

## 2017 YEAR-IN-REVIEW

*As Israel intensifies tactics to suppress dissent, censorship in U.S. increases*

# EXECUTIVE SUMMARY

Hurricane victims in Dickinson, Texas were required to pledge not to boycott Israel as a condition of receiving relief aid. A New York City bookstore hid a children's book, "P is for Palestine," behind the cash register after widespread demands for censorship. A Palestinian-American professor at San Francisco State University was sued for researching and teaching about Palestine. A black student leader at the University of Wisconsin was condemned for speaking out against the connections between white supremacy and Zionism by Trump's nominee to head the U.S. Department of Education's (DOE) Office for Civil Rights.

As the movement for Palestinian rights continues to grow, the Israeli state and its proxy organizations in the U.S. are investing heavily in punitive measures to intimidate and chill the free speech of those who wish to express criticism of Israeli policies.

Palestine Legal responded to 308 incidents of suppression of U.S.-based Palestine advocacy in 2017,



**Professor Rabab Abdulhadi outside of a courthouse in San Francisco last November after a federal judge said he would dismiss the lawfare suit against her. Credit: Liz Jackson**

a 19% increase from 2016. The incidents included baseless lawsuits, administrative disciplinary actions, violence, censorship, and false accusations of terrorism and antisemitism. Eighty percent targeted students and scholars at 73 campuses across the country. Additionally, Palestine Legal responded to 57 legal questions from activists who were concerned their rights were threatened.

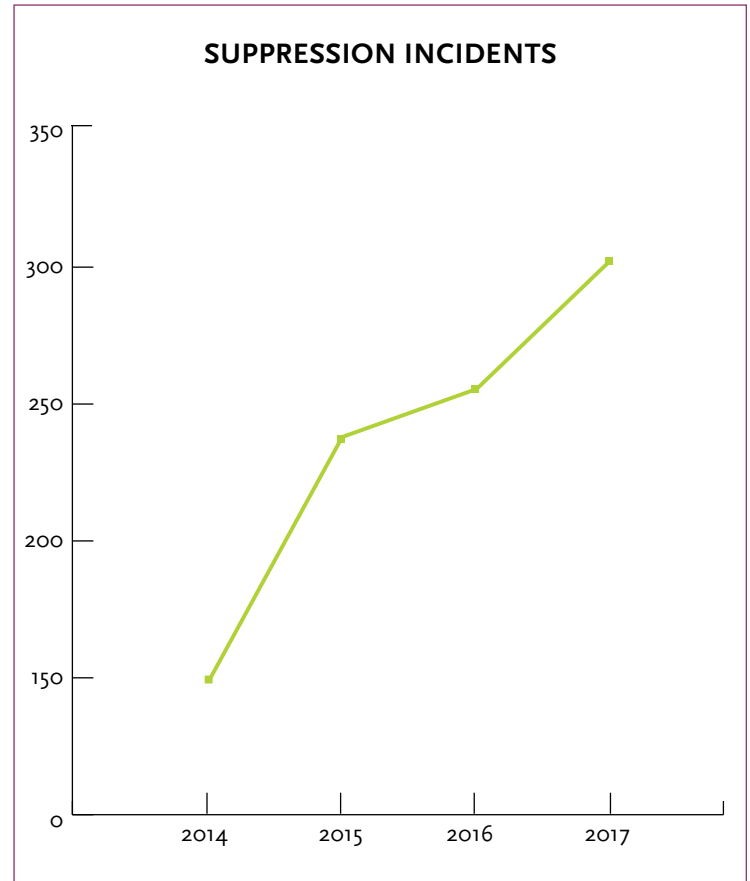
Over four years, from January 1, 2014 through December 31, 2017, Palestine Legal has responded to a total of 958 incidents of suppression targeting speech

supportive of Palestinian rights, and an additional 257 requests for legal assistance in anticipation of such incidents. This data reflects only what was directly reported to Palestine Legal, and therefore is not an exhaustive account of the suppression.

Separately, elected officials introduced at least 32 legislative measures in 2017 targeting Palestine advocacy, particularly support for boycott, divestment and sanctions (BDS) campaigns. BDS seeks to hold Israel and corporate actors accountable under international law for violations of Palestinian rights. The legislative measures include at least two bills in Congress. Since 2014, at least 102 bills have been introduced in the U.S targeting speech supportive of Palestinian rights. To date, 24 states have enacted anti-boycott measures.

