

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONTRACTS

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September 8, 2016
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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: HELEN K. ROSENTHAL
Chairperson

COUNCIL MEMBERS: Peter A. Koo
Ruben Wills
Costa G. Constantinides
Chaim M. Deutsch
Corey D. Johnson
I. Daneek Miller

A P P E A R A N C E S (CONTINUED)

Charles Barron
New York State Assembly Member

Charles Levine
New York State Assembly Member

Michael Miller, Executive Vice President & CEO
Jewish Community Relations Council, JCRC

Stephen Greenberg, Chairman
Conference of Presidents of Major American Jewish
Organizations

Brooke Goldstein, Director
Lawfare Project

Evan Bernstein, Regional Director
Anti-Defamation League of New York

Abdus-Salaam Musa
Islamic Circle of North America

Jabin Imam Abdus-Salaam Musa
Islamic Circle of North America

Radhika Sainath, Staff Attorney
Palestine Legal

Linda Sarsour, Palestinian-American
Civil Rights Activist

Imam Talib Abdur-Rashid
Majlis Ashura, Mosque of Islamic Brotherhood,
Harlem

Paul Gazzola (sp?)
American Muslims for Palestine

Jane Hershman
Jews They Know

Musha Berman, Student
Brooklyn College

Lisa Buchsbaum
Executive Director
Hillel Hunter College

Loren Soleman, Student
Macaulay Honors College at Hunter College

Jeff Wiesenfeld, Advisor
New York Board of Rabbis
Treasurer, World Jewish Congress
Member, JCRC Board

Cindy Poupko, Managing Director
Commission on the Jewish People
UJA Federation of New York

Donna Nevel, Board Member
Jewish Voice for Peace

Katherine Franke, Law Professor
Columbia Law School

Lamumba Bandelli
Malcolm X Grassroots Movement

Jim Forrat

Albi Posnick
Stand With Us

Al Jones

Joe Covell

Michael Letwin
Labor for Palestine
Jews from Palestinian Right of Return

Hani Ghazi
Adalah New York

Pam Sporen Foster

Alice Sterns-Sutter

Imam Abdul Bazzi

Rabbi Yisorel Dovid Weiss
Jews Against Zionism

Cheikh Ahmed

Jordan Voke

Marshall Douglas

Rosalind Petchesky, Professor
American Political Science
Hunter College & CUNY Graduate Center

2 [sound check, pause]

3 CHAIRPERSON ROSENTHAL: Okay. [gavel] My
4 name is Helen Rosenthal. I'm going to call this
5 hearing to order. I'm Chair of the Contracts
6 Committee, and I want to welcome everyone here today,
7 and thank you for coming to what I think is an
8 incredibly important conversation where we have
9 strong feelings on both sides, and it's so important
10 for everyone to hear what each other has to say, and
11 I'm really looking forward to this hearing. The
12 Committee will consider Resolution No. 1085-A
13 sponsored by Council Member Andrew Cohen. The
14 resolution condemns all efforts to delegitimize the
15 State of Israel and the global movement to boycott,
16 divest from, and sanction the people of Israel
17 commonly referred to as the BDS Movement. Since its
18 establishment in 1948, Israel has been one of the
19 United State's closest allies, and New York City's
20 large and vibrant Jewish community shares important
21 cultural and religious bonds with the people of the
22 State of Israel. Israel is also a vital economic
23 partner here in New York State. According to the
24 International Trade Administration, New York exported
25 \$6.4 billion worth of merchandise to Israel in 2015.

2 Securing lasting peace between Israelis and
3 Palestinians, a peace that allows both the Israeli
4 and Palestinian peoples to live with dignity, free
5 from fear and violence, continues to be one of the
6 preeminent goals for our global community to achieve.
7 We must also ensure that individuals are able to
8 exercise their right to express their disagreement
9 with the policy choices of our or any other
10 government. This is an issue that understandably
11 inspires great passion on all sides. It is my hope
12 and my expectation that we can have a polite,
13 substantive dialogue that is free from harmful
14 rhetoric and respects the free and open exchange of
15 idea.

16 I want to acknowledge the members of the
17 committee who have joined us here today, Council
18 Member Koo and also I would like to welcome and thank
19 the members of the City Council who have joined us,
20 Council Members Levine, Grodenchik and Lancman and
21 Cohen. Oh, responsive. I want to give my deep
22 appreciation to the committee staff, Eric Bernstein,
23 our committee counsel; Casey Addison, our Policy
24 Analyst; John Russell and Brandon West from the
25 Finance Division and my Legislative Direct Sarah

2 Mallory. And before we begin, I'd like to turn it
3 over to Council Member Cohen, the sponsor of this
4 resolution, to deliver some remarks after which we
5 will be calling up members of the public to testify.

6 COUNCIL MEMBER COHEN: Thank you, Chair.

7 Good morning. I'm Council Member Andrew Cohen.

8 Today we are here to take testimony on Resolution
9 1058-A, a resolution drafted after much
10 contemplation, internal deliberation and discussion.
11 We are the New York City Council. Our resolution
12 represents our legislative intention and the document
13 speaks for itself. This is what it is, and this is
14 what it is not. Therefore, as my opening statement,
15 I will read the reso into the record so that everyone
16 understands exactly what we are taking on today.

17 Whereas, the Global Boycott, Divest and
18 the Sanction movement, BDS, is a campaign seeking to
19 exclude the Israeli people from the economic,
20 cultural and academic life of humanity; and

21 Whereas, this movement targets not only
22 the Israeli government, but Israel academic, cultural
23 and civil society institutions, as well as individual
24 Israeli citizens of all political persuasion, and in
25

2 some cases even Jews and other nationalities to
3 support Israel; and

4 Whereas, the Global BDS Movement targets
5 Israel and only Israel while ignoring the world's
6 myriad despotic regimes; and

7 Whereas, Israel is far and away the most
8 democratic and open society in the Middle East
9 [cheers]; [pause]

10 CHAIRPERSON ROSENTHAL: As I say, I would
11 like this hearing to be a constructive dialogue, and
12 if we need to stop the hearing repeatedly to address
13 members of the public who are disrupting the
14 conversation, that will not only slow down our
15 hearing today, but I think it will also cased a pall
16 on the conversation. Please I beg of you can't we
17 just listen to each other's points of view with
18 respect and dignity. Please continue Council Member.

19 COUNCIL MEMBER COHEN: Thank you, Chair.
20 Whereas, Israel is far and away the most democratic
21 and open society in the Middle East with well
22 establish rights for religious minorities, women and
23 the LGBT citizens that far exceed those of any other
24 nation in the region; and

2 Where and whereas, the Global BDS
3 movement does not recognize the right of Jewish
4 people to national self-determination; and

5 Whereas, some of the BDS movement
6 supporters and leaders and trafficking unacceptable
7 anti-Semitic rhetoric including comparisons of
8 Israeli policies with that of Nazi Germany; and

9 Whereas, university based BDS efforts
10 violate the core goals of the university and global
11 cultural development, which thrive on a free and open
12 exchange and debate; and

13 Whereas, both Israelis and Palestinians
14 have the right to live in safe and security states
15 free from fear and violence with mutual recognition;
16 and

17 Whereas, the Global BDS Movement does not
18 support the two-state solution, a goal which can only
19 be reached through direct negotiations between Israel
20 and the Palestinians; and

21 Whereas, Israel is an ally of the United
22 States, and has a longstanding relationship with the
23 City of New York; and

24 Whereas, the City of New York has the
25 largest population of Jewish residents in the nation,

2 and is home to the largest Jewish community outside
3 of Israel.

4 Now, therefore, be it resolved that the
5 Council of the City of New York condemns all efforts
6 to delegitimize the state of Israel and the global
7 movement to boycott, divest from and sanction each
8 government and its people. Thank you.

9 CHAIRPERSON ROSENTHAL: Thank you very
10 much Council Member Cohen. I appreciate that. I,
11 um, so the way this works today is that as many of
12 you know, you sign up on a slip of paper if you would
13 like to speak. We already have about 50, a lot more
14 slips of paper. If there is anyone here who has not
15 signed up, but would like to speak, these slips of
16 paper are available right over here with the
17 sergeant-at-arms. We're going to start today with a
18 couple of people who have—who, um, will start the
19 conversation for us. Hang on. I'm just going to ask
20 my peers one question so we can keep this moving.
21 When people support something, you do the—not so much
22 this. I saw a lot of shaking heads no, which I
23 really appreciated. So can we say agree, disagree?
24 Alright, thank you very much. We are going to start
25 with a former member of this body, our former council

2 member Charles Barron. He is currently in the New
3 York State Assembly, and I'm very honored to have him
4 here. Am I allowed to do this? [background
5 comments] We're going to—I'm going to ask
6 particularly the electives, the first electives to
7 try to keep their testimony within a shorter amount
8 of time. As you know, at some point we'll need to a
9 three-minute or two-minute rule, but please, Assembly
10 Barron.

11 CHARLES BARRON: Thank you very much.
12 This place looks familiar to me. I've been here
13 before, but I wanted to open my testimony by saying
14 that I will be reading the testimony of my wife, City
15 Council Member Inez Barron. She has a written
16 testimony. So I'll read hers, make my few remarks
17 and read hers. But she just wanted to let everybody
18 know that she adamantly opposes this resolution.
19 Also, I know that you call for politeness and shaking
20 our heads up and down and thumbs up and thumbs down.
21 This is not a polite situation. There are people in
22 Palestine. [applause/cheers] There are--

23 SERGEANT-AT-ARMS: [off mic]
24 [interposing] No, cheering. Keep it down. Keep it
25 down.

2 CHARLES BARRON: --there are people in
3 Palestine that are dying as we speak. So when you
4 hear people offer passionate resistance to some of
5 the words that they hear uttered, it is because that
6 they know that people are dying, and this is not the
7 time for politeness. This is a time for justice. So
8 I just wanted to open up my remarks with that. You
9 know, up in Albany--I understand this resolution is
10 coming to Albany. I'm going to try to encourage my
11 colleagues in Albany not to support this resolution,
12 to support people's right to boycott. Boycott,
13 sanction, divestment is a peaceful resolution toward
14 getting the human rights of Palestinians respected
15 and protected. It has been used to historically here
16 in America, boycott during Civil Rights Movement.
17 Divestments, sanctions during the South African Anti-
18 Apartheid Movement. So boycott is a fundamental
19 right. So for the government to pass or have an
20 executive order saying that we'll gag and punishments
21 that companies that exercise their First Amendment
22 Constitutional right to say that they don't want to
23 do business either with the State of Israel or with
24 the companies that are doing--making money off of
25 settlements. There are some companies that are

2 producing the bulldozers to demolish Palestinian
3 homes, and these companies and other companies that
4 do business with the State of Israel it is our right,
5 whether you agree with us or not, it is our right to
6 boycott and to say divest and to say sanctions
7 against the State of Israel. We have a right to do
8 that. So the first thing that you're violating, and
9 I'm really shocked that you would come up with a
10 resolution asking or demanding that people be
11 punished for violating people's First Amendment right
12 to express their opposition to a racist oppressor-
13 oppressive occupying state by saying we shouldn't
14 even boycott. That is absurd and I'm doing
15 everything I can to stay contained because it is
16 absolutely ridiculous that we should even be here
17 entertaining such a resolution. Secondly, if we look
18 at the atrocities of the State of Israel, right now
19 Prime Minister Netanyahu is the most-now is the most
20 racist right wing leader of Israel that they've had
21 in a long time. He is violating all the laws of the
22 United Nations, violating even the request by the
23 American administration not to expand settlements.
24 Ignoring all of that, displacing Palestinians and
25 taking their land. Palestinian people, Palestine is

2 occupied. It's in their legal settlements that are
3 occurring. I had the opportunity to visit the Gaza
4 Strip and there are some of Jewish folks say well the
5 Gaza Strip we gave them that back. You didn't give
6 nobody nothing back. It was never yours in the first
7 place. So you didn't give nothing back.

8 [applause/cheers]

9 SERGEANT-AT-ARMS: Quiet please.

10 CHARLES BARRON: You didn't give anything
11 back, and I've been to the Gaza Strip. We had to go
12 through the border of Rafah. We had to go through
13 the Sinai Peninsula. Do you know that in Gaza they
14 can't leave or things cannot enter that they need to
15 live because Israel has a blockade not only from
16 land, not only from the sea, but even from the air?
17 Nothing goes into Gaza or leaves Gaza without
18 Israel's approval. That is a violation of the very
19 human rights of the people. In the last attack on
20 Gaza over 2,143 Palestinians were killed. Of that
21 2,143, 1,400 plus was civilians, civilians and these
22 civilians were killed intentionally.

