

## **Support Our First Amendment Right to Boycott**

An Action of Immediate Witness at the UUA 2019 General Assembly sponsored by  
Unitarian Universalists for Justice in the Middle East

**This Action of Immediate Witness calls on Unitarian Universalists and UU organizations to support our constitutionally protected right to boycott.**

The movement for Palestinian human rights has grown stronger in recent years with student groups, faith groups, unions and academic associations all coming out in support of Palestinian justice, and in many cases calling for boycotts and divestment from corporations complicit in violations of Palestinian human rights.

This growth in support for Palestinian rights has led to a backlash from all those who are threatened by criticism of Israel. The backlash has taken many forms, including a major effort to damage the movement for Palestinian rights with legislation aimed at intimidating or even criminalizing participation in boycotts directed at changing Israeli behavior. Divestment is a kind of boycott and much of the legislation refers to divestment as well as to boycotts.

Since 2014 over 100 measures targeting the use of boycotts in support of Palestinian rights have been introduced at local, state and federal levels. Twenty-seven different states have adopted such laws. Several such bills have also achieved wide support in the US Congress, although no bill has as yet passed both houses to become law. Some of the more extreme federal legislation that has been proposed calls for prison sentences of twenty years and fines of one million dollars. (see <https://palestinelegal.org/righttoboycott> )

This massive effort to pass anti-boycott legislation is disturbing given that the US Supreme Court determined in 1982 that boycotts are a form of free speech protected by the First Amendment (*NAACP vs Claiborne Hardware*), and given that such laws have recently been declared unconstitutional by Federal courts in Kansas, Arizona and Texas. The ACLU takes no position on Palestinian rights but has strongly opposed all of the anti-boycott legislation (see <https://www.aclu.org/letter/aclu-letter-opposing-revised-version-israel-anti-boycott-act> ).

The initiators of this anti-boycott legislation are not really concerned about constitutionality. They know that cases on appeal may take years to reach the Supreme Court and in the meantime their legislation will serve to frighten off those wishing to support Palestinian human rights with the time-honored, non-violent and constitutional means of boycotts.

But we must recognize, along with the ACLU, that all of us are threatened by this attack on our fundamental rights. Today it is supporters of Palestinians who are threatened, tomorrow it may be supporters of farm workers, Black Americans, indigenous people, immigrants, LGBTQIA people or prisoners. Broad opposition to these anti-boycott laws should be based on their unconstitutional, anti-democratic character and separate from one's views concerning how to support Palestinians.

This Action of Immediate Witness calls on Unitarian Universalist and UU organizations to oppose these anti-boycott laws by reaching out to their representatives at state and federal levels. We also ask UUs to sign UUJME's petition calling on Congress to oppose this legislation (see <https://tinyurl.com/defendrighttoboycott>) or collect signatures via a paper version <https://tinyurl.com/defendrighttoboycott-paper> and mail them to the indicated address.