First Amendment from the Bill of Rights:

I - Freedom of Speech, Press, Religion and Petition

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

On March 9th, 2005, about two hundred students at San Francisco State University protested the presence of military recruiters from the Army Corps of Engineers and the Air Force in the Caesar Chaver Student Center. The protest was in reaction to the US occupation of Iraq, which has led to the deaths of over 1500 American soldiers and 100,000 Iraqis and the diversion of funding away from education and into military spending. They also opposed the military’s “Don’t Ask Don’t Tell” policy, which is blatantly discriminatory against gays and lesbians. The military’s hypocritical homophobic policy violates the spirit and the letter of the California State University and SFSU anti-discrimination policy. Instead of enforcing its own anti-discrimination policy against the military recruiters, the administration has targeted three student activists, Parvis Esmaili, Katrina Yuou and Michael Hoffman, and two student organizations, Students Against War and the International Socialist Organization, among all of those who partecipated, for possible discipline and sanctions. Students, who staged a nonviolent sit-in, were exercising their First Amendment right to assemble peaceably and petition the Government for a redress of grievances.

The administration has stated that they must allow military recruiters on campus because of the Solomn Amendment, a 1996 law which has been used to coerce universities into compliance with threats of federal funding cuts. Yet, the Solomn Amendment has been successfully challenged by both Yale and Harvard. The U.S. Court of Appeals for the Third Circuit has ruled that “under the free speech protections in the First Amendment, the government may not force higher education institutions to endorse a message that violates their own policies.” There is no reason why San Francisco State University cannot challenge the Solomn Amendment and uphold its anti-discrimination policy by not allowing military recruiters on campus.

The administration’s threats may have already had a chilling effect on student activism on campus. Students on many California campuses participated in an April 20 walkout to protest budget cuts in education and support the faculty union. In the SF State campus newspaper, the Golden Gate Xpress, California Faculty Association office manager Laurel O’Connor was quoted as saying: “many students groups feel too reluctant to risk incurring yet more wrath from the gods of SFSU to engage in yet more civil disobedience. Because so many groups pulled out of the walkout, it essentially fell apart.” (http://www.xpress.sfsu.edu/archives/news/060555.html).

The whole history of San Francisco State University is based on a legacy of students fighting for progressive political change. Honoring protest is literally built into SFSU. The students began their protest on Malcolm X Plaza, marched into Caesar Chavez Student Center, past the Martin Luther King, Jr. Conference Rooms, Rigoberta Menchu Hall and Richard Oakes Multicultural Center and into the Jack Adams Hall to protest the military recruiters. Although less widely known than the others, Jack Adams Hall was dedicated to a campus worker who was a pioneer in the fight against AIDS and eventually died of the disease.

Shouldn’t the administration respect the rights of students who dare to protest against an unjust war and a homophobic military by standing in the legacy of the very civil rights heroes the university honors?

We the undersigned join San Francisco State students in demanding:

#1 No disciplinary action should be taken against individual students or student groups for involvement in, or endorsement of, the March 9th 2005 protest in Jack Adams Hall

#2 The University should seek to uphold its own anti-discrimination policy and pursue a legal challenge to the Solomn Amendment.

#3 The University should provide a forum for debating the issue of military recruitment on campus. This debate should include military recruiters, SFSU President Robert Corrigan, and speakers chosen by Students Against War.

#4 Furthermore, the administration will uphold the right to free speech on the SFSU campus and not limit it to unconstitutional “free speech zones.”

For background information, see www.campusantwar.net

SIGNED,

Roam Chomsky, Professor, Massachusetts Institute of Technology
Howard Zinn, Author, Professor, History of the United States
Meda Benjamin & Kevin Danaher, Global Exchange
Peter Campion, Peace Party candidate for Governor of CA
Lynne Stewart, Civil rights attorney
VIX: Voices for Sexual Freedom
Le Roi Student Organization, SFSU
Maxwell School, Estudiantado Chicano de Action, MEChA, SFSU
International Socialist Organization, SFSU
Students Against War, SFSU

JOIN SAW TO DELIVER STUDENT PETITIONS TO PRESIDENT CORRIGAN AT THE STEPS OF THE ADMINISTRATION BUILDING AT 11AM ON MAY 18