23 CHAIRPERSON ROSENTHAL: Council Member, I
24 want to hear what you have to say, and I want to hear
25 what your wife has to say. You've been speaking for

2 six minutes, and I would ask that you find a way to
3 shorten, to find a way to say this succinctly

4 CHARLES BARRON: [interposing] Madam
5 Chair.

6 CHAIRPERSON ROSENTHAL: --as possible.

7 CHARLES BARRON: Madam Chair, Madam Chair

8 CHAIRPERSON ROSENTHAL: --because we
9 have--

10 CHARLES BARRON: [interposing] I
11 understand.

12 CHAIRPERSON ROSENTHAL: --many people who
13 want to--

14 CHARLES BARRON: [interposing] I
15 understand, Madam Chair.

16 CHAIRPERSON ROSENTHAL: --who want to
17 speak.

18 CHARLES BARRON: I understand.

19 CHAIRPERSON ROSENTHAL: It's your call,
20 and certainly we will take that into the equation as
21 the next people want to speak. The next who want to
22 speak.

23 CHARLES BARRON: Well, Madam Chair, you
24 can make it appear that if I speak long, you're going
25 to cut them off from speaking all you want

2 CHAIRPERSON ROSENTHAL: Oh, no, I'm not
3 going to cut anyone off from speaking.

4 CHARLES BARRON: But I--well, when you say
5 take them--take that into consideration--

6 CHAIRPERSON ROSENTHAL: [interposing]
7 What I'm asking you to do--

8 CHARLES BARRON: [interposing] Let me--let
9 me be firm.

10 CHAIRPERSON ROSENTHAL: --is be
11 considerate about the next people in line--

12 CHARLES BARRON: [interposing] You're
13 just--you're just taking--

14 CHAIRPERSON ROSENTHAL: [interposing] --
15 who are trying to speak.

16 CHARLES BARRON: --taking another
17 [interposing]

18 CHAIRPERSON ROSENTHAL: --and I'm noting
19 that you have been speaking six minutes.

20 CHARLES BARRON: And--and six, and I--and I
21 understand.

22 CHAIRPERSON ROSENTHAL: [interposing] --
23 and what I'm going to do is very soon is put on the
24 clock.

2 CHARLES BARRON: You can put on
3 [interposing]

4 CHAIRPERSON ROSENTHAL: Thank you.

5 CHARLES BARRON: You can put on the all
6 the clocks you want. I came here to try to cooperate
7 with you. I'm going to say everything I have to say.
8 I'm going to read my wife's statement. I call on you
9 to be patient, and people are fine. Are you all
10 alright with me speaking. [background comments] Not
11 true. They are.

12 SERGEANT-AT-ARMS: Quiet please. Keep it
13 down, please. Keep it down.

14 CHARLES BARRON: I am talking to people
15 who want to hear what we have to say. As state
16 elected official, I've sat in the seat where you sit,
17 and I've seen others come that were state elected
18 officials and speak for 10 and 15 minutes, and nobody
19 said anything. So I've been going 16 minutes and you
20 interrupt me. Now, we've taking another two minutes
21 [interposing]

22 CHAIRPERSON ROSENTHAL: So it was
23 minutes.

24 CHARLES BARRON: --for this interruption.

2 CHAIRPERSON ROSENTHAL: Let's set this
3 one minute aside.

4 CHARLES BARRON: [interposing] I'm going
5 to spend 10 minutes. I'm going to spend ten minutes

6 CHAIRPERSON ROSENTHAL: --and if you're
7 telling me that you can keep it down to 10, I'm with
8 you, brother.

9 CHARLES BARRON: I'm going to finish what
10 I have to say, and don't call me brother
11 [applause/cheers] because that's not--that's not a--
12 that's an expression that you commonly use. So don't
13 use it on me. As I was saying before I was rudely
14 interrupted, I was trying to let you know the
15 atrocities of the State of Israel, the atrocities,
16 the murder, the murder that they committed against
17 500 innocent Palestinian babies when they invaded the
18 Gaza Strip, 500 murdered, and then they tried to say
19 that they put these babies next to rocket launchers
20 so they were using them as a human shield alive. They
21 also said that they killed all of these people in
22 Palestine, but oh, oh, it was terrorism. It wasn't
23 terrorism. It wasn't intentionally. You know what
24 they said? Collateral damage. Yeah, the terrorists
25 lived on the second floor of the building, so we're

2 going to send a—a missile there, blow up the whole
3 building and call it collateral damage. It's called
4 terrorism, and when you see those kinds of atrocities
5 for you to come with a resolution now, and nobody
6 stood up in this Council against the killing of all
7 of those Palestinian people on their land that you're
8 illegally occupying, it is a crime against humanity,
9 and we should speak out loudly against that. The
10 other thing, when they say, well, you know, if you do
11 sanctions or boycotting, some of the pro or anti-BDS
12 Movement, people say, well, this is a—this is going
13 to hurt the Palestinian people. If you boycott them,
14 well, they won't have jobs because the companies will
15 leave and they'll lose their jobs. Well, you know
16 what, like we said the Apartheid Movement in South
17 Africa when they said sanctions will hurt the Black
18 South Africans who they didn't care about anyway, and
19 who the opposition to BDS could care less about
20 Palestinian jobs. We said yes, sanctions might hurt,
21 but guess what, Apartheid kills. So, while sanctions
22 might hurt, but the State of Israel's Apartheid
23 policies in Israel kills. So I'm going to read my
24 wife's statement, and conclude it with that, but
25 encourage all of you to take your names off this

2 resolution. It is absurd and especially the Black
3 members of this City Council. Black members of this
4 City Council and people of good will should not be on
5 this resolution because Israel was a partner with the
6 racist Apartheid regime in South Africa. They've
7 partnered with them. Why don't you say something
8 about that? They partnered with apartheid. When all
9 the world was against apartheid, Israel was a partner
10 of the murdering of African people. Not a single
11 black person in their right mind should be on this
12 resolution. They should be off this resolution and
13 all those whites, Jews, Muslims of goodwill should be
14 off it as well. I'm going to read my wife's
15 statement, and then I'm finished. [applause]

16 SERGEANT-AT-ARMS: Quiet, please, keep it
17 down.

18 CHARLES BARRON: She first wanted to let
19 everybody know she's against the resolution, and she
20 writes: The Boycott, Divest and Sanctions Movement
21 is an international campaign to bring pressure on
22 Israel to end discrimination, oppressive and deadly
23 oppression of the Palestinian people. It is
24 supported by and advanced by a collaboration of Jews,
25 Muslims, Christians along with others of various

2 faiths. Jewish Voice for Peace, Mennonite Century
3 Church, Quakers, Presbyterian Church, World Council
4 of Churches. The BDS Movement seeks to advance
5 peace, and improve the lives of Israelis and
6 Palestinians. Palestinians, achieve an equitable
7 two-state solution and conduct interfaith dialogue.
8 A boycott is a protest that calls for withdrawal from
9 commercial and social relations with organizations or
10 countries. Divest-divestment is an action that sells
11 off economic holdings. Sanctions penalizes or
12 imposes penalties, and these factors are used when
13 other negotiating measures have not been successful.
14 These tactics historically have been successfully
15 used in major movements to an oppression--against
16 oppression and racism and suppression. The Civil
17 Rights Movement gained momentum and expanded through
18 the famous Montgomery bus boycott along with boycotts
19 and sit-ins at Woolworth stores. The apartheid
20 system of South Africa was put to an end when these
21 tactics was used. Locally Adam Clayton Powell, Jr.
22 and then Randy Evans Movement forced major department
23 stores such as AMS, Martins and EJ Korvettes to
24 change their policies and practices in favor of a
25 more racially balanced structure. Today's nations,

2 education institutions and social organizations and
3 high profile entertainers and educating-education
4 consumers are joining this effort to bring an end to
5 oppressive conditions that has allowed conditions to
6 exist that have resulted in deaths of innocent
7 civilians including women, children, destruction of
8 family lives, increased numbers of orphans and loss
9 of economic opportunities for Palestinian people. As
10 Chair of the Committee on Higher Education, I am
11 particularly sensitive to ensuring that students
12 maintain their right of free speech even though some
13 may be offended by the issues which they seek to
14 advance. In the 1960s, students used their voices to
15 take action to be both proactive and responsive to
16 conditions in the world. The free speech movement
17 led to protection of students to engage in vigorous
18 debate on campus. The recent passage of SA-017,
19 which bars student groups from receiving funds if
20 they participate in an activity that causes harm or
21 casts disrepute on allied nations or its consumer
22 commercial products is unconstitutional. The
23 Executive Order, which penalizes companies that
24 participate in BDS is unconstitutional. Students
25 have traditionally been a catalyst for social

2 movements. They raised trade agreement. They raised
3 the heightened sensitivity to human trafficking.
4 They call out nuclear proliferation. Likewise,
5 students in no way should be inhibited from
6 participating in the BDS Movement and having
7 activities that bring this issue to light. BDS is
8 not about religion or national origin. BDS does not
9 call for boycotting Jews. This is not anti-Semitic.
10 BDS calls for an end to the discrimination of time,
11 discrimination practice of inside of Israel of the
12 right of return of hundreds and thousands of
13 Palestinians banished to refugee camps. BDS is a
14 non-violent response to a human rights violation
15 situation. It does not use bombs, shellings,
16 missiles, guns, attacks, or unlimited imprisonment to
17 try to achieve its objective. BDS, in fact—in fact,
18 is a tool to fight repression of a group of people
19 who are fighting for their dignity, their freedoms
20 and yes even their lives. Council Member Inez Barron
21 I thank you. [applause]

22 SERGEANT-AT-ARMS: Keep it down, please.
23 Keep it down. No clapping. Keep it down, please.

24 CHARLES BARRON: I thank you. I thank
25 you for this time. I thank you for hearing this

2 testimony, and I continue to encourage my colleagues
3 in government not to violate the human rights of
4 Palestinian people by supporting this resolution.
5 Thank you very much. [cheers]

6 CHAIRPERSON ROSENTHAL: Okay. The next
7 person-- Thank you for your testimony. The next
8 person we have up. I'm sorry. Do any of my
9 colleagues have questions? No. Okay. I think it's
10 Assembly Member Charles Levine, and just to describe
11 we started the hearing at 10:17 and it's 10:34.
12 Okay. Council-Assemblyman.

13 CHARLES LEVINE: Thank you, thank you
14 very much. Let me begin by stating that I may not
15 agree with everything that my colleague Charles
16 Barron stated, but I will fight as will you for his
17 right to have free speech and say whatever it is he
18 wishes to say. Now, Chair Rosenthal, I want to thank
19 you and the New York City Council for the invitation
20 to speak on this critically important issue. On a
21 very personal note, being with you today is like
22 being home for me. When I was in law school I lived
23 right across the street. I've had law offices of
24 Vessey, and I spent a lot of time in the federal
25 courts just around the corner and my son Greg served-

2 who is here today—served with great distinction as
3 Chief of Staff to your outstanding Council Member
4 Karen Koslowitz. But there is a far more compelling
5 factor that connects and bonds you and me, and that
6 is our nation, our state and our city's relationship
7 with our strategic ally the democratic State of
8 Israel, but first a disclosure. I have a particular
9 bias in favor of Israel. I am an American Jew who
10 experienced no small amount of Anti-Semitism as a
11 youngster. I am president of the New York Chapter of
12 the National Association of Jewish Legislators and a
13 member of its national board of directors. I have—I
14 have introduced and fought for Constitutional anti-
15 BDS legislation in our State Capital, and I have
16 spent time in, and I have family in the nation of
17 Israel. But the real reason that I am here today is
18 that I am a citizen of America, and I am a citizen of
19 New York, and because of that remarkable status, I
20 prize and I value as do each of you and as I trust
21 does everyone in this room, I prize and value
22 justice, fairness and national, state and regional
23 self-interest. To be sure, those uniquely American
24 concepts of justice and fairness had absolutely
25 nothing in common with the well financed and highly

2 orchestrated movement to demonize and delegitimize
3 our strategic ally Israel. I guess that made a
4 point. That may have made a better point. That may
5 have made a better point than I anticipated it would.
6 Not only is there no common ground, but the interests
7 of Americans the interests of New Yorkers scream out
8 for our governments, federal, state and city to stand
9 with and stand by the only democracy in one of the
10 world's most dangerous neighborhoods. Let me discuss
11 the rationale for the resolution by first stating
12 that those who would oppose it, have adopted a
13 particularly myopic and indeed to my mind prejudicial
14 view of American history. Since our earliest days,
15 our nation has engaged in what today is called
16 economic diplomacy, trades and policy.

