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December 5, 2016

William P. Coley, II, Chair
Government Oversight and Reform Committee
Ohio State Senate
77 S. High St
11th Floor
Columbus, OH 43215

Dear Senator Coley,

I wish to express my opposition to H.B. 476. By requiring loyalty oaths, creating blacklists, and otherwise punishing supporters of the Boycott, Divestment, and Sanctions (BDS) movement, H.B. 476 undermines a core, constitutionally-guaranteed liberty: the freedom of speech and expression. The U.S. Supreme Court has ruled that boycotts “to bring about political, social and economic change” are forms of expression protected by the First Amendment. Yet H.B. 476 creates conditions that require those who would exercise this right to give up in order to receive state benefits.

What exactly would be restricted? Like the boycott and divestment campaign against South African apartheid, the BDS campaign against Israel is a peaceful effort to bring about change by asking governments and institutions to cut the ties that enable and support current Israeli policies. Those policies entail violations of international law that have been documented by both Israeli and Palestinian human rights organizations, as well as by international agencies and non-governmental organizations, including the United Nations, the World Council of Churches, Save the Children, Human Rights Watch, and Amnesty International.

Such violations are not aberrations. They are the goals of policies that the state of Israel can pursue only so long as it retains the political and military backing of the US government, the cooperation of US institutions, and the economic support of transnational corporations.

The boycott and divestment campaign is an effort to weaken or remove these supports.

It is sometimes suggested that BDS is unfair because it singles out Israel. But boycotts have historically targeted particular entities: Civil Rights activists, for example, boycotted the Montgomery, Alabama bus system, not every segregated bus system in the US. More importantly, the claim that BDS is unfair ignores the special ties between the US and Israel that place a particular responsibility to act on Americans and American institutions. The US is many times over Israel’s largest trading partner, collaborates militarily with it, protects Israel’s

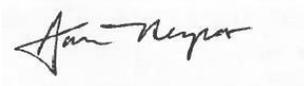
interests in the United Nations, and has made it the largest recipient of American foreign aid since WWII. American corporations, too, including Hewlett Packard and many others, profit from the illegal occupation of Palestine, and in some cases supply the resources needed to sustain it.

At a time when political negotiations have been derailed, or function as a charade, civil non-violent actions such as BDS are the only way for Israelis and Palestinians to exit a highway to mutual destruction. Legislation such as HB 476 attempts to close that exit and shut down avenues for a better and more hopeful future.

It does so, moreover, in a particularly troubling way: by subverting a basic right to liberty and duty embedded in our constitution and articulated by thinkers from Thomas Paine onward: the right to speak one's conscience without fear of state punishment or sanction.

I conclude by urging the members of the committee to vote against H.B. 476.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Nesor". The signature is written in a cursive style with a large initial "J".

Jan Nesor, PhD.