The first such law to be challenged was blocked by a federal judge in Kansas in January 2018 because “the First Amendment protects the right to participate in a boycott like the one punished by the Kansas law.”

The following illustrates the most notable trends in suppression of Palestine advocacy in 2017.



# MERITLESS LAWSUITS & LEGAL THREATS ON THE RISE

Palestine Legal responded to 36 lawsuits and legal threats launched against activists in 2017, up from 13 in 2016. This reflects the intensification of legal bullying to suppress support for Palestinian rights. For example:

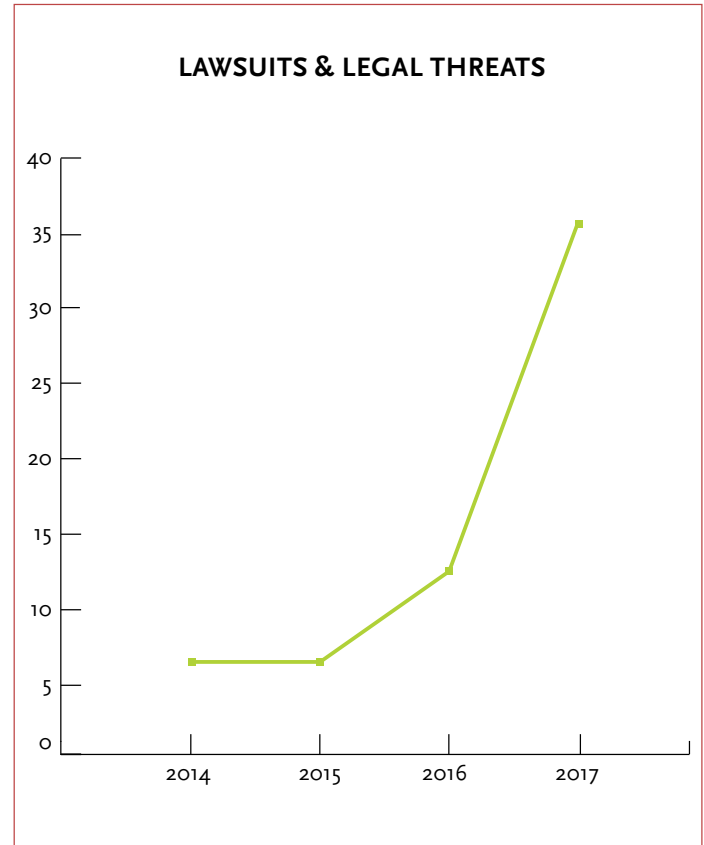
- The right-wing anti-Palestinian Lawfare Project sued San Francisco State University (SFSU) and Professor Rabab Abdulhadi in June 2017, alleging that by tolerating criticism of Israeli policy, the university and Abdulhadi created a climate of antisemitism. At a November hearing, a U.S. District Court judge stated the lawsuit alleged no unlawful conduct and would be dismissed. The lawsuit claims that activities such as speaking about Palestine at academic conferences, being a faculty advisor for a Palestinian student club, and students protesting a campus speech by the mayor of Jerusalem violate Title VI of the Civil Rights Act.



Musician Roger Waters, the co-founder of Pink Floyd. In July 2017, officials threatened to take legal action unless a NY venue canceled Waters' concerts because of his public support for Palestinian rights. Credit: David W. Baker

- The suit followed threats by the Lawfare Project's director to make "the enemy pay."
- Officials in Nassau County, New York, threatened to take "appropriate legal action" unless Nassau Coliseum canceled concerts by famed Pink Floyd co-founder Roger Waters in July 2017 because of Waters' public support for boycotts for Palestinian rights. Waters condemned the threat of censorship in a New York Times Op-Ed, and the New York Civil Liberties Union notified the venue that any action to cancel the show would violate the First Amendment. Public officials did not follow through on their threat.