17 CHAIRPERSON ROSENTHAL: So, again. I'm
18 sorry, Assemblyman, can you just hang on one second?

19 CHARLES LEVINE: Certainly.

20 CHAIRPERSON ROSENTHAL: Again, if, uh,
21 what I would ask is that the members of the audience
22 who are here use their hands and their heads to
23 indicate their feelings about what the speaker is
24 saying. However, I would ask you not to orate those
25 feelings. I just saw an obscene gesture from the

2 gentleman in the back of the room, and that will not
3 be tolerated. I'm going to ask the sergeant-at-arms
4 at this time to please remove the gentleman, uh, who
5 made the obscene gesture. That will not
6 [interposing]

7 SERGEANT-AT-ARMS: Keep it down.

8 CHAIRPERSON ROSENTHAL: --be tolerated in
9 this room.

10 SERGEANT-AT-ARMS: Keep it down, please.

11 CHAIRPERSON ROSENTHAL: I am very
12 interested and can see the thumbs down. I can see
13 the hands waving like this, and I can see the nods
14 waving no. We can all see the signs that you're
15 caring. This committee will not tolerate obscene
16 behavior. Please continue.

17 CHARLES LEVINE: Thank you, Chair
18 Rosenthal. Since our earliest days, our nation has
19 engaged in what is today called economic diplomacy,
20 trade diplomacy, and commercial diplomacy. President
21 Thomas Jefferson waged war against the Barbary states
22 because he made the wise determination well within
23 our national self-interest that the United States
24 would not pay tribute to nations that enslaved our
25 sailors, and that we would not pay ransom to purchase

2 their freedom. During the Civil War, the federal
3 government blockaded southern ports. Before American
4 entry into World War I, President Woodrow Wilson
5 honored the English sea blockade of the Kaiser's
6 Germany and on July 26, 1941, President Roosevelt
7 froze all of Imperial Japan's assets in the United
8 States to retaliate for Japan's cruel occupation of
9 French-French Indochina. This cost Japan three-
10 quarters of its overseas trade, and nearly all of its
11 critically needed imported oil. More recent-recently
12 the United States and New York State imposed
13 substantial sanctions on corporations that did
14 business with Iran's energy sector. And when the
15 states of Indiana and North Carolina enacted anti-
16 human rights legislation in 2015 and 2016, Governor
17 Cuomo wasted no time issuing an executive order
18 barring New York officials from non-essential travel
19 to those states. There's no doubt that Paul Krugman
20 and Tom Friedman are right. Trade can act as the
21 facilitator of good relations between governments and
22 people, but for the last several years, those who
23 oppose the existence of Israel have used the trade as
24 a weapon against our ally. The BDS Movement and the
25 movement to demonize and delegitimize Israel are

2 designed to harm that nation, and for what purpose?
3 Some might argue that the intent is merely to oppose
4 Israeli settlements on the West Bank. That is to
5 send a message to the Israeli government that it
6 should negotiate with the Palestinian authority, but
7 it is the Palestinian authority for its own
8 parochial, political interest that refuses to go to
9 the negotiation table. And as is, as has so often
10 been said, sadly, tragically the Palestinian
11 government has never missed an opportunity to miss an
12 opportunity. We all know that the real underlying
13 philosophy of this movement is to bring about the
14 annihilation of Israel. An organization self-labeled
15 as quote, unquote Palestinian Civil Society, a major
16 proponent of the BDS demonization is almost naively
17 candid when its official website boasts that its aim
18 is ending Israel's occupation and colonization of
19 Arab lands. We are not so naïve as to doubt—to doubt
20 that occupied Arab lands refers to all of Israel, and
21 as Omar Barghouti, who is the godfather of the BDS
22 Movement has stated [interposing]

23 SERGEANT-AT-ARMS: Quiet please.

24 CHARLES LEVINE: --has stated its aim is
25 to annihilate and end the Jewish state.

2 CHAIRPERSON ROSENTHAL: Mr. Levine, I am
3 going to ask you to start to think about wrapping up.

4 CHARLES LEVINE: I have about a minute
5 and a half.

6 CHAIRPERSON ROSENTHAL: Okay.

7 CHARLES LEVINE: Thank you. UCLA's
8 Professor Judah Pearl was still a grieving father of
9 martyred American Journalist Daniel Pearl has
10 written: Antisemitism targets Jews as individuals.
11 Antizionism targets Jews as people. Antisemitism
12 would deny Jews equal standing as human beings.
13 Antizionism would ban Israel from equal membership in
14 the family of nations. There s amore basic reason
15 that Governor Cuomo signed the executive order, which
16 bars dealing with BDS-companies that engage in BDS.
17 Simply speaking, that movement is bad for business
18 for the State of New York. We know that there's over
19 a \$6 billion trade that goes on between New York
20 State and Israel, and since 2003, more than half a
21 billion dollars has been invested by our Controller
22 Tom Dinapoli in Israeli interests. Israel is as well
23 our strategic military partner in a part of the world
24 in which Americans and we New Yorkers have few
25 friends. Military cooperation and Israeli military

2 advances along with Israel intelligence are
3 indispensable to the defense of our nation. This is
4 a truth that is self-evident as we today sit several
5 hundred feet from thousands of our family members and
6 friends were murdered nearly 15 years ago. Nearly
7 half of our states have enacted some type of anti-BDS
8 and anti-demonization measures. These measures do
9 not punish free speech. They punish actual conduct
10 that is injur-injurious to Israel, and injurious to
11 America. So why on earth would we New Yorkers stand
12 idly by while our ally is injured? There are no
13 innocent by-standards-standers. In this battle.
14 This is a battle for democracy itself, and it is-it
15 is Israel so despised because it is the beacon of
16 modernity in a part of the world where modern
17 thought, communication, democracy and human rights
18 are anathema to the forces of fundamentalism and
19 atavism. Again, I want to thank you, and I want to-
20 for letting me share my thoughts. I want to
21 recognize Council Member Andrew Cohen for authorizing
22 this legislative initiative. And finally, let me say
23 this. It's a quote, a quote from Golda Meir.
24 [background comments] And that quote-and that quote
25 is this: There will be peace in the Middle East when

2 there is an Arab leader courageous enough to demand
3 it. Thank you.

4 SERGEANT-AT-ARMS: Keep it down. Quiet,
5 please.

6 CHAIRPERSON ROSENTHAL: Thank you very
7 much Assembly Member. We really appreciate your
8 time. Seeing no questions, I'm going to ask Michael
9 Miller from the JCRC to testify next. Thank you.
10 [pause, background comments]

11 CHAIRPERSON ROSENTHAL: May I ask you if
12 you could possibly limit your comments to possibly
13 five minutes?

14 MICHAEL MILLER: Yes.

15 CHAIRPERSON ROSENTHAL: thank you.

16 MICHAEL MILLER: [coughs] Thank you,
17 Madam Chair. Good morning everyone. [coughs] My
18 name is Michael Miller, and I'm the Executive Vice
19 President and CEO of the Jewish Community Relations
20 Council of New York, which represents more than 60
21 local Jewish organizations in New York City,
22 Westchester and Long Island. I am here to speak in
23 favor of the passage of Proposed Resolution No. 1058-
24 A, a resolution condemning all efforts to
25 delegitimize the state of Israel and the global

2 movement to boycott, divest from and sanction the
3 people of Israel. I want to thank all the council
4 members who have co-sponsored this important
5 resolution, and specifically commend Speaker Melissa
6 Mark-Viverito, Council Member Cohen and the Chair of
7 the Jewish Caucus, Council Member Mark Levine efforts
8 have been instrumental in bringing this matter before
9 us today. And, of course, thank you, Madam Chair.
10 The relationship between, the city of New York and
11 the State of Israel is deep and ever-evolving. As
12 the city with the largest Jewish population anywhere
13 in the world, many New Yorkers share great interests
14 and concern for developments impacting on Israel's
15 safety, security and viability. As the Holy Land,
16 Israel is not only central to the Jewish faith but
17 also to Christian-Christianity, and Islam. Jesus
18 walked and preached in the Holy Land from Galilee to
19 Jerusalem, and it is where the Prophet Mohammed
20 preached and ascended to heaven. Beyond faith, New
21 Yorkers and Israelis share many values. Israel and
22 the United States are two vibrant and robust
23 democracies. As such, Israelis and New Yorkers both
24 actively participate in their political discourse and
25 drive progress and change. We make it a priority to

2 ensure that our poor are elevated, our hungry are
3 fed, our sick are cared for, and that each person
4 regardless of race or the color of their skin has
5 equal rights and privileges enshrined in law. In
6 fact, Israel is the only country outside of the
7 United States that commemorates Martin Luther King,
8 Jr. Day, and as we are but three days from the 15th
9 anniversary of the devastating September 11th attack,
10 it is particularly meaningful to note that the Israel
11 Memorial to the victims of 9/11 was unveiled several
12 years ago in a picturesque setting on the outskirts
13 of Jerusalem. At that time, US Ambassador to Israel
14 Daniel Shapiro stood at that haunting structure,
15 which lists the names of all of the victims, and
16 reminded us that, "Here at this painfully beautiful
17 memorial site, we are a reminder to everyone that we
18 Americans and Israelis stand together in a spirit of
19 solidarity and commitment to the future." That
20 spirit is non-partisan. One need not be a member of
21 a particular faith or a political party to support
22 the U.S./Israel relationship. This is not a
23 Democratic issue or a Republican issue. It's an
24 American issue. Together we must maintain this
25 relationship as successive U.S. administrations have

2 demonstrated. It is this issue today, which the
3 resolution before you reaffirms. Speaking of
4 reaffirming, it is also reaffirming that over the
5 last 15 years, active commercial ties between New
6 York and Israel have blossomed in a wide range of
7 industries. Hundreds of Israeli companies are
8 publicly traded on the major exchanges here in New
9 York. The Cornell Tech team on campus on Roosevelt
10 Island will soon benefit our students, our economy
11 and the whole of society. American musicians
12 regularly perform in Israel and Israeli cultural
13 icons often entertain here in New York, and each year
14 our city and state ship more than \$5 billion worth of
15 exports to Israel. Over the last decade the State of
16 Israel has been a victim of economic warfare in the
17 form of a well orchestrated and well funded campaign
18 to delegitimize the world's only Jewish and
19 democratic state. Activists from all around the world
20 including here in America have sought to cripple
21 Israel through BDS, boycotts of Israeli products,
22 divesting from Israeli companies and more importantly
23 American companies doing business in Israel, and the
24 imposition of a global sanctions regime upon Israel.
25 The BDS movement has had some success in intimidating

2 supporters of Israel in several arenas including the
3 arts cultural corporations, academia, churches,
4 grocery store, pension funds, investing firms and
5 many more. While the movement's leaders claim they
6 wish to have an open and honest discussion about
7 Israel, its activists have publicly shouted down
8 Israeli speakers, disrupted Israel focused evented
9 and rejected applications from pro-Israel scholars to
10 participate in academic panels concerning Israel. So
11 much for open discourse. But why is Israel targeted?
12 The propaganda spewed by such activists claim that
13 its purpose, the BDS Movement's purpose is to
14 pressure Israel into ending its occupation of the
15 West Bank, East Jerusalem and Gaza. However, upon
16 further examination of the BDS Movement's stated
17 goals, it is clear that it's actually not interested
18 in really providing the Palestinians with an
19 independent state alongside Israel. Rather, BDS is
20 actively seeking to replace the Jewish state with a
21 Palestinian state. Seventy years ago after the
22 horrors of the Holocaust were revealed, the world
23 woke up and understood the imperative for the
24 establishment of the Jewish state as a haven and
25 homeland. The need for the Jewish people to be in

2 control of their own destiny. Over the years, Arab
3 armies, Arab boycotts and Arab terrorism have been
4 used to try to exterminate the Jewish state but, oh,
5 thank God, it failed. Now, in an era when the last
6 survivors of Hitler's Holocaust are passing away,
7 malevolent individuals under the guise of pursuing
8 Palestinian self-determination are seeking to deprive
9 the Jewish people of that very same right to self-
10 determination. That is highly discriminatory and
11 anti-Jewish, a double standard of the worst order.
12 As the resolution here implies, peace in the Middle
13 East depends on both Israelis and Palestinians
14 working together toward the mutual goal of a
15 negotiated two-state solution: Two states for two
16 peoples. In contrast, BDS tactics are one-sided and
17 are focused solely on the elimination of Israel. BDS
18 turns a blind eye to Palestinian actions, which seeks
19 to undermine the two-state solution, such as
20 terrorism; indiscriminate rocket firing in civilian
21 areas; repeated refusal to negotiate for peace; and
22 unfortunate rejections of Israeli offers for
23 Palestinian statehood. Rather than focusing on
24 improving the situation for both peoples, BDS
25 activists sabotaged the internationally backed peace

2 process that is premised on the advancing mutual
3 understanding and respect between the parties.
4 Economic boycotts and divestment actions will not
5 help the Palestinian people. The path to this two-
6 state solution depends on creating an atmosphere of
7 peace of and reconciliation combined with economic
8 development and political achievement. Blocking that
9 path is the BDS Movement. If you believe in the
10 right of the Jewish people to be safe and secure in
11 their historic homeland, I urge you to support this
12 resolution. If you believe in the right of the
13 Palestinian people to their own state alongside, but
14 instead of Israel, I urge you to support this
15 resolution. If you believe in a true peace process,
16 and opposed divisive destructive tactics that attempt
17 to cripple our ally Israel, I urge you to support
18 this resolution. If you believe that together we can
19 play a constructive role in ensuring that Israelis
20 and Palestinians can work towards achieving mutual
21 understanding, cooperation and a better future for
22 themselves, their children, and their grandchildren,
23 I urge you to support this resolution. Thank you.

