

Are State Legislatures Demanding a Loyalty Oath to Israel? by Margaret Sarfehjooy

A bill was heard in the Minnesota State Legislature requiring businesses that contract with the state to certify that they are not discriminating against Israel. Though presented as anti-discrimination legislation, this bill is a thinly disguised attempt to undermine the Boycott, Divestment, and Sanctions movement (BDS). The Palestinian-led, international BDS movement for freedom, justice, and equality upholds the simple principle that Palestinians are entitled to the same human rights as the rest of humanity. But not only does the legislation aim to end support for Israel's violations of international law, it is also an attack on the protected First Amendment right of freedom of expression, as was testified by a member of the ACLU who spoke at the Minnesota House hearing for the bill.

BDS is gaining support throughout the world because it offers hope of a Middle East settlement through nonviolent means and the possibility of bringing about positive change for the long-suffering Palestinian people living under Israeli occupation. The BDS movement has experienced several successes in recent years. Academic organizations, as well as many artists, sports figures, and intellectuals have joined in the boycott. Groups participating in BDS through their actions include Jewish Voice for Peace, the United Church of Christ, the Presbyterian Church (USA), Mennonites and Quakers. The World Council of Churches (consisting of 347 churches, denominations, and church fellowships to which 560 million Christians belong) encourages divestment from companies that benefit from the occupation of Palestine.

The Israeli government and its supporters can't hide Israel's atrocious human rights abuses, so they are trying to silence, through legislation, those who oppose Israel's apartheid rule. Omar Barghouti, the Palestinian co-founder of the BDS movement, said in an email to *The New York Times*: "Having lost many battles for hearts and minds at the grass-roots level, Israel has adopted since 2014 a new strategy to criminalize support for BDS from the top" in order to "shield Israel from accountability."¹ (Israeli police recently arrested Omar Barghouti over alleged tax evasion, seizing his passport and forbidding him from leaving the country shortly before Barghouti was scheduled to travel to the U.S. to receive the Gandhi Peace Award jointly with Ralph Nader in a ceremony at Yale University.)

Israel's Minister of Foreign Affairs (MFA) spokesperson Emmanuel Nahshon openly admitted that the Israeli government had "stepped up our efforts directly and indirectly, dealing with friends of Israel in a variety of countries in which we have the BDS movement, fighting it with legal instruments." A recent article in the Israeli newspaper *Yedioth Ahronoth* noted how the MFA, "in cooperation with Jewish and pro-Israeli organisations", convinced "several American states to pass legislation against the boycott of Israel."²

The top-down attempts to silence those who openly oppose Israel's human rights violations were very visible at the Minnesota State Capitol earlier this year. Pro-Israel groups have been influencing Minnesota legislators to pass anti-BDS legislation as they have legislators in at least 16 other states. The Jewish Community Relations Council (JCRC) maintains a registered lobbyist at Minnesota's capitol. Jacob Millner, former JCRC lobbyist at Minnesota's capitol and

current senior policy analyst at The Israel Project, “works on issues pertaining to legislative action to fight BDS at a state level.”³ The Israel Project (TIP), a multimillion dollar organization with offices in both Jerusalem and Washington, D.C., supplies resources advancing a right-wing pro-Israel, anti-Palestinian narrative to journalists, policymakers, and others. (On a national level, shortly after presidential hopefuls Newt Gingrich and Michelle Bachmann talked about the “Palestinian culture of hate” during the 2012 presidential primaries and Gingrich described Palestinians as an “invented” people, TIP issued a “fact” sheet to support such views.)⁴

Why do vendors who contract with Minnesota have to pledge allegiance to Israel? Why can't Minnesotans decide for themselves if they don't want to support the Israeli government's oppression of Palestinians, without fear of losing a state contract? Billions of federal dollars from taxpayers' pockets go to the Israeli government each year, and that money is being used to enable Israel to continually violate international law and human rights. And now Israel wants to codify these violations into law, state by state.

But the millions of dollars spent to influence legislators within the United States can't hide facts, such as a new United Nations report entitled “Israeli Practices towards the Palestinian People and the Question of Apartheid,” which accuses Israel of having established an apartheid regime that oppresses and dominates the Palestinian people as a whole and urged governments to “support boycott, divestment and sanctions [BDS] activities and respond positively to calls for such initiatives.”⁵

Action: As of this writing, the legislation against BDS passed the Minnesota House (HF 400) and had yet to be voted on in the Senate and signed or vetoed by Governor Dayton. Watch the status of such legislation in the state in which you live, and demand that vendors not be penalized for supporting a nonviolent effort to stop Israel's atrocious human rights abuses, and penalized for practicing their constitutionally protected free speech rights.

Endnotes:

¹ “Cuomo to Halt State Business with Groups That Back Boycott of Israel.” McKinley, Jesse. *The New York Times*. nytimes.com June 5, 2016. tinyurl.com/z477kdu

² “Israel and Friends Battle the Boycott in Britain: Part Two”. White, Ben. *Middle East Monitor*. middleeastmonitor.com March 2, 2016. tinyurl.com/m9r4w2f

³ “Jacob Millner, The Israel Project.” JCPA2017. tinyurl.com/ldywg8k

⁴ “Follow the Money: From Islamophobia to Israel Right or Wrong” Bulkin, Ely and Nevel, Donna. *alternet.org* October 3, 2012. tinyurl.com/93878bn

⁵ “UN report: Israel has established apartheid regime.” March 17, 2017. tinyurl.com/zxwhmtp; “Economic and Social Repercussions of the Israeli Occupation (Note of the Secretary General 2016.” United Nations Economic and Social Commission for Western Asia tinyurl.com/lvtdeq9; This report was preceded by: “Gaza in 2020. A Livable Place?” Country Team in the Palestinian Territory. United Nations Relief Works Agency. tinyurl.com/mpgxx2q

Margaret Sarfehjooy is the co-chair of the WAMM Middle East Committee. Members from the committee, along with other peace and justice advocates, attended the hearings at the Minnesota Capitol, and some among them testified.

FURTHER RESOURCES:

“What to Know about anti-BDS Legislation” at Palestine Legal [tinyurl.com/krqnfq](https://www.tinyurl.com/krqnfq)

“Boycott, Divestment, Sanctions”: Jewish Voices for Peace [tinyurl.com/kkpaosg](https://www.tinyurl.com/kkpaosg)