- American Muslims for Palestine (AMP) was sued for \$156 million. The lawsuit alleged that AMP’s mission “to educate people about Palestine” was similar to the mission of now-defunct groups previously found liable for the 1996 death of an American in Jerusalem in a controversial case, and that the similarity makes AMP a successor in liability for the judgment. A U.S. district court judge dismissed the case in August 2017, stating that the court was “cautious of branding any organization and its members that support humanitarian interests for the people of Palestine as having an unlawful motive.” The case was reinstated with limited discovery in January 2018 after plaintiffs asked the judge to reconsider the dismissal.
- In November 2017, the Louis D. Brandeis Center for Human Rights Under Law (Brandeis Center) doubled down on its lawsuit against the American Studies Association (ASA), first filed in 2016 in response to the group’s vote to support an academic boycott. After a federal judge dismissed the suit’s major claim in March 2017, plaintiffs sought to fix their unsuccessful legal theory and add Steven Salaita, and three other professors, as new defendants. The Brandeis Center is founded and led by Kenneth Marcus, Trump’s nominee to lead the DOE’s Office for Civil Rights.





# LEGISLATION

Lawmakers, prompted by Israel lobby groups, introduced at least 32 legislative measures in 2017 to condemn or restrict advocacy for Palestinian rights. These include:

- Municipal and state legislation aimed at countering boycotts for Palestinian rights through the creation of political blacklists; prohibitions on government contracts with entities that support boycotts for Palestinian rights; and/or prohibitions on state investments in companies that support boycotts for Palestinian rights. States such as Wisconsin, Texas, and North Carolina enacted unconstitutional laws in 2017. Overall, 24 states have enacted such measures.
- A federal judge in January 2018 enjoined Kansas from enforcing its anti-boycott law because it violates the Constitution. The decision explains, “The Kansas Law’s legislative history reveals that its goal is to undermine the message of those participating in a



**New Yorkers protest Governor Cuomo’s executive order which attacks the right to boycott for Palestinian rights.**  
Credit: Sainatee Suárez

boycott of Israel. This is either viewpoint discrimination against the opinion that Israel mistreats Palestinians or subject matter discrimination on the topic of Israel. Both are impermissible goals under the First Amendment.”

# RAMPANT FALSE ACCUSATIONS OF ANTISEMITISM & TERRORISM LEAD TO THREATS & CENSORSHIP

---

- Legislation was introduced in Virginia, South Carolina, and Tennessee attempting to codify an overbroad and widely discredited definition of antisemitism aimed at stifling Palestine advocacy. All three measures were defeated.
- In Congress, the controversial Israel Anti-Boycott Act was introduced. If enacted, the bill would impose severe financial penalties and up to 20 years in prison for certain actions taken in support of boycotts for Palestinian rights “fostered or imposed” by an international governmental organization like the E.U. or the U.N. The bill failed to pass in 2017 and was highly criticized for its draconian measures. More than 100 groups, along with the ACLU, called on legislators to reject this legislation. At least one senator withdrew support, and its sponsor has indicated he will amend it to alleviate First Amendment concerns.

142 reported incidents in 2017 involved accusations of antisemitism based solely on speech critical of Israeli policies. 123 reported incidents in 2017 involved unsubstantiated accusations of support for terrorism, based solely on speech critical of Israeli policies. For example:

- In March 2017, San Francisco Hillel filed charges of religious discrimination against organizers of a Know Your Rights fair at SFSU after Hillel was not provided a table at the event. A five-month investigation by campus officials determined that the discrimination charge was unfounded and that

there was no evidence of anti-Jewish animus. Instead, investigators faulted organizers for “retaliation” and “viewpoint discrimination” against Hillel. The event organizers appealed the decision, which is pending.

- After students at Tufts University voted in April 2017 to support the university’s divestment from companies engaging in human rights abuses in Palestine, they received a wave of hate mail, blackmail threats, and accusations of antisemitism. Jewish members of Students for Justice in Palestine (SJP) and Jewish Voice for Peace (JVP) experienced unique targeting, as they were repeatedly called “kapos” (a term for Jews who were selected to serve as administrators in Nazi concentration camps) and emailed graphic Holocaust images.



- Consul General of Israel in New York Dani Dayan accused SJP members at the City College of New York of “verbal terrorism” after they asked critical questions regarding Israeli human rights abuses during the Q&A portion of a May 2017 event. The event was sponsored by Students Supporting Israel (SSI) and featured Dayan. The right-wing Zionist Organization of America made baseless allegations about SJP’s conduct at the event, including unsubstantiated accusations of antisemitism. SJP members faced racist harassment and physical aggression by a member of SSI. The administration launched a months-long investigation into the event, and ultimately changed the university’s policies related to inviting outside speakers.
- The David Horowitz Freedom Center plastered at least 15 campuses in 2017 with posters



naming individual students and professors believed to support boycotts for Palestinian rights, calling them “terrorist supporters.” The 2017 poster campaigns were preceded by similar campaigns in 2015 and 2016, attempting to defame individual students and professors as supporters of terrorism and responsible for “Jew hatred” based solely on their public support for Palestinian rights.