24 CHAIRPERSON ROSENTHAL: Mr. Miller, I
25 appreciate your testimony. I--there are some

2 questions from members of the Council, but for
3 housekeeping purposes, can I ask you to please sit to
4 the side while we hear from a panel of individuals
5 who have to leave--

6 MICHAEL MILLER: [interposing] That's not
7 a problem.

8 CHAIRPERSON ROSENTHAL: --at 11:00 and
9 then I'm going to ask you to come back. Alright?

10 MICHAEL MILLER: Thank you.

11 CHAIRPERSON ROSENTHAL: Thank you. Can I
12 please call up Brook Goldstein, Stephen Greenberg and
13 Evan Bernstein, and I also want to welcome Council
14 Member Miller. Than, you. And I'm going to as that
15 you each try, um, that you each limit yourselves to
16 three minutes. So if I could le the sergeant-at-arms
17 know we're going to start the clock, and we're
18 setting this at a strict three minutes, uh, time.

19 STEPHEN GREENBERG: I'm sensitive. I'm
20 very sensitive, Madam Chairman, and I will try to do
21 it within three minutes. I have copies. You'll
22 forgive me if I go a little overboard. [coughs] My
23 name is Stephen Greenberg. I am the Chairman--is that
24 better? Okay. My name is Stephen Greenberg. I'm
25 Chairman of the Conference of Presidents of Major

2 American Jewish Organizations. On behalf of the
3 conference there's 53 representing the entire
4 spectrum of the American Jewish community. I want to
5 thank you, Madam Chair. I want to thank the
6 committee and Councilman Cohen for your interest in
7 and commitment to this very important resolution.
8 Combatting the BDS Movement and its bigoted,
9 discriminatory and reprehensible goals and
10 activities. The ramifications of BDS are far more
11 nefarious than economic and political isolation. BDS
12 is increasingly posing an actual physical threat to
13 Jewish students and advocates of the Jewish state,
14 and its activities span the commercial, cultural and
15 academic spheres.

16 SERGEANT-AT-ARMS: [interposing] Keep it
17 own please

18 STEPHEN GREENBERG: BDS-BDS is a--

19 CHAIRPERSON ROSENTHAL: [interposing]

20 Okay, so the next outburst that I hear from this
21 audience that person will be asked to leave the
22 chambers. So please. I see your faces. I see your
23 hands. We all do. Let's let this panel finish.
24 Let's let the questions finish with Mr. Miller, and
25 then we'll be going on to a panel, as I'm sure you're

2 anxious to know, that we'll be alternating con and
3 pro the resolution. Please continue.

4 STEPHEN GREENBERG: BDS is a poison that
5 is permeating our communities, a cancer of hate that
6 metastasizing to through society. Fortunately, and
7 this hearing really is a, I and example of it.
8 Societies are not judged by those who spread hate.
9 Rather, we are judged by those in positions of
10 authority who react and counter that hatred.
11 Although the BDS campaign has far reaching
12 aspirations, it is engaged in racist and
13 discriminatory tactics in every domain.

14 PROTESTOR: [interposing] [shouting
15 protests]

16 STEPHEN GREENBERG: It has a particularly
17 intense focus on universal campuses.

18 CHAIRPERSON ROSENTHAL: [interposing] So
19 sorry, but I'm going to have to ask the person who
20 just shouted to leave the chambers--

21 PROTESTOR: [interposing] [shouting
22 protests]

23 CHAIRPERSON ROSENTHAL: --so we can--
24 [shouting protests and applause] So, I have no
25

2 problem clearing the Chambers. This is important
3 discussion.

4 SERGEANT-AT-ARMS: Please clear—please
5 clear the floor. [shouting protests, applause]

6 CHAIRPERSON ROSENTHAL: May I ask the
7 sergeant-at-arms to please escort the individuals who
8 are speaking out at this time out of the Chambers.
9 [shouting protests, applause] As—as we all know what
10 the rules are in the Chambers, you can hold signs
11 below your neck as your seated. I'm going to ask
12 that anyone who is not following those rules, to
13 please be escorted out. And as you all know, I am
14 very interested in hearing a dialogue a respectful
15 dialogue about this topic, and that can best be done
16 when we can all literally hear what each other is
17 saying. [shouting protests] I'm sorry. Is someone
18 still speaking up there because raise your hand, and
19 I'm going to as the sergeant-at-arms to remove you if
20 you feel to need speak at this time. Okay. Thank
21 you very much. We're going to continue now quietly
22 with this very important discussion of ideas.
23 Please.

24 PROTESTOR: [shouting protests]

2 CHAIRPERSON ROSENTHAL: May I as the
3 sergeant-at-arms to please [applause] remove the
4 individual who just spoke up. I am very interested
5 in hearing from those people who have signed up to
6 testify. In order for us to hear from the people who
7 have signed up to testify, we need quiet in the
8 Chambers, and I will tolerate nothing less.

9 STEPHEN GREENBERG: Shall I continue.

10 CHAIRPERSON ROSENTHAL: Please continue.

11 STEPHEN GREENBERG: So, I want to go off
12 of my prepared remarks and make comments, if I may.
13 I spend a lot of time worrying about what's happening
14 to Jewish young men and women on college campuses.
15 I'm sure you're aware of what happened right here in
16 Hunter not long ago, and I'm sure you're are--

17 PROTESTOR: [interposing] [shouting
18 protests]

19 CHAIRPERSON ROSENTHAL: Alright, so I
20 would ask that this individual, sergeant-at-arms be
21 taken out of the chamber--

22 PROTESTOR: [interposing] [shouting
23 protests]

24 CHAIRPERSON ROSENTHAL: --as he is
25 continuing to disrupt the hearing that we are trying

2 to have and a discussion of ideas. Thank you very
3 much to the sergeant-at-arms. I would ask that this
4 individual who is also speaking up be escorted out of
5 the chambers so we can have a quiet hearing in order
6 to hear those who are here to testify and share their
7 ideas at this time. Thank you very much.

8 PROTESTOR: [interposing] [shouting
9 protests]

10 CHAIRPERSON ROSENTHAL: Again, if there
11 is anyone who plans [applause] to raise their voice,
12 if they could so now, now is the really good time as
13 we will be escorting you out of the chambers.

14 PROTESTOR: [interposing] [shouting
15 protests] [applause]

16 STEPHEN GREENBERG: So, [coughs]--

17 CHAIRPERSON ROSENTHAL: Okay, can I ask
18 you to please continue--

19 STEPHEN GREENBERG: [interposing] I'd be
20 happy--I'd be -

21 CHAIRPERSON ROSENTHAL: --while we have
22 quiet in the room.

23 SERGEANT-AT-ARMS: Please be quiet.

24 STEPHEN GREENBERG: I'd be happy--I'd--I'd
25 be happy to. So what I want to say, and then I'll go

2 onto my prepared remarks quickly and let you go
3 forward. This--this experience really for me is a
4 learning experience in terms of what--what our young
5 men and women experience on college campuses. When
6 people are cut. When the--when the Mayor of Jerusalem
7 is booed off the stage, when people who talk about
8 free speech, do nothing other than to interrupt
9 people who happen to have a position. So I thank you
10 for giving me this experience, and believe me when I
11 tell it will help me as I go forward in my last year
12 as Chairman of Conference. And some examples, by the
13 way, just some examples. Right here at NYU mock
14 evic--eviction notices were distributed in the
15 dormitories to Jewish kids. Well, SJP, which--which
16 is so-called Student for Justice in Palestine--

17 PROTESTOR: [interposing] [shouting
18 protests]

19 CHAIRPERSON ROSENTHAL: Here we go. So,
20 um, I would ask the sergeant-at arms to please remove
21 this individual--

22 PROTESTOR: [interposing] [shouting
23 protests]

24

25

2 CHAIRPERSON ROSENTHAL: --for anyone in
3 the audience who would like to testify and have your
4 voice heard--

5 PROTESTORS: [interposing] [shouting
6 protests]

7 CHAIRPERSON ROSENTHAL: --at the
8 appropriate time, we welcome you to sign up to
9 testify, but now unfortunately it's not the time
10 because we are hearing from a panel. Thank you very
11 much.

12 PROTESTORS: [interposing] [shouting
13 protests]

14 CHAIRPERSON ROSENTHAL: Alright, is there
15 any other individuals? Just raise your hand if
16 you're about to speak out, and--and we'll have you
17 removed so we can hear from the panel. [background
18 comments] Alright, thank you very much. Please.
19 [background comments] Can the room please quiet down
20 so I can hear? Thank you.

21 SERGEANT-AT-ARMS: Keep it down, please.
22 Keep it down.

23 CHAIRPERSON ROSENTHAL: I just got my
24 ears cleaned.

2 STEPHEN GREENBERG: Okay. So I think we
3 have just seen, and I was going to say what I had
4 just omitted from my prepared speech were examples of
5 what our kids experience. I now want to say that
6 what I've witnessed here is an example of BDS
7 inspired harassment, intimidation of Jews, which go
8 on, on campuses, and that's only the tip of the
9 iceberg. Alpha Epsilon Psi, which is a major
10 international Jewish fraternity has had 24 instances
11 of physical abuse, physical abuse of young Jewish
12 men, 14 of which were hospitalized. That's what's
13 going on on our campuses today. So what you're
14 doing, what you're doing is really vital and really
15 important. Now, although this BDS movement tries to
16 positing itself as a "grassroots organization" their
17 connections to foreign organizations demonstrate that
18 there is nothing grassroots about it. In fact, BDS
19 is the progeny of the Arab League Boycott of Israel,
20 which began as a boycott of Jewish persons and
21 businesses long before the state of Israel was
22 internationally recognized. When the Boycott was
23 formally and publicly codified by the Arab League
24 Council on December 2, 1945, the statement released
25 by that group declared and I quote, "Jewish products

2 and manufactured goods shall be undesirable, and
3 shall be boycotted by all Arab countries." Long
4 before the state of Israel, long before the 1967 war,
5 long before any of the things we're talking about
6 today. This BDS movement breeds the same
7 antisemitism and racism that is propagated by all the
8 dictatorial regimes committed to Israel's
9 destruction, hereby--

10 PROTESTOR: [interposing] [chanting and
11 shouting protests]

12 CHAIRPERSON ROSENTHAL: So if this
13 individual-- Sergeant-at-arms, could I trouble you
14 to please remove this individual [applause/cheers]
15 from the Chambers as we can continue to try to have a
16 hearing where we can have a free and open exchange of
17 ideas.

