

Civics is all around us. There is a lot to know about the government and how "We the People" interact with the government and each other. Let's help each other expand our civic literacy.

The United States is a nation that was created out of protest. Drawing on the principles of natural rights and consent of the governed, voting for change, peacefully marching to demand action, and petitioning leaders are ways in which "we the people" fight injustice and inequality. Sometimes, public protests fail, which leads some to commit acts of civil disobedience.



Columbia University, 2024

In an effort to draw attention to their concerns regarding the Israeli-Hamas conflict, students in both the United States and Europe have engaged in acts of protest and civil disobedience on college and university campuses. These acts include encampments, occupying public spaces or buildings, gatherings for dialogue and demonstrations, distributing literature, and gathering petition signatures. While most of these protests have been peaceful exercises of constitutional rights, there have been sporadic incidents of violence, forcing some university leadership to rely on law enforcement to disband the protesters.

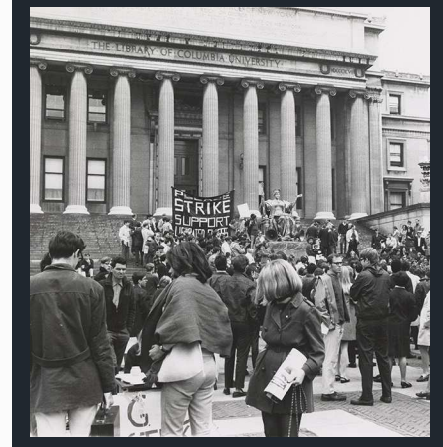
While a majority of student voices are focused on a pro-Palestine message, pro-Israel and anti-war student groups have also launched their own campus protest initiatives.

A consistent theme is a call for universities to divest from investments with entities with ties to the conflict. Many colleges and universities take money, such as a donation to the school, and invest it through endowments. These endowments invest in everything from stocks and bonds to real estate to private equity and hedge funds. The expectation is that these investments will produce revenue that may be used on things such as professorships, building renovations, and financial aid for students. For example, students at Columbia University are calling for the school to divest from companies like Google and Amazon because they have contracts with the Israeli government.

College campuses are no strangers to protests and acts of civil disobedience. Numerous events throughout history have elicited similar responses. In the 1960s-70s, students protested American involvement in Vietnam, U.S. draft policies, and racial inequalities. In the 1980s, students protested to demand their universities divest from companies that supported or profited from apartheid in South Africa. The Iraq War, Occupy Wall Street, and the Black Lives Matter movement have also spurred protests. As students seek to define their civic voice and find community groups with common interests, college campuses often serve as incubators of these social movements.

These events bring to light the push and pull between some of America's foundational principles, like the First Amendment rights to free speech and assembly and upholding rule of law. In a speech on May 2, 2024, President Biden emphasized the "right to protest but not the right to cause chaos." Despite the freedoms guaranteed in the First Amendment, they are not absolute and, under certain conditions and circumstances, may be constitutionally limited. Time and again, the United States Supreme Court has said that the government may restrict time, place, or manner of speech as long as restrictions are unrelated to the content of the speech and individuals are provided alternative ways of expression. Certain categories of speech are also not protected: defamation, obscenities, hate speech, fraud, or speech "directed at inciting or producing imminent lawless action." The right to peaceably assemble, closely linked to freedom of speech, may also be limited when the gatherings threaten public safety and health raise a "clear and present danger" of violence that may result in injury or property damage.

Columbia University, 1968



**To Think and To Do:** Find examples of recent protests or acts of civil disobedience on college campuses. Given the parameters of the First Amendment, do you think the students' actions would be constitutionally protected? Explain.

## Learn MORE:

- [First Amendment Supreme Court Cases](#) from U.S. Courts
- [History of College Protests](#) from USA Today



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