- UC Irvine (UCI) punished SJP with two years of probation because they chanted slogans critical of Israeli policies at the end of the Q&A portion of a May 2017 event featuring Israeli soldiers. The chanting occurred only after one of the soldiers physically assaulted a student, and it followed days of harassment by the soldiers who had followed Palestinian students on and off campus. The Brandeis Center, SSI, Hillel and others falsely accused the students of chanting threatening and antisemitic remarks, and demanded that the students be criminally prosecuted and punished under campus policies. In response to the pressure, UCI investigated SJP for disruption and found them responsible.

- The homes of two leaders of U.S. organizations working for justice in Palestine were canvassed with posters featuring their pictures alongside baseless accusations that they’re likely to engage in terrorism solely because of their advocacy for Palestinian rights. The posters pictured JVP director Rebecca Vilkomerson and AMP founder Hatem Bazian and warned in bold letters, “Today terror abroad. Tomorrow terror at home!” The posters were left on cars lining the blocks surrounding both homes – one in Berkeley, CA, and one in Brooklyn, NY.

# CAMPAIGNS TO CENSOR AUTHORS & UNIVERSITY SPEAKERS

Palestine Legal documented several campaigns targeting artists and speakers to censor their support for Palestinian rights. For example:

- In November 2017, a New York City bookstore was compelled to hide copies of a children's alphabet book, "P is for Palestine," behind the cash register, and ultimately release a statement denouncing boycotts for Palestinian rights after local Israel supporters and a prominent local synagogue complained about the book. The author, Golbarg Bashi, received messages threatening to report her to the Department of Homeland Security and deport her to Guantanamo, along with pornographic messages and calls for her book to be banned or burned.
- In November 2017, The New School was subjected to an intense campaign by Israel advocates demanding that the university cancel a panel on combatting antisemitism featuring speakers critical of Israeli policies. Panelists included co-chair of the National Women's March and Palestinian-American community organizer Linda Sarsour, JVP director Rebecca Vilkomerson, and other Jewish activists. More than 21,000 people signed a petition calling on the New School to censor the panel, a major donor threatened to cut-off funding if the panel proceeded and New York Daily News, New York Post, Fox News, and other outlets featured articles falsely accusing panelists of antisemitism. The sold-out panel continued as planned.
- In October 2017, the American Jewish Historical Society cancelled two events in response to a campaign arguing that the organization should not affiliate with artists and groups that support Palestinian rights. The first event was a discussion on the Balfour Declaration hosted by JVP. The second

event was a reading of a new play by playwright Dan Fishback, exploring how some Jewish families are divided over the politics of Palestine-Israel. The cancellations drew sharp criticism from those in the arts, calling it “right-wing censorship.”



P is for Palestine, Precious to me and my  
people, evergreen like a forest pine!

Page from children's book “P is for Palestine.” Author Golbarg Bashi received hate mail and threats after Israel supporters attacked a bookstore in New York City for carrying Bashi's book.

## EMPLOYEES FIRED, ACADEMIC POSITIONS ELIMINATED

Palestine Legal documented numerous cases in which people were fired, suspended, investigated on the job, or denied job opportunities due to their perceived support for Palestinian rights. Those that were public and reported in the media include:

- A Quaker high school in Philadelphia fired two teachers after they invited Palestinian-American Sa'ed Atshan, a peace and conflict studies professor at Swarthmore College, to speak about Israelis and Palestinians who support human rights, nonviolence and equality. Atshan, himself a Quaker, was invited back to the school after his talk was cancelled, but said he could not in good conscience speak there unless the fired teachers were reinstated. The teachers filed discrimination complaints with the U.S. Equal Employment Opportunity Commission.