18 PROTESTOR: [interposing] [shouting
19 protests]

20 STEPHEN GREENBERG: Unfortunately, BDS
21 may sometimes seem attractive to our young and
22 impressionable students who are opening their eyes to
23 injustices here and around the world, exposing
24 themselves to new ideas and fascinated by domestic
25 and foreign movements for the advancement of civil

2 and human rights, and rightfully so. But this BDS
3 campaign is the diversion of these ideas. Singling
4 out the world's one and only Jewish state for
5 condemnation and delit-de-Oh, forget it. And like
6 many radical movements, BDS does more to hurt the
7 population it extensively serves than it does to hurt
8 the population it pardons. By exploiting the
9 Palestinian people in their reality under their
10 regimes, BDS ignores the rampant violations of the
11 Palestinians' human and civil rights by the corrupt
12 political leaders that actually control their
13 realities, their opportunities and their futures.
14 Indeed, BDS is only pro Palestinian to the extent
15 that it is anti-Israel. I want to end—I want to end
16 by telling you how grateful we at the Conference are
17 for the work that you are doing. I appreciate your
18 letting us speak today along with my colleagues, and
19 I look forward to continuing to work with you as time
20 goes on. Thank you very much.

21 CHAIRPERSON ROSENTHAL: Thank you. I
22 want to acknowledge my colleagues Council Member
23 Treyger, Council Member Wills who have joined us and
24 Council Member Deutsch, Council Member Kallos. Thank

2 you very. Who—whoever is next please. Just speak
3 right into the mic. Thank you.

4 BROOKE GOLDSTEIN: [off mic] Is this mic
5 okay? No. Hello, testing. Alight. Good morning.
6 My name is Brooke Goldstein. I serve as Director of
7 the Lawfare Project, a legal think tank and
8 litigation fund dedicated to combatting lawfare, the
9 use of the law as a weapon of war against the west.
10 We are very grateful that the New York City Council--

11 PROTESTOR: [interposing] [laughter and
12 boos]

13 BROOKE GOLDSTEIN: -is interested in
14 learning about the bigoted--

15 CHAIRPERSON ROSENTHAL: [interposing]
16 Again, you know, I'm actually—I'm just going to give
17 you fair warning here. This is—this must be a safe
18 place for the exchange of ideas no matter how
19 repugnant they may be to you personally, I will not
20 tolerate any vocal outbursts whether that be
21 laughter, boos, or applause. So, I think I've been
22 quite patient over this last hour. I have been told
23 that there is another hearing that follows ours that
24 begins in two hours. I would like to make sure that
25 everyone who signed up to testify has a chance to

2 testify because I'm really interested as is the
3 Council here in what they have to say. So, I would
4 like to let the sergeant-at-arms know that the next
5 time they hear laughter or boos, I would ask you to
6 please escort those individuals out of the chambers
7 so we can be respectful as we hear from the people
8 who are currently testifying. Thank you. Please
9 continue.

10 BROOKE GOLDSTEIN: Also, I just want to
11 comment that there's a clear irony here. Obviously,
12 people who are exercising their constitutionally
13 protected right to testify are being shouted down by
14 peopled holding signs say free speech. They don't
15 get that irony clearly, and they're not going to
16 silence us, ore they're not going to silence us as we
17 talk about the bigoted and the discriminatory
18 activity that's been propagated by the BDS members
19 and its proponents. As you may already know,
20 discrimination against persons, products and
21 corporations based on ethnicity and national origin
22 is not only illegal under the New York Human Rights
23 Law, but it is a position that is antithetical to the
24 guaranteed freedoms and the fairness that exists in
25 the State of New York and the Unites States of

2 America. As Mr. Greenberg correctly mentioned, the
3 boycott and divestment strategy aimed at bankrupting
4 Israel was conceived by the Arab League prior to
5 Israel's independence in 1948 and targeted Jews. It
6 is a reflection of pure hatred against the Jewish
7 people and their state, and it is a rejection of the
8 Jewish people's right to self sovereignty. Many Arab
9 League countries have continued these commercially
10 discriminatory practices with the same stated
11 objective to this day, and the blackness has grown to
12 include a variety of businesses targeted solely
13 because of their national origin. The modern BDS
14 movement is an eventual derivative of the Arab League
15 Boycott. The two campaigns are synonymous in their
16 motive and their goals. They incite economic warfare
17 against a principal U.S. ally in the hopes of
18 destroying the world's only Jewish state.

19 SERGEANT-AT-ARMS: [interposing] Quiet
20 please.

21 BROOKE GOLDSTEIN: While it cannot be
22 said that every BDS advocate feels hatred--

23 CHAIRPERSON ROSENTHAL: [interposing]
24 Alright, it looks like--could I please ask you to wait
25 on your testimony because I'm very interested--

2 PROTESTORS: [interposing] [shouting
3 protests]

4 CHAIRPERSON ROSENTHAL: --as are the
5 other members of the Council here, and so as soon as
6 the room is quiet we'll be able to hear you. And you
7 should know, and I want to apologize to you because,
8 of course--

9 BROOKE GOLDSTEIN: Okay.

10 CHAIRPERSON ROSENTHAL: I'm the person
11 running this hearing and--

12 PROTESTORS: [interposing] [shouting
13 protests]

14 CHAIRPERSON ROSENTHAL: --I could make
15 the choice to clear the chambers--

16 BROOKE GOLDSTEIN: [interposing] Uh-huh.

17 CHAIRPERSON ROSENTHAL: --a 100%. I've
18 chosen not to--

19 PROTESTORS: [interposing] [shouting
20 protests]

21 CHAIRPERSON ROSENTHAL: --do that yet
22 because I don't think that serves the value. I think
23 if-it is important to keep everyone in the room. So
24 I apologize in advance if you get interrupted again,
25 but as I've said before, what's so important to me

2 it's more the free and open discussion of idea. And
3 in order for us to do that, we need silence in the
4 Chambers. Thank you so much.

5 BROOKE GOLDSTEIN: Thank you.

6 CHAIRPERSON ROSENTHAL: Please continue.

7 BROOKE GOLDSTEIN: To respond to the
8 gentleman above, Zionism is the Civil Rights Movement
9 of the Jewish people. It is a movement to re-
10 establish Jewish sovereignty in their historic
11 national homeland. Zionism is as legitimate as every
12 other civil rights movement. In fact, it has
13 informed and influenced various and other minority
14 groups in their quest for equality and social
15 justice.

16 PROTESTOR: [interposing] [shouting
17 protests]

18 BROOKE GOLDSTEIN: Anti-Zionism means
19 denying the basic civil and human rights of the
20 Jewish people.

21 CHAIRPERSON ROSENTHAL: So I'm sorry I
22 won't be able to hear from you if you've signed up.
23 Sergeant-at-Arms, I'm going to ask you to escort this
24 [applause] gentleman out.

2 PROTESTOR: [interposing] [shouting
3 protests] [applause]

4 CHAIRPERSON ROSENTHAL: Again, if the
5 sergeant-at-arms in the balcony could please escort
6 out the individuals who have disrupted this hearing,
7 I would appreciate that, and again, I'm really sorry
8 because I would have liked to have heard from them
9 during their time testifying. So again, if the
10 sergeant-at-arms could please escort this individual
11 out so we can hear from the people who have signed up
12 to testify, I would very much appreciate that.

13 PROTESTOR: [interposing] [shouting
14 protests]

15 BROOKE GOLDSTEIN: When you are an anti-
16 Zionist--

17 CHAIRPERSON ROSENTHAL: [interposing] If
18 I could ask what you're saying wait and not respond--

19 BROOKE GOLDSTEIN: [interposing] I
20 understand.

21 CHAIRPERSON ROSENTHAL: --at this time
22 because I can't hear you.

23 BROOKE GOLDSTEIN: I got it.

24 CHAIRPERSON ROSENTHAL: And I-I'm
25 serious.

2 BROOKE GOLDSTEIN: Okay.

3 CHAIRPERSON ROSENTHAL: I went to the ear
4 doctor yesterday.

5 BROOKE GOLDSTEIN: [interposing] No
6 problem.

7 CHAIRPERSON ROSENTHAL: All cleaned out.

8 BROOKE GOLDSTEIN: [laughs] Okay.

9 CHAIRPERSON ROSENTHAL: And I—I really
10 have no excuse.

11 BROOKE GOLDSTEIN: Okay.

12 CHAIRPERSON ROSENTHAL: So.

13 PROTESTOR: [interposing] [shouting
14 protests]

15 CHAIRPERSON ROSENTHAL: Alright, so are
16 we prepared in the audience to be quiet so we can
17 continue this testimony? Thank you very much.

18 BROOKE GOLDSTEIN: So when you are an
19 Anti-Zionist as the BDS supporters are, what you are
20 saying is you are denying the basic civil rights of
21 the Jewish people to self-sovereignty, and that is
22 racism because what they are really supporting is the
23 Islamist Movement, the Palestinian authority whose
24 aim is not only to destroy the Jewish state, but
25 oppresses its own people in the process. It uses its

2 own children as human shields and naïve people who
3 support the BDS movement are misdirect in their human
4 rights advocate-advocacy because if they cared
5 anything about human lives, if they cared about
6 Muslim lives at all, they would be protecting the
7 gender race, and religious apartheid happening in
8 every single Muslim majority country in the world.
9 But they don't care about Muslim lives. They don't
10 protest female genital mutilation. They don't
11 protest the use of the Palestinian children as human
12 shields, as child soldiers, as suicide bombers. They
13 don't protest the indiscriminate-

14 PROTESTORS: [interposing] [shouting
15 protests]

16 BROOKE GOLDSTEIN: --killing of
17 Palestinian political dissidents.

18 CHAIRPERSON ROSENTHAL: [interposing] So
19 again, I would ask that the people in this audience
20 who can't control themselves, to wait until it is
21 their turn to testify, to be escorted out of the
22 chambers. I really appreciate that. Thank you very
23 much.

24 PROTESTORS: [interposing] [shouting
25 protests] [applause]

2 CHAIRPERSON ROSENTHAL: So what I'd like
3 to do is have an opportunity--

4 PROTESTORS: [interposing] [shouting
5 protests]

6 CHAIRPERSON ROSENTHAL: --to hear form the
7 individuals who are--have signed up to testify, and,
8 um, if we could have quiet in the Chambers, then
9 we'll be able to hear from those people who have
10 signed up to testify. Alright.

11 BROOKE GOLDSTEIN: Well, it cannot be
12 said that every BDS advocate feels hatred towards
13 Jews. The movement is inherently and undeniably
14 anti-Semitic at it's core. That's why when President
15 Carter signed the Federal Export Administration Act
16 into law, and made participation in the Arab League
17 Boycott illegal, he said its purpose was to, "End the
18 divisive effects on American life, of foreign
19 boycotts aimed at Jewish members of our society."
20 Other federal laws including Ribicoff Amendment to
21 the Tax Reform Act, the Sherman Antitrust Act, have
22 also been applied to prohibit and penalize
23 discriminatory commercial activity against Israelis.
24 U.S. Federal law and policy is crystal clear,
25 participation boycotts against U.S. allies whether

2 they are Israeli, Chinese, Jordanian or Canadian are
3 intolerable and illicit. BDS activities are not only
4 illegal on the federal level. Indiana, New York,
5 Pennsylvania, Tennessee, Virginia State Legislators
6 have recently passed their unanimous resolutions
7 condemning the BDS Movement, and exposing it for the
8 anti-Semitic, anti-peace, anti-free speech initiative
9 it truly and openly. State laws have been or are
10 being enacted currently in Alabama, Arizona,
11 California, Colorado Florida, Georgia, Illinois,
12 Indian, Iowa, New Jersey, New York, Rhode Island and
13 South Carolina outlawing BDS activity. Other states
14 like our great state of New York have anti-
15 discrimination statutes already on the books, which
16 include a private right of action for individuals and
17 corporations that face commercial discrimination
18 based on ethnicity or national original. In the
19 coming months, a dozen more—dozens more U.S. State
20 legislators will consider anti-BDS legislation. So
21 while radical BDS activists continue to advance this
22 repugnant movement, the national trend of the United
23 States towards condemning and often outlawing BDS
24 activity should be followed. The expectations that
25 discriminatory commercial conduct will soon be

2 prohibited and penalized in every U.S. jurisdiction.

3 Here in New York boycotts undertaken on account of a

4 victim's protected class have long been outlawed. In

5 fact, the New York Court of Appeals noted in a 1995

6 decision that New York's own anti-boycott

7 legislation, "Found its impetus in the Arab League

8 boycott of Jewish businesses, and was drafted more

9 broadly to prohibit not only boycotts imposed by

10 foreign entities, but any business tactics, which are

11 driven by religious or racial bigotry. Section 296-

12 13 of New York State's Human Rights Law provides that

13 it shall be a lawful discriminatory practice for any

14 person to boykit-boycott or refuse to buy from, sell

15 to or trade with or otherwise discriminate any

16 person, against any person because of their race,

17 creed, color, sexual orientation and national origin.

