of our community. [Numerous students](#) at Columbia have verified this history of harassment and that they had consulted me about it over the years.

In February 2024, two Columbia colleagues filed a complaint against me with the university's Office of Equal Employment and Affirmative Action, charging that one sentence in my comments on Democracy Now! amounted to harassment of Israeli members of the Columbia community in violation of university policies. As the investigation of these complaints progressed, I insisted that Columbia University could not serve as a neutral investigator or judge of this matter since it was irretrievably biased against me. For example, in April 2024 during a congressional hearing, Congresswoman Elise Stefanik asked then-President Minouche Shafik what disciplinary actions had been taken against "Professor Katherine Franke from Columbia Law School, who said that 'all Israeli students who have served in the IDF are dangerous and shouldn't be on campus.'" President Shafik responded, "I agree with you that those comments are completely unacceptable and discriminatory." President Shafik was aware at that time that Congresswoman Stefanik's summary of my comments was grossly inaccurate and misleading, yet she made no effort to correct the Congresswoman's deliberate mischaracterization of my comments.

After much insistence, Columbia agreed to appoint an outside investigator of the charges against me, and in late November 2024, the university issued a determination, based on the investigation, that my one sentence of comments on Democracy Now! violated EOAA policies because I referenced a history of harassment of Palestinians and their allies on our campus, and further found that I had retaliated against the complainants in this case by confirming their names to a reporter last summer.

I filed an appeal of that determination of guilt, and should the determination be upheld, the matter would go to my Dean to impose a sanction.

Upon reflection, it became clear to me that Columbia had become such a hostile environment, that I could no longer serve as an active member of the faculty. Over the last year I have had several people posing as students come to my office to seek my advice about student protests while they were secretly videotaping me and then edited versions of those recordings were published on right-wing social media sites. After President Shafik defamed me in Congress, I received several death threats at my home. I regularly receive emails that express the hope that I am raped, murdered, and otherwise assaulted on account of my support of Palestinian rights. I have had law school colleagues follow me from the subway to my office in the law school, yelling at me in front of students that I am a Hamas-supporter and accusing me of supporting violence against Israeli women and children. Colleagues in the law school have videotaped me without my consent and then shared it with right wing organizations outside the law school. And I have had students enroll in my classes with the primary purpose of creating situations in which they can provoke discussions that they can record, post online, and then use to file complaints against me with the university.

I have come to regard Columbia Law School as a hostile work environment in which I can no longer enter the classroom, hold office hours, walk through the campus, or engage in faculty governance functions free from egregious and unwelcome harassment on account of my defense of students' freedom to protest and express views that are critical of Israel's treatment of Palestinians, treatment that is widely regarded by the most prominent human rights organizations nationally and globally as a genocide.

I have also come to regard Columbia University as having lost its commitment to its unique and important mission. Rather than defend the role of a university in a democracy, in fostering critical debate, research, and learning around matters of vital public concern, and in educating the next generation with the tools to become engaged citizens, Columbia University's leadership has demonstrated a willingness to collaborate with the very enemies of our academic mission. In a time when assaults on higher education are the most acute since the McCarthyite assaults of the 1950s, the University's leadership and trustees have abandoned any duty to protect the university's most precious resources: its faculty, students, and academic mission. As Columbia's Board of Trustees has become constituted largely by hedge fund managers, investment bankers, and venture capitalists, the university has become more of a real estate holding concern than a non-profit educational institution. With this degradation of the university's leadership has come, in some cases, an inability to resist pressures placed on the university by outside entities carrying a brief for the destruction of higher education, and in other cases, a shared commitment to a right-wing, and pro-Israel, ideology.

My commitment to defending the university and our students rendered me an attractive target for the university's opponents, and they weaponized the EOAA process to chill and punish my advocacy on the students' behalf.

I walk away from an active role on the Columbia teaching faculty now – and at some significant cost – not because this tactic has won, but rather because I aim to refocus my efforts on fighting for the rights and dignity of Palestinians, resisting the pull of a disingenuous distraction at Columbia. I will always be a teacher, and am always learning.

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Katherine Franke was the James L. Dohr Professor of Law at Columbia University, and Founder/Director of the [Center for Gender & Sexuality Law](#). She serves on the Executive Committees of Columbia's Institute for Research on Women, Gender and Sexuality, and the Center for Palestine Studies. She is among the nation's leading scholars writing on law, sexuality, race, and religion drawing from feminist, queer, and critical race theory.

Professor Franke also founded and served as faculty director of the [Law, Rights, and Religion Project](#), a think tank based at Columbia Law School that develops policy and thought leadership on the complex ways in which religious liberty rights interact with other fundamental rights. In 2021, Professor Franke launched the [ERA Project](#), a law and policy think tank to develop academically rigorous research, policy papers, expert guidance, and strategic leadership on the Equal Rights Amendment (ERA) to the U.S. Constitution, and on the role of the ERA in advancing the larger cause of gender-based justice.

Professor Franke also led a team that researched Columbia Law School's relationship to slavery and its legacies.

Her first book, [*Wedlocked: The Perils of Marriage Equality*](#) (NYU Press 2015), considers the costs of winning marriage rights for same sex couples today and for African Americans at the end of the Civil War. She was awarded a Guggenheim Fellowship in 2011 to undertake research for *Wedlocked*. Her second book, [*Repair: Redeeming the Promise of Slavery's Abolition*](#) (Haymarket Press 2019), makes the case for racial reparations in the United States by returning to a time at the end of slavery when many formerly enslaved people were provided land explicitly as a form of reparation, yet after President Abraham Lincoln was assassinated the land was stolen back from freed people and given to former slave owners.