



**Jewish Voice for Peace** is a national grassroots Jewish organization in support of Palestinian rights. We have over 3000 supporters in Maryland, and chapters in Baltimore City, the DC Metro area, and University of Maryland College Park.

JVP Baltimore and Metro DC chapters **strongly support HB 1382 which protects the crucial right to boycott**, a key tactic in nonviolent campaigns against injustice. The bill does so by overturning an Executive Order (EO) that limits the ability to participate in the Boycott, Divestment, and Sanctions (BDS) movement against the State of Israel.

- Political boycotts are a First Amendment-protected right that the EO clearly violates.
- The EO willfully misstates the fundamental purpose and rationale for BDS in order to limit protected political speech.
- Many Jewish Marylanders are committed to participating in the BDS movement. It is not the place of the government to decide the right way to be Jewish.
- The EO misrepresents the BDS movement when it asserts that those participating in a boycott of Israel are engaging in antisemitic discrimination “because of [a person or entity’s] Israeli national origin, or residence or incorporation in Israel and its territories.”<sup>1</sup> However, the stated aims of the BDS movement are explicitly to effect change to the Israeli government’s discriminatory policies towards Palestinians and occupation of Palestinian land.<sup>2</sup> As such, they should be considered protected based on the 1982 Supreme Court ruling stating that “boycotts to ‘bring about political, social, and economic change’ are a form of political speech.”<sup>3</sup>
- Such boycotts have an important history in the United States of effecting change in the name of justice and human rights both domestically<sup>4</sup> and abroad.<sup>5</sup>
- Anti-BDS laws set a dangerous precedent for restricting free speech on other issues.<sup>6</sup> For instance, bills have been introduced to prohibit shareholders from voting based on environmental, social, or governance criteria and to prevent governments from contracting with entities that “discriminate” against the firearm and ammunition industries or that boycott oil, gas, mining, or energy production companies.<sup>7</sup>
- Regardless of one’s views on the BDS movement, Maryland must not enable further attacks on protected political speech by allowing this EO to stand.
- Bills to put these restrictions in place in Maryland failed to pass the legislature,<sup>8</sup> leading to Governor Hogan’s Executive Order. This indicates that these restrictions are *not* the will of the people, and our laws should reflect that.

Thank you for your time, service, and consideration.

---

<sup>1</sup> [Executive Order 01.01.2017.25](#) - “Prohibiting Discriminatory Boycotts of Israel in State Procurement”

<sup>2</sup> [Palestinian Civil Society Call for BDS](#)

<sup>3</sup> [NAACP v. Claiborne Hardware Co., 458 U.S. 886 \(1982\)](#)

<sup>4</sup> [Overview of Montgomery Bus Boycott](#) from the MLK Jr. Research and Education Institute at Stanford

<sup>5</sup> [US Worker Movements and Direct Links Against Apartheid](#)

<sup>6</sup> [Protect the Right to Boycott: Oppose Anti-BDS Legislation](#)

<sup>7</sup> [Rightwing group pushing US states for law blocking ‘political boycott’ of firms](#)

<sup>8</sup> [How grassroots activists defeated anti-BDS legislation in Maryland](#)