

## FREEDOM TO BOYCOTT IS A BASIC RIGHT



**Since General Convention 2018, three dioceses (Vermont, Rochester and Chicago) have passed Resolutions in support of our First Amendment right to boycott as protected free speech.**

These Resolutions oppose the disturbing trend of penalizing or criminalizing speech on behalf of Palestinian human rights. This trend is fueled by an expansion of the definition of anti-Semitism to include any criticism of Zionism or the policies of the State of Israel. Key developments include:

**\*\*In 2019, the Combating BDS ACT was ratified in the Senate. The ACT gives political and legal cover to state laws that prevent local governments from doing business with entities that boycott Israel. The House has not yet acted, but a 2020 version of the Israel Anti-Boycott Act would target boycotts of illegal Israeli settlements.**

**\*\*27 States have passed some form of anti-BDS legislation, despite the fact that leading First Amendment scholars argue that boycotting Israel qualifies as protected speech. Benjamin Netanyahu has bragged that “in recent years we have [successfully] promoted laws in most U.S. states, which determine that strong action is to be taken against whoever tries to boycott Israel.”**

**\*\* U.S. state and federal anti-boycott laws are part of an international trend. In 2019, the German parliament passed a resolution defining the BDS Movement as anti-Semitic. France's National Assembly has declared anti-Zionism a type of anti-Semitism. Boris Johnson's Conservative government in the UK has pledged laws prohibiting public bodies from engagement with BDS.**

**\*\*In Dec., 2019. President Trump issued an Executive Order claiming to target anti-Semitism on U.S. campuses. The EO mandates that anti-Semitism will be covered by the "national-origin" protections in Title VI of the Civil Rights Act of 1964. The Dept. of Education's Office of Civil Rights has launched investigations of New York Univ. and Univ. of California, L.A., to determine if Palestine solidarity activism is discriminatory.**