

Israeli ambassador prompts debate over campus free speech

by [Jon Dillingham](#)

March 1, 2011

IRVINE, Calif. (RNS) "Michael Oren, propagating murder is not an expression of free speech!"

And so began the protest of Israeli Ambassador Michael Oren's lecture at the University of California, Irvine in February 2010, as the shouting student, Osama Ahmed Shabaik, was escorted out of the auditorium by police to cheers and jeers.

It didn't end there; in fact, the shouting at Oren's speech continues to echo around Southern California and has sparked a nationwide debate that's pitted Jews against Muslims, Jews against Jews, and the district attorney against the students.

Oren's lecture was interrupted 10 more times by students who stood up to shout that Oren -- a decorated veteran of the Israeli Defense Forces -- was a "war criminal," "mass murderer," and "an accomplice to genocide."

Now the 11 students face criminal charges for interrupting the ambassador. The "Irvine 11" are scheduled to be arraigned on March 11, and the case has prompted a fierce debate about free speech on campus.

Oren is no stranger to controversy, and his visits around the U.S.

have been plagued by protests -- at the University of Maryland, American University in Washington and even the predominantly Jewish Brandeis University -- ever since he became ambassador in May 2009.

At campuses across the country, tensions surrounding the volatile Middle East have increasingly spilled over into nonviolent demonstrations and counter-demonstrations by pro-Israel and pro-Palestine student groups.

The case of the "Irvine 11" is different, though, because Orange County District Attorney Tony Rackauckas has charged them with criminal conspiracy to disturb a meeting and disturbance of a meeting -- misdemeanor charges that attorney Jacqueline Goodman, who's representing seven of the 11 students, called "unprecedented."

All 11 are members of the Muslim Student Union; eight are enrolled at Irvine and three are enrolled at the University of California, Riverside.

Rackauckas filed the charges just days before the statute of limitations was due to expire. He's been supported by the pro-Israel Simon Wiesenthal Center and the Zionist Organization of America.

Goodman said most cases involving disturbing the peace are not usually prosecuted unless they included property damage, threats, or violence.

"This is selective prosecution based on the contents of the speech and that's illegal," she said. "He's prosecuting them based on the fact that they've voiced an unpopular opinion, and that goes against everything this country was founded upon."

Rackauckas' office has argued the criminal charges were meant to protect free speech. "The only people whose rights were violated were the speaker and the audience," said chief of staff Susan King.

But Goodman said the free speech argument was "disingenuous."

"The move does nothing to promote free speech, it only does the opposite; it has a chilling effect on the future expression of unpopular opinions," she said.

Reem Salahi, an attorney who represented the students in administrative proceedings at both campuses and is now on their legal defense team, argued that the DA's office was "overstepping" its bounds.

"They are charging these students because of who they are -- whether that's their religious identities or ethnicity -- or they are charging these students because of who the speaker was, the Ambassador of Israel," said Salahi. "Or they've charged these students based on the content of what they said, which was critical of Israeli policies, sympathetic to Palestinians."

The students have drawn support from groups including Jewish Voice for Peace, the Muslim Public Affairs Council, the Council on American-Islamic Relations and the Progressive Faith Foundation.

Jewish Voice for Peace spearheaded a petition by 5,000 signatories who say they, too, should face prosecution because they have disrupted speeches, including one by Israeli Prime Minister Benjamin Netanyahu last year.

A coalition of 30 community groups and individuals sent an open letter to Rackauckas opposing his decision to file criminal charges, and a petition opposing the charges was signed by at least 100 Irvine faculty.