

## **HCR 10 – OHIO’S GOLDEN ANTI-BDS RESOLUTION PJTN’S OHIO HIGHLIGHT OF 2018**

On December 5, 2018 the Ohio General Assembly finalized the passage of House Concurrent Resolution 10 (HCR 10), “To condemn the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism.” This is the most remarkable pro-Israel, pro-Jewish position statement from an American state and its people that can be imagined, and PJTN was at the heart of its passage.

Page | 1

The first sponsor of the Resolution, Ohio House Representative Andy Thompson of Marietta, is an evangelical Christian and a long-time supporter of Israel and the Jewish people. Representative Thompson contacted Laurie Cardoza-Moore, PJTN Founder and President, requesting educational material regarding the BDS movement, particularly on college campuses.

PJTN State of Ohio Director and General Counsel, Michael Goldstein, worked for almost two years in educating Representative Thompson and other Ohio legislators in both houses about anti-

Semitism and BDS on our campuses in Ohio and in other states, and the negative effects this has on Ohio's Jewish students and on their Christian supporters. On December 5, 2017 HCR 10 passed the Ohio House 92-2. On November 28, 2018 it passed the Ohio Senate 30-0 with one acceptable amendment.

Finally, on December 5, 2018 the Ohio House voted concurrence with the Senate amendment, and HCR 10 was adopted by the General Assembly of the State of Ohio.

Why is the passage of HCR 10 a landmark? What makes it so important? After passage, knowledgeable person wrote, "I don't understand what this resolution accomplishes as it does not change the law." The answer to this question demonstrates the vital impact of this legislation.

A resolution does not, in fact, change the law. It is not law; it is policy, and very important policy. What it does do, is publically proclaim the policy of the people and the legislature of the State of Ohio. This makes HCR 10 a very valuable piece of legislation. This resolution conveys the opinion of the General

Assembly, and by representative principles, the opinion of the people of the State of Ohio, that the world-wide Boycott, Divestment, and Sanctions (BDS) movement aimed at destroying the State of Israel and all the Jews living there, is harmful, unfair, and undemocratic. It also condemns white nationalist, neo-Nazi, and national socialist groups that promote hatred, religious persecution, or violence towards others.

**OHIO'S TIES WITH ISRAEL** - HCR 10 expresses the policy of Ohio's support for our ties with the State of Israel in many specific ways:

- Ohio and Israel have a long history of friendship and are great allies in support of each other's interests.
- Israel, the only democracy in the Middle East, is the greatest friend and ally of the United States in the Middle East.
- Ohio is committed to increasing the ties and interactions in business, government, the arts, culture, and education between the State of Ohio and the State of Israel, further strengthening the historic ties between our State and Israel.

**ISRAEL'S SOVEREIGNTY** - HCR 10 also expresses Ohio's support for Israel's sovereignty and its right to protect itself and its people:

- Supports the State of Israel's right to exist and thrive.
- Condemns all attacks on the people of Israel, and supports Israel's right to engage in lawful acts of self-defense,
- Recognizes that the Jewish people are indigenous to the land of Israel and opposes all attempts to deny the legitimacy of Israel as a sovereign state.
- Recognizes the Jewish people's and Israel's historical connection to its ancient home in the Land of Israel, including the present day State of Israel, and Jerusalem, Judea, and Samaria, which were the heartland of the ancient nations of Israel and Judah.

**ANTI-BDS** - The General Assembly condemns anti-Semitism and the BDS movement and its leaders:

- The BDS movement is one of the main vehicles for legitimizing anti-Semitism on campus and advocating the elimination of the Jewish State.
- Anti-Israel activities and activities promoting the Boycott, Divestment, and Sanctions movement against Israel are widespread in the State of Ohio, including on several university campuses and in other Ohio communities, and contribute to anti-Semitic and anti-Zionistic propaganda, and
- Threats to both American and Israeli Jewish students, and result in deliberate interference with the learning environment of all students.
- The dramatic increase in Boycott, Divestment, and Sanctions campaign activities on college campuses around the country has resulted in increased animosity and intimidation against Jewish students, negatively impacting student programming of vital importance to all American students related to the State of Israel and politics in the Middle East.
- The Leaders of the Boycott, Divestment, and Sanctions movement say their goal is to eliminate Israel as the home of the Jewish people.

- BDS falsely denies the Jewish people's and Israel's historical connection to its ancient home in the Land of Israel, including the present day State of Israel, and Jerusalem, Judea, and Samaria, which were the heartland of the ancient nations of Israel and Judah.
- HCR 10 expresses the General Assembly's understanding that the goals and activities of Boycott, Divestment, and Sanctions campaigns in Ohio are harmful to the State's relationships with Ohio's Jewish citizens, with Ohio's non-Jewish citizens who support the State of Israel and the Jewish people, and with the Jewish homeland, Israel, and have a deleterious impact on the educational environment here.

**NAZIISM** - HCR 10 does one important thing more. The members of the General Assembly ". . . condemn all groups, including white nationalist, neo-Nazi, and national socialist groups, that promote hatred, religious persecution, or violence towards others."

This does not merely condemn Nazis. By placing this condemnation of Nazis in their document which condemns BDS, the General Assembly has stated that the people of Ohio recognize that there is a moral equivalency between the two. The takeaway is that proponents of BDS are just as evil as Nazis. It is gratifying that the State of Ohio not only knows this, but has taken the initiative to tell the world about it.

**FREE SPEECH** - HCR 10 contains a very strong provision supporting free speech on campus. It expresses this in two ways. First, it states that it is the policy of Ohio to support free speech for everyone on the campuses of Ohio's universities. It urges, but does not compel, college administrators to enforce free speech for all. Thus the major argument in testimony against the resolution in the House and Senate committee hearings, that HCR 10 is meant to stifle the free speech on campus of those who wish to support "Palestinian" rights, is completely undercut by the language of the resolution itself. Secondly, it urges the universities to eliminate the "hecklers' veto" of abridging the free speech of others. Shouting down and abridging the speech of Jews and any others on campus is not protected speech. The General Assembly is saying to Ohio's university administrators, we do not like what we see regarding

this type of mistreatment of Jewish students on our campuses. We urge you to fix this; and, it implies, we are watching you.

**COALITION AND EDUCATION** - The two year process of enacting HCR 10 has enabled PJTN to create and lead a coalition of like-minded groups and to work with them on this issue, and on other issues of mutual interest. PJTN also used the two years to educate Ohio legislators on the meaning and essential goodness of Israel; the danger posed by the BDS movement to the rights and safety of Ohio's Jewish students and their Christian allies on campus; and about the danger posed by BDS to the continuation of free speech on campus, and, if nothing changes, about the potential extinction of our First Amendment rights.

This will lead to more rapid understanding among the legislators when we introduce more substantive legislation in the next General Assembly in 2019, such as the Anti-Semitism Awareness Act, or in support of an ongoing bill such as the new version of the Campus Free Speech Act, where PJTN has already presented committee proponent testimony.

The adoption of HCR 10 by the Ohio General Assembly is a landmark action taken by this state, and we at PJTN look forward to furthering our state's protection of Israel and its people and the freedoms and safety of our American students, both Jewish and their Christian supporters, on our campuses.