18 It is irrelevant under the law whether the impetus is

19 bigotry or supposed protests of the Israeli

20 government. While BDS proponents claim they are

21 acting to demonstrate disagreement with the Israeli

22 government, these claims are disingenuous and they

23 are transparent. BDS proponents are free to

24 criticize Israeli policies. Israelis do it everyday

25 in one of the world's most active and dynamic

2 democracies. However, targeting or discriminating
3 against a person or a company because of their
4 ethnicity or national origin is unacceptable. One
5 would not boycott a restaurant owned by a Chinese man
6 to protect the Chinese government's policy. Now
7 would one refuse to purchase from an African-American
8 retailer to declare condemnation of the government of
9 Sudan. That is discrimination. That is illegal in
10 New York State pure and simple, and yet the BDS
11 Movement target individuals and corporations because
12 of their Jewish ethnicity and Israeli national
13 origin. Tellingly, the BDS Movement singles out the
14 Jewish state and only the Jewish state in it's so-
15 called human rights advocacy. This is racism pure
16 and simple. Finally, claims of the violation of
17 First Amendment rights are baseless and absurd.
18 Advocacy of a boycott or of the BDS movements' more
19 general goals is not prohibited nor could it be
20 prohibited anywhere in the United States under the
21 First Amendment. However, when advocacy is combined
22 with action and it crosses the line from protected
23 speech to prohibited commercial conduct, there are
24 clear violations of law especially in New York.
25 Ironically, it is the BDS Movement and its proponents

2 that operate to undermine our liberal democratic
3 values of free speech and association each time they
4 rabidly disrupt presentations and events on American
5 campuses featuring Israeli politicians, innovators,
6 artists and academics. Because of the unequivocally
7 unapologetically bigoted nature of the BDS campaign,
8 it is entirely appropriate, in fact, laudable that
9 the New York City Council is considering a resolution
10 denouncing the movement and its message. The Lawfare
11 projects stands firmly behind the Resolution 1058,
12 and we are available any time for questions or
13 comments. Thank you.

14 CHAIRPERSON ROSENTHAL: I think our—our
15 last speaker on this panel is Mr. Evan Bernstein.

16 EVAN BERNSTEIN: Yes, hi. Thank you,
17 Madam Chair and thank you to the committee for
18 allowing me to speak. I'm Evan Bernstein the
19 Regional Director of the Anti-Defamation League of
20 New York, 100 plus year-old civil rights
21 organization. It's mission is to stop the defamation
22 of Jewish people and secure justice and fair
23 treatment for all. I'm proud to be here to say that
24 the ADL fully supports New York City Council
25 Resolution 1058-A, which condemns the Boycott,

2 Divestment and Sanctions campaign, BDS, or any
3 manifestation of it in the State of New York. BDS
4 has a biased and simplistic approach to the complex
5 nature of Israeli-Israel Palestinian conflict. It
6 cast a dispute over territory-territorial and
7 nationalist claims is the fault of only one party,
8 Israel. We all hope and pray for a true resolution
9 to the conflict that allows for a secure, independent
10 and prosperous future for both Palestinians and
11 Israelis. The reality is that BDS offers no such
12 path to the Israeli-Palestinian negotiations, a
13 reconciliation or peace. It offers no constructive
14 improvement for Palestinians. It advocated-its
15 advocates do not support a two-state solution.
16 Rather, they seek to merely isolate, demonize Israel
17 and deny the Jewish state the right to stop
18 discrimination and statehood. To be sure increases,
19 increases in Israel and Israeli policies can be
20 reasonable and legitimate, but BDS, which singles out
21 Israel for pariah status is neither reasonable nor
22 legitimate. It is biased and disproportionate. We
23 have seen in New York City the divisive impact of BDS
24 on educational, faith, corporate, cultural and
25 political communities. On more than one New York

2 City campus we have witnessed BDS lead to needless
3 agitation and division of the student body and in
4 some cases to Jewish, pro-Israel and even unevolved
5 students that in the fight, and feel isolate and
6 besieged. As legislators we have the responsibility
7 and opportunity to condemn the-the BDS movement,
8 movements of divisive and simplistic solutions. We
9 have the opportunity to support constructive
10 initiatives to build connections within Israelis and
11 Palestinians, and help prepare both societies for
12 peace. We have the ability to promote the investment
13 of mutually beneficial businesses, academic and
14 cultural ties with Israel. We support 1058-A as an
15 important declaration that the City of New York
16 recognizes and rejects the insidious and destructive
17 nature of the BDS campaign, and will work to enhance
18 the already strong ties within New York City, Israel
19 to work for peace, justice and equality. Thank you.

20 CHAIRPERSON ROSENTHAL: Thank you very
21 much. I want to recognize Council Member Kallos who
22 has joined us, and if the panel could stay for just
23 one more minute, a couple of Council Members have
24 questions. We're going to start with Council Member
25 Lancman.

2 COUNCIL MEMBER LANCMAN: Good morning,
3 everyone. Thank you very much for coming to testify
4 this morning on this very, very important issue.

5 [coughs] I want to thank you for illuminating the-
6 the issue as well as framing it. I particularly want
7 to thank you for the exposing the BDS Movement for
8 what it is, which is the latest in a long history of
9 anti-Semitic movements that seek to deny Jews--

10 PROTESTOR: [interposing] [shouting
11 protests] I'm listening and it's all B.S.

12 CHAIRPERSON ROSENTHAL: [interposing] I'm
13 going to ask the, um sergeant-at-arms to please take
14 this individual out. There's also an individual
15 standing--

16 PROTESTOR: [interposing] [shouting
17 protests]

18 CHAIRPERSON ROSENTHAL: --and I'm
19 actually going to ask for the recommendation of the
20 head of the sergeant-at-arms, that we take all the
21 people [applause] who are in the balcony out. So I
22 would ask that the sergeant-at-arms at this time
23 please take all of the members, all the individuals
24 who are sitting on the balcony out of the chambers.
25 I was here when there was instance where someone--it

2 was a very unfortunate situation where someone was
3 hurt. It's quite dangerous for the sergeant-at-arms
4 to manage the situation up there. So at this time
5 I'm asking that the sergeant-at-arms please clear the
6 balcony of all of the, um people who are here.

7 PROTESTOR: [interposing] [shouting
8 protests]

9 CHAIRPERSON ROSENTHAL: And then as soon
10 as that is done, then we'll be able to continue with
11 the questions. I also would like to say that for the
12 last speaking and a half, it has been quiet in the
13 Chambers, and I've really appreciated that. So for
14 the people who chose not to stand up, I thank you.
15 So I could hear what they have to say, and again, I
16 look forward to hearing what everyone has to say when
17 it's their turn to testify. If we could have quiet
18 for the gentlemen who are, and—and women who are in
19 the balcony, if you could depart quietly.

20 PROTESTOR: [interposing] [shouting
21 protests]

22 CHAIRPERSON ROSENTHAL: That would be a
23 blessing, and I would appreciate that. Okay. So, are
24 we—we're all quiet now, and again, for anyone who
25 would like to testify there are slips of paper right

2 up here. You can just get one right at the sergeant-
3 at-arm's desk, and fill it out and I look forward to
4 hearing you. But we're going to wait and I would ask
5 the members of the Council to refrain as well from
6 speaking so we can have some quiet. Okay, Council
7 Member Lancman, I've got to say might be middle-age
8 muddle but could you ask your question again so we
9 can get back on track here? Thank you.

10 COUNCIL MEMBER LANCMAN: I will do—I will
11 do the best that I can. I am the elected
12 representative of the 24th Council District, and I
13 appreciate the opportunity that my constituents have
14 given me to speak on these issues, and like you as
15 witnesses, I will not be silenced by the Boycott,
16 Divestment, Sanction Movement. I want to thank you
17 for helping to frame the issue to explain for us,
18 indeed help our friends on the other side to
19 demonstrate for us by their actions and their words
20 how the BDS Movement is really just the latest in a
21 long history of antisemitism, discrimination and
22 efforts to stigmatize, delegitimize the Jewish people
23 and their opportunity to participate in the economy,
24 the social and academic life wherever they live. And
25 I particularly want to thank you, Brooke.

2 CHAIRPERSON ROSENTHAL: [interposing] I'm
3 sorry, Council Member--

4 COUNCIL MEMBER LANCMAN: [interposing] If
5 we could just close the door in the back, yeah.

6 CHAIRPERSON ROSENTHAL: --I'm going to
7 ask you to hang on one more second, and I apologize
8 for the delay. It's just really hard to hear. So---
9 [audience background comments] So, I think as soon
10 as the door is closed, which I know the sergeant-at-
11 arms is trying to do, so we can continue on with the
12 people's business in fashion where we can hear each
13 other. [audience background comments] And again, I
14 just want to reiterate that the purpose of this
15 hearing is for there to be a free exchange of ideas.
16 I appreciate everyone. [audience background
17 comments] Oh, I'm sorry. Are you wait 'til they're
18 quiet so I can be heard? Because I can't be heard.
19 I can hardly hear myself. [audience background
20 comments] So, I'm just going to wait until.
21 [background comments] I'm sorry. I'm trying to
22 conduct a hearing, and I want to hear from everyone
23 when they--when it's their time to testify. Thank you
24 so much. [background comments] You know, this is--
25 you know, I would ask the sergeant-at-arms-- Thank

2 you. [pause] [background comments] Again, I want to
3 thank the sergeants-at-arms for their efforts here
4 today. I-I have to confess I still can't hear. So I
5 would ask that the sergeant-at-arms remove anyone
6 from this floor who's making it difficult for us to
7 hear at this time. I would ask you to please use
8 your judgment in removing them. Someone seems to be
9 videotaping. I don't know individuals who are
10 talking. I-I really just want to continue with this
11 important dialogue.

12 COUNCIL MEMBER LANCMAN: And what I was
13 about to say [coughs]--but we do we have to keep that
14 door closed. Thank you--is how this hearing and the
15 conduct of the BDS advocates is a perfect
16 representation of what it is that we are hear to
17 trying to combat. That these individuals cannot
18 compete on their ideas, on their positions, and so
19 what they want to do is to shut down those who
20 disagree with them, to block speaker on--

21 PROTESTOR: [interposing] [shouting
22 protests]

23 COUNCIL MEMBER LANCMAN: Good job.

24 CHAIRPERSON ROSENTHAL: Sergeant at arms,
25 can you please remove the person who's disrupting our

2 hearing and again, I just want to reiterate that I
3 would really love to hear from the people who don't
4 love this resolution but I'd like to hear from them
5 at the appropriate time. Thank you.

6 COUNCIL MEMBER LANCMAN: And SO, there you
7 have it, folks. The Boycott, Divestment and Sanction
8 Movement we're at large. I would like to ask you all
9 to-to speak, if you could in your areas of expertise
10 and Michael Miller in particular as-as one of the
11 leading figures in Jewish life here in New York City
12 on a-on a day-to-day on-the-ground level. [coughs]
13 Excuse me. The extent to which the BDS movement,
14 which is we all know and not barely even a pretense
15 of it-of it not being, um, a deeply anti-Semitic
16 movement, has contributed to the antisemitism that
17 has grown in New York City, which is reflected in the
18 significant increase in hate crimes against Jews, and
19 the extent to which the BDS Movement, of course,
20 doesn't just target very precisely Israeli companies
21 doing business in Judeo Shamram (sp?)but Jews
22 generally because people don't really make that
23 distinction.

24 PROTESTOR: [interposing] [shouting
25 protests] It's a lie.

2 CHAIRPERSON ROSENTHAL: I'm so sorry.

3 Council Member Lancman, you were in the middle of

4 PROTESTOR: [interposing] [shouting
5 protests]

6 CHAIRPERSON ROSENTHAL: --almost getting
7 to the end of your question. So, there we go.

8 COUNCIL MEMBER LANCMAN: And I-I just--

9 PROTESTOR: [interposing] [shouting
10 protests]

11 COUNCIL MEMBER LANCMAN: I-I do want to
12 say, I-I understand to the BDS folks, I-I understand
13 how painful and disappoint it is for you to come to
14 the realization that you are anti-Semites, and that
15 you are joining a long history of Anti-Semite. It's
16 painful I know, but I can tell you there have been
17 moments in my life where I've had to reflect on
18 whether the things that I'm doing or saying really
19 reflect my values. I've never crossed over to the
20 dark side to that extent, but I feel your pain.