- Fresno State University in California abruptly cancelled a search in April 2017 for a chair in Middle East Studies (MES) named after the late Palestinian-American intellectual Edward Said after the search committee had narrowed the candidates down to four finalists of Palestinian or Arab descent. The Director of the MES program resigned in protest, explaining that the search was cancelled because of pressure from pro-Israel faculty members.
- Professor N. Bruce Duthu, a Native American studies scholar at Dartmouth College, was forced to resign from his appointment as dean of the faculty for arts and sciences after critics attacked him for signing the Native American and Indigenous Studies Association's 2013 statement in support of a boycott of Israeli academic institutions. Duthu was not a vocal supporter of the boycott resolution but was treasurer of the association at the time it adopted the statement. His critics included pro-Israel faculty, right-wing media outlets, and Senator Ted Cruz who tweeted, "Our universities are more & more becoming hotbeds for Leftist intolerance and anti-Israel hatred."

# ATTEMPTS TO CENSOR SUPPORT FOR BOYCOTTS FOR PALESTINIAN RIGHTS

---

Palestine Legal responded to 141 cases in which advocates for boycott, divestment and sanctions (BDS) for Palestinian rights faced censorship, legal threats, and other suppression. For example:

- Cal State Long Beach President wrote student senators in April 2017 urging them to stop a student divestment initiative, claiming erroneously that their campaign was to blame for the rise in white supremacist vandalism on campus. Meanwhile, the administration took no action in response to graffiti threatening to "kill all Muslims on Friday."
- An anonymous website "Outlaw BDS" identified New Yorkers believed to support BDS, placing their photos,

social media links, and email addresses on an online “blacklist” in September 2017. Dozens of individuals, including professors, journalists, students, and non-profit staff and volunteers received emails threatening “legal proceedings” if they did not “cease and desist” from supporting BDS. The emails cited an anti-boycott law that failed to pass the NY state legislature.

- The website Canary Mission continued to blacklist students, professors, and community activists who have publicly supported boycotts for Palestinian rights. The website now profiles over 1,740 individuals. Blacklisted individuals have reported being questioned by employers and graduate schools about their support for Palestinian rights after being contacted by Canary Mission. They have been put on leave, denied bank accounts, received death threats, and been denied entry at Israeli-controlled entry points into Israel/Palestine.
- After a diverse coalition of organizations at the University of Wisconsin passed a student government resolution calling on the university to divest from companies complicit in perpetuating human rights abuses, the Brandeis Center sent the university a legal



letter demanding remedies for alleged antisemitic and anti-white discrimination surrounding the resolution. The letter singled out the student government leader, who is black, for condemning white supremacy. Brandeis Center also called on the student government to adopt a widely-discredited re-definition of antisemitism that classifies virtually all Palestine advocacy as inherently antisemitic. The student government adopted this definition in September.

# VIOLENCE & THREATS OF VIOLENCE

Palestine Legal responded to 23 incidents of violence and threats of violence against activists for Palestinian rights. Many of the threatened individuals asked to remain anonymous. Some examples include:

- A Palestinian-American teacher was brutally beaten outside the AIPAC conference in Washington, DC in March 2017 by members of the Jewish Defense League (JDL), a violent hate group the Southern Poverty Law Center says “preaches a violent form of anti-Arab, Jewish nationalism,” and which has been labeled by the FBI as a rightwing terrorist group. JDL members charged at protesters with flagpoles, yelling “kapos” at Jewish protesters and causing multiple injuries. One JDL member was indicted for assault with a hate crime enhancement in December.
- Student activists at New York University received a series of death threats and violent warnings

cautioning them not to engage in further advocacy in support of Palestinian rights. For example, one message read, “You will all be shhot [sic] at your next protest SJP members. It will be a family affair...” and “WE WILL PAINT THE STREET WITH PALESTINIAN/MUSLIM/BLACK LIVES MATTER/STUDENTS FOR JUSTICE IN PALESTINE/BLOOD...”

