

TESTIMONY OF DAVID GOLDBERG
BEFORE THE OHIO SENATE
COMMITTEE ON GOVERNMENT OVERSIGHT and REFORM
HEARING ON H.B. 476
DECEMBER, 6 2016

CHAIRMAN COLEY AND MEMBERS OF THE GOVERNMENT ACCOUNTABILITY AND
OVERSIGHT COMMITTEE

I am honored to appear before this committee. My name is David Goldberg. I was the founding chair of the Cleveland Regional Office of the Anti-Defamation League, but I am here today representing myself. I have been active in community affairs, including being the past Chair of The Cleveland Foundation, Neighborhood Progress Inc., and the Downtown Cleveland Alliance. I was born on June 29th, 1943. I will tell you why that is important later.

I am here today to speak in support of H.B. 476 to enact section 9.75 of the Revised Code to prohibit a state agency from contracting with a company that is boycotting Israel or divesting from Israel. This bill is a very important response to the anti-Semitic BDS movement.

I am also a strong supporter of the First Amendment. Opponents of this bill may come before this committee objecting, saying that this bill infringes upon their right of free speech. As individuals we all have the right to express our personal views, regardless of how objectionable others may find them. We can express political views and even hate speech. However, when the State speaks it speaks

for all the people. The State should have no obligation to do business with those that engage in hate speech.

The BDS movement, to de-legitimatize the State of Israel, is anti-Semitic and no different than hate speech. Much has been written about defining the definition of anti-Semitism, and I recommend a book by Ken Marcus, "The Definition of Anti-Semitism". The most comprehensive attempt to define anti-Semitism has been done, and adopted by the U.S. State Department. It refer to "demonizing," "delegitimizing," and "applying a double-standard to the state of Israel." It is also the working definition used by the "European Union Committee on Racism & Xenophobia". This is exactly what the BDS movement is attempting to do.

Let me be clear by saying that I believe many of the supporters of the BDS movement have no intention of being anti-Semitic, or have any personal dislike of Jews. However, they are unwittingly committing an act of anti-Semitism. Not just against an individual, but a whole nation, and a whole religion. They need to ask themselves if they have a double standard. Do they have the same concern about the 200 other border disputes worldwide? Do they have the same concern and support boycotts against Syria, and a host of other countries, with brutal regimes that terrorize and kill indiscriminately women, children, and minority population?

To me the major importance of this legislation is the message that it sends. I have respect for our business leaders and I hope they would not participate either in anti-Semitic activity such as BDS, or in actions that would harm Ohio's economy, or their own business needs.

Still, for those who are willing to discriminate, even to their own detriment, this is valuable legislation.

As well, it sends a message to our college and university campuses too. This is vital. I closely follow the anti-Semitism on our Ohio college and university campuses. When I attend Ohio State University from, 1962-1966, freedom of expression, inclusiveness and the civil rights movement were paramount. Now, just the opposite is happening. Increasing number of hate speech incidents, the BDS movement, and issues such as Prof. Joy Karega at Oberlin, or Prof. Julio Pino at Kent State, are well known. I believe our students, as a whole are not anti-Semitic. However they can sometimes be persuaded that they are acting in a moral way. I would ask them to examine closely their actions so they are not actually unknowingly committing an anti-Semitic act.

So what is the significance of June 29, 1943? When I was born many acted innocent of any knowledge of what was happening in Europe? The world did

know what was happening, and did nothing. BDS may seem like a small thing today but this legislation send an important moral message that no act of hatred and bigotry should go unnoticed. What you do here today, your actions today, will be noticed by history, by your children, and grandchildren.

I urge your support of HB 476 as passed by the House. I urge the full Senate's support.

Thank you.