

Resolution 6: on Defending the Right to Boycott

Lead Sponsor: The Rev. David C. Wacaster, Rector; Good Shepherd.

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- 1 **RESOLVED**, that the 127th Convention of the Diocese of Washington submits the following resolution
- 2 to the 80th General Convention of the Episcopal Church:
- 3 **RESOLVED**, The House of _____ concurring, the 80th General Convention of The Episcopal
- 4 Church calls on the President of the United States and the U.S. Congress to oppose legislation
- 5 penalizing or criminalizing support for nonviolent boycotts, divestment and/or sanctions on behalf
- 6 of Palestinian human rights.

Explanation

Boycotts (the refusal to buy products or services of a person, company or country as a way to protest policies and actions) are an important form of expression protected by the First Amendment. The Supreme Court has ruled governments may not dictate political beliefs as a condition for receiving public contracts. Nor may they punish those who engage in boycotts.

Boycotts as nonviolent political action to oppose injustice have an honorable history from Americans' pre-Revolutionary boycott of tea to the boycott of South Africa during apartheid, a boycott the Episcopal Church strongly supported.

The call for Boycott, Divestment, and Sanctions (BDS) issued by Palestinian civil society in 2005 launched a nonviolent movement patterned on the South African example. In its broadest form, BDS supports boycotts of and divestment from virtually all Israeli businesses and from businesses substantially involved with Israel. BDS does not call for the end of Israel but rather demands Israel comply with international law, respect human rights, and end the illegal occupation of Palestinian lands.

Over 100 measures have been introduced in state and local legislatures and in the U.S. Congress to punish BDS supporters, including those who merely refuse to pledge never to boycott Israel. To date, more than 30 states have enacted anti-BDS measures, including many governors' executive orders.

The American Civil Liberties Union, along with other civil liberties groups, has actively opposed anti-BDS legislation as an infringement of the constitutional right to boycott and inimical to the principles of free speech. Many cases have been filed challenging application of anti-BDS laws and orders, but without a definitive resolution of the controversy. Fear of retaliation and of the social opprobrium that often accompanies unfounded charges of antisemitism have chilled individual and corporate willingness to sue to uphold their rights. For example, Unilever Corporation, which owns Ben & Jerry's Ice Cream, has not defended itself against divestment of its stock by several state governments as punishment for Ben & Jerry's decision to cease doing business in Jewish-only settlements on the West Bank. Consequently, others who may wish to boycott Israel are often afraid to do so. Anti-Semitism is hostility to or prejudice against Jewish people and Judaism. Criticism of the secular government of Israel and its policies is not Anti-Semitic.

Whatever one's stance on BDS, in view of the ongoing assault on the right to boycott, this resolution's defense of the First Amendment right to speak and to act nonviolently in accordance with one's conscience is required as a matter of honoring our baptismal vows.

Adoption of this resolution has no impact on the diocesan budget.