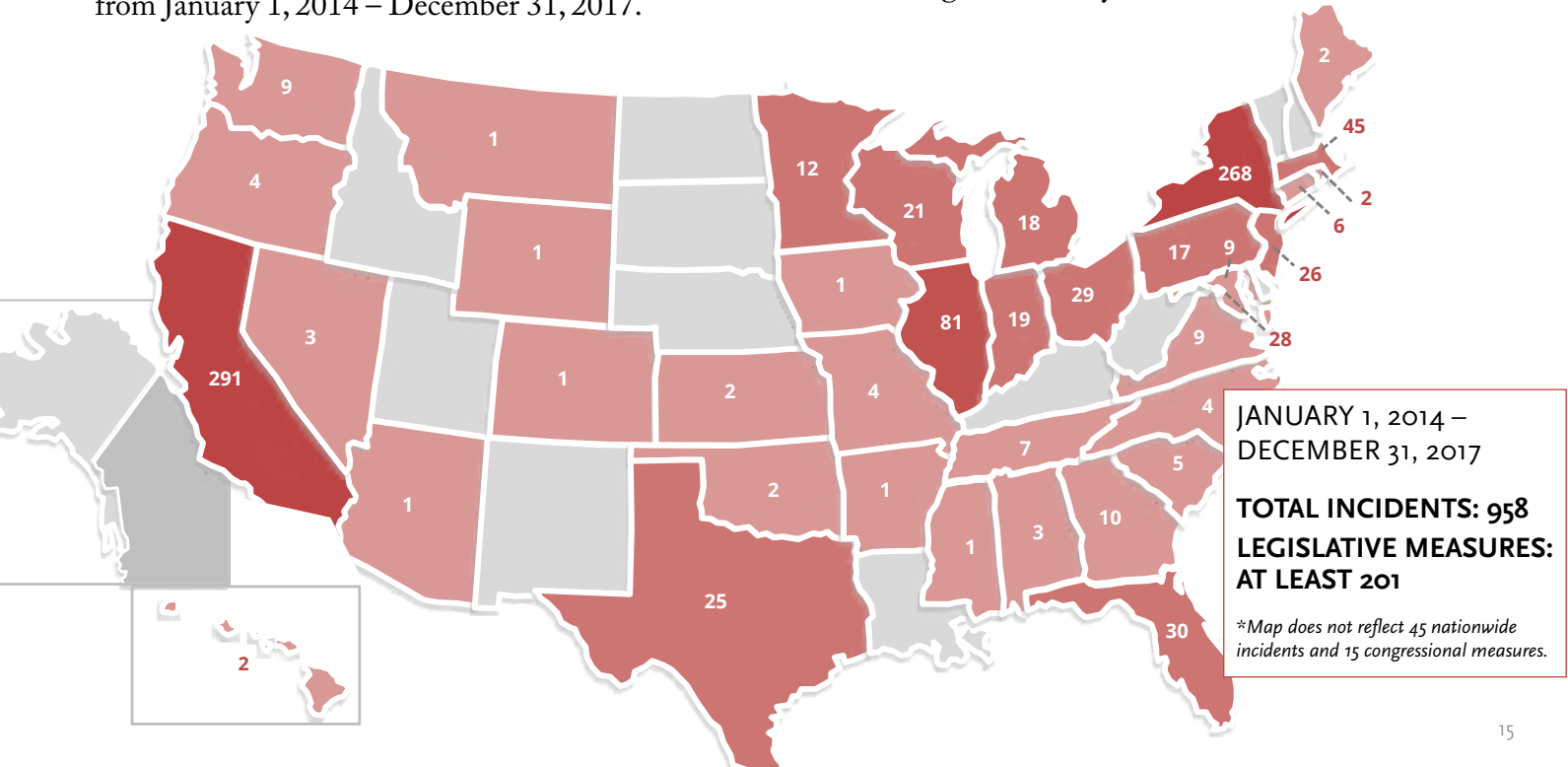
- An anonymous website posted pictures of student activists with sniper targets on their faces, along with their home addresses, email addresses and telephone numbers.
- A student was shoved and threatened in a campus elevator by another student who disagreed with her support for Palestinian rights.
- The author of children’s book “P is for Palestine,” Golbarg Bashi, received death threats in advance of her November book signing in New York City. Police were alerted. Uniformed JDL members threatened children attending a Hanukkah storytime reading the following month.



# INCIDENTS BY STATE

Palestine Legal responded to 958 incidents of suppression and 102 legislative measures in 38 different states (including the District of Columbia) from January 1, 2014 – December 31, 2017.

For more information, please see “The Palestine Exception to Free Speech: A Movement Under Attack in the US,” a 2015 report by Palestine Legal and the Center for Constitutional Rights which documents the widespread and growing suppression of Palestinian human rights advocacy in the United States.





[palestinelegal.org](http://palestinelegal.org)

[@pal\\_legal](https://twitter.com/pal_legal)

[info@palestinelegal.org](mailto:info@palestinelegal.org)

637 S. Dearborn Street  
3rd Floor  
Chicago, IL 60605



Credit: Bill Hackwell