21 PROTESTOR: [interposing] [shouting
22 protests]

23 CHAIRPERSON ROSENTHAL: I'm sorry. I-I-
24 I, um, question. I would leave it to the judgment of
25 the sergeant-at-arms, but to the extent that people

2 are holding press conferences to--for the sergeant-at-
3 arms who are talking to other council members. To
4 the extent that people are holding press--press
5 conferences in the Chambers while this is going on, I
6 just want to let you know how difficult that makes it
7 for us to hear. So I'd ask you to please not only
8 refrain from holding a press conference in the
9 Chambers. But if the sergeant-at-arms sees you
10 participating in a press conference in the Chambers
11 during this hearing, I would ask them to please
12 remove those people who are participating in the
13 press conference. It's really distracting, and I'm
14 wanting to hear.

15 COUNCIL MEMBER LANDER: We know.

16 CHAIRPERSON ROSENTHAL: So Council
17 Member, could you continue?

18 MICHAEL MILLER: Yeah, so...

19 COUNCIL MEMBER LANDER: Go ahead.

20 MICHAEL MILLER: --just a--a--a brief
21 answer because there are no statistics that I'm aware
22 of. I turn to my colleague Evan Bernstein from the--
23 the ADL pertaining to the matter of whether there are
24 increasingly more anti-Jewish, anti-Semitic acts.

2 PROTESTOR: [interposing] [shouting
3 protests]

4 MICHAEL MILLER: How—

5 CHAIRPERSON ROSENTHAL: [interposing] So
6 again, I would ask that anyone who feels the need to
7 talk in the Chambers to please take themselves
8 outside of the Chambers because while I am very
9 interested in hearing from you, I'm interested in
10 hearing from you at the appropriate time. We all
11 need to follow the rules because we can all be heard.
12 Unfortunately, while I wanted to go to the panel next
13 that people are having to leave. So I may have to go
14 out of order a little bit. So apologies, but we are
15 going to continue to hear Mr. Miller's response.

16 MICHAEL MILLER: Okay, once again, just—
17 just briefly. Because clearly the BDS Movement has
18 had an impact. I think it's had an impact here, you
19 know, attempt to intimidate all of us who are sitting
20 here and my colleagues who have had their testimony
21 interrupted and, of course, the ability of the City
22 Council to actually have a hearing on this. And
23 hearing is hearing from us, who are testifying as
24 opposed to hearing from those who are in the
25 audience. What's been happening on campus, and I—I

2 think that my-my colleagues have spoken to it
3 particularly Mr. Greenberg is really most troubling
4 and actually we have here and in the room. I'm not
5 sure if she'll have that opportunity to testify, but
6 we have the Director of the Hillel in-on Hunter-
7 Hunter College campus, Alyssa Pollock, and she could
8 be speak most directly to the BDS impact on the
9 college campus, on the college students and how the
10 college students feel vulnerable. They're coming to
11 college to get a BA, and MA, a PhD, not to engage in
12 a verbal fist fights with those with whom they may
13 disagree on Middle East issues, and to feel
14 threatened, physically threatened when they go to
15 class if-if they wear anything that smacks of Judaism
16 or an Israeli flag or any other kind of Israeli
17 paraphernalia. So the answer is yes. It's
18 contributing to a climate, which has led no doubt to
19 an increase in anti-Semitic, anti-Jewish, anti-Israel
20 activity. I'll turn now to my colleague Evan if he
21 has some additional statistics.

22 EVAN BERNSTEIN: Thank you, Michael. You
23 know I think it's-it's hard to-to-to put a direct
24 connection between the BDS Movement and actual anti-
25 Semitic incidents. We did have a 100% increase in

2 anti-Semitic assaults in New York last year.

3 Overall--

4 COUNCIL MEMBER LANCMAN: What was--what
5 was that number?

6 EVAN BERNSTEIN: 100% increase of anti-
7 Semitic assaults. Last year it was close to 200
8 anti-Semitic assaults.

9 COUNCIL MEMBER LANCMAN: In--in New York
10 City or nationally?

11 EVAN BERNSTEIN: New York--New York State.
12 The number of Anti-Semitic incidents, which includes
13 Swastikas drawings, et cetera were actually down last
14 year. One of the things that we're seeing is--is also
15 really on campus. The--the concern for us with BDS
16 is--is it's heart-to-mind approach. We have not seen
17 across the country, you know, a lot of BDS movements
18 that have actually been successful from a financial
19 standpoint clearly, but what they're doing is, is
20 they're giving a whole new generation of people this
21 question about Israel's legitimacy and Israel's right
22 to exist, and that's something that could have very
23 long-term effects for--for the next generations of--of
24 leadership whether it's in the City Council, the
25 State Legislative branches across the Unite States

2 and I think that these kinds of-of acts at BDS while
3 they are-are targeting the financial side of things
4 in targeting other and things like that, there's-
5 there's a heart and mind approach, and this a well
6 that could very, very deep and very, very impactful
7 long term.

8 BROOKE GOLDSTEIN: Um, I'd like to say
9 that-I'd like to say I do think there is a direct
10 connection, and there are many examples. At the
11 Lawfare Project we get calls almost every week from
12 students around the United States complaining of
13 harassment, complaining of First Amendment
14 violations, complaining of Title 6 violations, which
15 are rampant in every government funded school.
16 Councilman Lancman correctly mentioned that Jews are
17 targeted. Look how, for example the singer Matisyahu
18 was targeted. He is Jewish. He is not Israeli, and
19 the BDS Movement directly targeted him, and Spanish
20 officials for example to go over the BDS Movement
21 there for what was clearly discrimination against
22 someone because of their religion. And when we have
23 the BDS Movement chanting such as *From the river to*
24 *the sea Palestine will be free*, which is a genocidal
25 chant calling for the elimination of Jewish state.

2 When they chant intifada, intifada, which is a call
3 for a violent uprising. When they attempt fundraise
4 to provide direct material support to a designated
5 terrorist group Hamas, as they did at Ruckers, which
6 is what the U.S. in Gaza and Baka did there, you have
7 a direct connection between the BDS Movement and not
8 just Anti-Semitism. Bit rampant violations of both
9 civil rights, and attempted violations of federal
10 material support for terrorism laws.

11 CHAIRPERSON ROSENTHAL: Alright, I just
12 want to--

13 COUNCIL MEMBER LANCMAN: [interposing]
14 Thank you.

15 CHAIRPERSON ROSENTHAL: --ask a quick
16 question actually, Mr. Miller, and that is do you
17 believe that the resolution as it's written, and this
18 is just something that's come up often, but as it's
19 currently written, do you think it precludes freedom
20 of speech.

21 MICHAEL MILLER: Absolutely not. Um,
22 there is nothing about this risk. I-I know that, um,
23 Council Member Cohen and those and the drafters of
24 this resolution labored very hard to ensure that this
25 would not be violative of any Constitutional law or

2 principle, and certainly not the-the principle of-of
3 freedom of speech. Um, as we have all said, it's
4 just the opposite. For those of us who wish to be
5 supportive of Israel, we're the ones whose free-whose
6 speech is frequently compromised and-and interrupted.
7 So, the answer is absolutely, and I-I commend the
8 drafters of this resolution led by Chairman Cohen to
9 Council Member Cohen to-for-for the manner in which
10 and the sensitivity in which they-they-they drafted
11 it and-and crafted it.

12 CHAIRPERSON ROSENTHAL: I-I just wanted
13 to ask you one other clarifying question just because
14 it was raised earlier. Does the draft, does it-does
15 the resolution, and it's A version as it's currently
16 written have anything to do with the recent New York
17 State elected official actions?

18 MICHAEL MILLER: To the best of my
19 knowledge the answer is no. There-and it raised
20 before by Assembly Member Barron. There is
21 absolutely no connection, and also by Assembly
22 Member, um, Levine. Thank you. By Senator Levine.
23 There's absolutely no connection between what the
24 City Council resolution references and the Executive
25 Order issued by Governor Cuomo or the legislation

2 passed in the New York State Senate or the
3 legislation considered within New York State
4 Assembly, totally independent. In fact, if you take
5 a look word for word between the two resolutions,
6 there's very little comparison between--between the
7 two.

8 CHAIRPERSON ROSENTHAL: And I can
9 understand why there might have been confusion but
10 this--

11 MICHAEL MILLER: [interposing] Of course,
12 it was set. (sic)

13 CHAIRPERSON ROSENTHAL: --is an A version
14 that I just want to clarify that's what we're
15 discussing today is the A version.

16 MICHAEL MILLER: Correct, indeed.

17 CHAIRPERSON ROSENTHAL: Okay, thank you.

18 MICHAEL MILLER: And thank you for that.

19 CHAIRPERSON ROSENTHAL: Council Member
20 Kallos, you have some questions.

21 COUNCIL MEMBER KALLOS: Thank you.
22 Council Member Ben Kallos. I represent the Upper
23 East Side, East Midtown, East Harlem and Roosevelt
24 Island. I'm Vice Chair of the Jewish Caucus. Much
25 of my family died in concentration camps during the

2 Holocaust. Some of us survived and made it to the
3 United States, some to Sweden, and many to Israel. I
4 love my family in Israel. I love Israel. I love the
5 United States, and our city, and its Human Rights
6 Law, which protects against discrimination based on
7 ethnicity or nation of origin. I will stand against
8 discrimination against anyone based on their
9 ethnicity or nation of origin. I'm deeply saddened
10 to see personal attacks in our communities, on
11 college campuses and my brothers Alpha Epsilon Psi
12 and even here in the City Council Chambers. For
13 those of you watching on TV, filming and
14 photographing, this is what it means to be Jewish and
15 to support Israel here in New York City in 2016. I'm
16 proud to join Council Member Andrew Cohen and Chair
17 Helen Rosenthal as co-prime sponsor of Introduction
18 1058-A, and urge Contract Committee members to vote
19 in support of this resolution, and just panel-
20 questions for the panel, which I believe have already
21 been covered. It just is-is what we've seen today
22 indicative of what Jewish people and those who
23 support Israel see in their lives everyday?

24 MICHAEL MILLER: I tried to indicate this
25 earlier. Personally, and-and one of my colleagues

2 said to me earlier here, you know, this is what I see
3 all the time when we had a nice office on Third
4 Avenue, but I do hear from—from our Jewish young men
5 and women on college campuses especially your
6 fraternity brothers, Andy Boris, who I see regularly
7 because I talk to many Phi people, and what I said
8 before is true. There have been physical attacks on
9 Jewish kids. It's a very serious problem, and what
10 you saw here today the kind of incitement that we saw
11 here today leads and only aggravates what has become
12 a terrible situation for young Jewish kids on
13 campuses. And I think—I commend you for doing what
14 you're doing, and I think it's very important for you
15 to focus on the fact that what you witnessed
16 personally here today our kids have to put up with
17 everyday on college campuses and worse. So, thank
18 you for that question.

19 COUNCIL MEMBER KALLOS: Thank you.

20 BROOKE GOLDSTEIN: Can I make a short
21 comment? It's not just so-called pro-Israel
22 advocacy—

23 SERGEANT-AT-ARMS: [interposing] No, you
24 can't be that close. (sic)

2 BROOKE GOLDSTEIN: --that is being shut
3 down, it's also pro-Arab advocacy. For example, I
4 risked my life and I spent almost two years in and
5 out of Nablus Ramallah Tolcom (sp?). I was in
6 Palestine authority territory. It's where I
7 interviewed families who were victimized by Hamas. I
8 made a movie about the recruitment of innocent Muslim
9 children as suicide bombers. It was given an award
10 by the United Nations for best documentary film, and
11 when I screened this movie to advocate for the human
12 rights of Palestinian Arab children who were being
13 abused at the hands of Hamas and Al-Aqsa and the PLO,
14 the same advocates tried to shut down that speech
15 because it is an inconvenient truth for them. They
16 do not want us to hear about the abuses occurring
17 against innocent Palestinian Arab children at the
18 hands of the Palestinian authority.

19 CHAIRPERSON ROSENTHAL: Okay. Thank you
20 very much. I know--thank you so much for your time
21 and for your patience this morning very much. On
22 behalf of the Council, again I want to apologize to
23 you for any interruptions. I very much appreciate
24 your willingness to come here today, and share your
25 expertise, and your experiences and so thank you.

2 Thank you very much. We're--unfortunately, it's 10 to
3 12:00, and we haven't had a chance yet to hear from
4 those who are opposed to the resolution, but now we
5 will be calling up that panel, and as--and I just want
6 to remind people that, you know, we're--we are here to
7 hear all points of view. Unfortunately, sometimes
8 when there are disruptions, and the room is cleared,
9 unfortunately some people then lose the opportunity
10 to testify, but--

11 PROTESTOR: [interposing] [shouting
12 protests]

13 CHAIRPERSON ROSENTHAL: I'm sorry. I'm
14 going to ask that someone departs. So, I'm not going
15 to call up Linda Sansour, Tahi Perzala (sp?), Rahika
16 Sanoff (sp?), Imam Talib, Abdum Rashid, and Adud
17 Salim Muza (sp?), and if I've mispronounced anyone's
18 name I apologize in advance. Please when you
19 introduce yourselves pronounce your name correctly
20 for the record, and we have your sign-in slips as
21 well. [background comments] I'm to ask you.
22 Sometimes we just go left to right or right to left.
23 If anyone has to leave early please go first, and
24 there--again, we very much appreciate your coming
25 today. Do we have a chair for this individual?

2 Okay, great. Thank you very much. Again, if we
3 could have quiet in the Chambers, and sir-[background
4 comments] Sir, I'm going to ask from my left. So if
5 you could please start. Introduce yourself again.
6 Thank you.

7 ABDUS-SALAAM-MUSA: I-I shall, if you
8 give me a chance. Okay, my name is Jabin Imam Abdus-
9 Salaam Musa. I'm representing the Islamic Circle of
10 North America. The Islamic Circle of North America
11 demands repealing of unconstitutional efforts to
12 censor and blacklist citizen in businesses engaged in
13 BDS against injustice. The Islamic Circle of North
14 America calls on New York City Council to reject
15 Resolution 1058 and the limitations it places on free
16 speech and peaceful civil protests. The resolution
17 unfairly targets the peaceful and legitimate Boycott,
18 Divestment Sanctions movement against Israel about
19 mentioning that Israel has violated more
20 international laws and united resolutions-United
21 Nations resolutions that any other nation in history.
22 Economic protests are fundamental to the
23 establishment of this nation, and our cornerstone of
24 free speech. This nation was founded out of an
25 economic protest: The Boston Tea Party. It would be

2 hypocritical for the City Council to now ban forms of
3 peaceful economic protest under the guise of
4 protecting the friendly nations. At this time, the
5 great polarization in our nation, free speech must be
6 protected at all costs less we become one of the
7 oppressive regimes that we see around the world. Any
8 reflections—any restrictions on BDS is against the
9 American Constitution and violates the civil rights
10 of freedom of speech, expression and association of
11 the constituents of our great city. Our city should
12 not be punishing political speech. Boycotts have had
13 a long history of being used as a tool for social
14 justice movements, and the movement for the
15 Palestinian rights should not be singled out for
16 censorship. This sets a dangerous precedent of a
17 politically motivated McCarthy Blacklist. ICNA hopes
18 that the City Council will reaffirm the fundamental
19 rights of its constituents to engage in activism for
20 social justice, and does not blacklist activists for
21 their political thoughts, speech and association as
22 guaranteed by our Constitution and reject this
23 resolution. Thank you.

24

25

2 CHAIRPERSON ROSENTHAL: Thank you. Oh,
3 I'm sorry. I want to recognize Council Member
4 Garodnick who has joined us. Thank you. Please.

5 RADHIKA SAINATH: Hi. Thank you for
6 listening to my testimony today. My name is Radhika
7 Sainath, and I'm a staff attorney at Palestine Legal.
8 Palestine Legal is a not-for-profit organization
9 dedicated to protecting the civil and constitutional
10 rights of people in the United States who speak out
11 for Palestinian freedom. I present testimony today
12 to oppose Proposed Resolution 1058, which would
13 condemn non-violent Boycott, Divestment and Sanctions
14 Campaign for Palestinian freedom. Palestine Legal
15 exists because people in this country who are vocal
16 about Palestinian freedom routinely experience the
17 suppression of their First Amendment right to speak
18 out. This includes the right to participate in and
19 advocate for boycotts, which the Supreme Court
20 recognized as First Amendment protected in 1982. Our
21 work includes documenting incidents of suppression,
22 what we call the Palestine exception to free speech
23 where people in the United States are censored,
24 bullied, harassed, blacklisted or otherwise punished
25 for taking a principled stance for human rights,

2 whether by advocating for the tactic of boycotts
3 specifically or for Palestinian freedom generally.
4 At Palestine Legal we field calls from students,
5 professors and other community members asking us
6 questions about their rights to hand out flyers, to
7 engage in mock theater, mock street theater, and say
8 host a Policy Poet at their school. We also receive
9 calls from those who are subjected to severe
10 harassment because of their speech critical of Israel
11 policy. Since 2014 we've responded to nearly 600
12 incidents of suppression. 126 of these happened in
13 the State of New York, and again, that's just the tip
14 of the iceberg. That's just what we as an
15 organization have responded to. We're a small
16 organization. I'm the only attorney in New York
17 City. So this is what people are calling up about
18 and I want to just give you an example of what I mean
19 when I'm talking about suppression or harassment when
20 I use these words. In earlier testimony today, we
21 heard some myths and false accusations circulated
22 regarding NYU students, and specifically New York
23 University students for Justice in Palestine, and I
24 just want to talk. And give you an example of some
25 very serious death threats and rape threats that they

2 experienced just weeks after Governor Cuomo signed
3 into law his executive order, sorry, blacklisting
4 organizations that support the tactic of boycotts and
5 divestment and sanctions. And I'm just going to
6 read to you the email that the Students for Justice
7 in the Palestine Chapter received at NYU, and it
8 says, I quote, "We will rape your organization
9 leaving no holes." And that the group was, "Swimming
10 in a campus fish bowl" and that there "No safe spaces
11 any more." Again, this a few weeks after Govern
12 Cuomo signed into—into—signed his Executive Order
13 blacklisting organizations that promote BDS, and this
14 after articles circulated a hoax that SJP was engaged
15 in anti-Semitic activity, which was proven false.
16 So, again, speaking to human rights activists it
17 becomes clear that condemnation from officials
18 including legislation and resolutions by elected
19 officials, can have a terrible killing effect on
20 protected speech, and often leads to the kind of
21 harassment, bullying and even raising death threats
22 faced by the students at NYU and elsewhere. By
23 falsely equating BDS campaigns with anti-Semitism and
24 by failing to acknowledge that BDS campaigns are a
25 non-violent tactic to which people of conscience

2 throughout the world can effectively oppose Israel's
3 violations of international law. The City Council is
4 laying the groundwork for the suppression of
5 Palestine rights activism and the environment that
6 welcomes threats against Palestinian Human Rights
7 activists. Our lawmakers should be in the business
8 of advancing human rights, not condemning those of us
9 who choose to exercise our constitutional rights to
10 engage in such advocacy. Because this resolution
11 will kill Constitutionally protected speech, and
12 invite further suppression of social justice
13 activists, I urge you to withdraw it. Thank you.

14 CHAIRPERSON ROSENTHAL: Thank you.

15 Linda.

16 LINDA SARSOUR: For the record, I want to
17 say that today at the New York City Council I was
18 humiliated with colleagues Rarumda Bandal (sp?)
19 After following your rules sitting upstairs waiting
20 for me to be testified was asked to leave the
21 building until people in this Chambers knew who we
22 were and why we were here, we were asked to come
23 back. So I want that on the record. My name is
24 Linda Sarsour, and I am a proud apologetically
25 Palestinian-American. I'm a non-profit leader, a

2 civil rights activist and a pure bred New Yorker. I
3 stand up for the justice of all people. I sit here
4 before you both disappointed and outraged that this
5 hearing is rooted in suppressing our fundamental
6 right to free speech protected by U.S. Constitution.
7 As the New York City Council body, you were elected
8 to work on and legislate issues that impact New
9 Yorkers. As a city and a country we are in crisis.
10 We are in a divided nation, political rhetoric and
11 hatred creating wedges between communities. The fact
12 that members of the New York City Council want to
13 engage on a divisive issue that has no direct impact
14 on New Yorkers at a time where they should be bring
15 New Yorkers together is in my opinion irresponsible.
16 Resolution 1058-A is also based of propaganda and
17 misinformation. It is your duty to provide your
18 colleagues and New Yorkers with facts. BDS is a
19 Palestinians led non-violent movement to hold Israel
20 accountable to the human rights violations against
21 Palestinians. It is a movement. It is not an
22 organization. It is described in the resolution as
23 one monolithic singular entity, which is false. It's
24 a global movement that has engaged institutions,
25 people of faith, students, businesses, entertainers

2 and activists in a call for justice and equality for
3 Palestinians. The Resolution also claims that with a
4 broad brush that BDS traffics anti-Semitism when it
5 clearly, based on principle has condemned all forms
6 of discrimination and racism including Islamophobia
7 and anti-Semitism. It claims that BDS does not
8 support a two-state solution when, in fact, BDS as a
9 call to action does not take any position in relation
10 to this matter. The resolution also conveniently
11 erases the many Jewish-Americans and those in the
12 Diaspora who support BDS as well as congregations and
13 academic institutions worldwide. Nobel Peace Prize
14 winner Archbishop Emeritus Desmond Tutu said, "In
15 South Africa we could not have achieved our democracy
16 without the help of people around the world who
17 through the use of non-violent means such as boycotts
18 and divestments encourage governments and other
19 corporate actors to reverse decades long support to
20 the Apartheid Regime. The same issue of inequality
21 and injustice today motivates the divestment movement
22 trying to end Israel's decades long occupation of
23 Palestinian territory and the unfair and pre-judicial
24 treatment of the Palestinian people by the Israeli
25 government ruling over them." End quote. Would you

2 have been against Archbishop Desmond Tutu, Nelson
3 Mandela and the call to end South African Apartheid,
4 the discrimination and humiliation of South Africans?
5 Whatever happened to I don't agree with what you have
6 to say, but I'll defend to the death your right to
7 say it? What is more concerning is while this is a
8 non-binding resolution, why is it being discussed in
9 the Committee on Contracts? Does that mean there
10 will be an unpublished secrete blacklist for
11 organizations who engage, decide to engage or their
12 leaders support BDS that may impact who gets city
13 discretionary funding. Whether that was the original
14 intent or not, this could have a killing effect on
15 New Yorkers deserving of those funds. It's like when
16 the New York Police Department says surveillance is
17 legal, but that it has killing impacts on our free
18 speech here in New York City. I'm not here to
19 convince anyone to support BDS. In fact, feel free
20 to disagree with BDS as a tactic, but as an—as an
21 American and as a New Yorker, I hope we can agree on
22 the fundamental rights afforded to us by our
23 Constitution, freedom of speech first and foremost
24 and freedom of people's organizing and open
25 democracy. If you are a New York City Council Member

2 who votes in support of this resolution, I ask you
3 this question: Do you want to look back and see
4 yourself on the wrong side of history? I hope you
5 reconsider, and I will say this, I am—I was already
6 outraged when I got here, but I will not allow myself
7 as a New Yorker to sit in this room and allow you to
8 stay silent when people broad brush people in this
9 room, many of whom that you know, and work and
10 respect and know our work and allow people to call us
11 anti-Semites when you know that some of us are the
12 first people to stand up for our Jewish sisters and
13 brothers. We are on the front lines willing to put
14 our bodies and get arrested on the line for our
15 Jewish sisters and brothers, and the fact that you
16 allow known Islamophobes called out by the Southern
17 Law-Poverty Law Center to give them a platform here.
18 Islamophobia when I know you're—you're considering
19 this resolution against Islamophobia, but gave
20 Islamophobes a platform here, I am besides myself
21 today. So I hope you reconsider, and you bring us to
22 a point where we can be in a hearing here talking
23 about an issue that unites New Yorkers, and I'm
24 outraged that it's taking us so long to get police
25 reform legislation to the floor for a hearing or for

2 a vote, but we can be real quick in here to come and
3 talk about the State of Israel. I am appalled as a
4 New Yorker.

5 CHAIRPERSON ROSENTHAL: Thank you for
6 your testimony. Just to clear up any misconceptions.
7 So the way the Council works is that when the
8 original resolution--the way that it was written had
9 language having to do with contracts. This aids
10 (sic) and hence it was sent to the Contracts
11 Committee. The current version very specifically and
12 consciously has no language referring to contracts
13 whatsoever. There is no--hence there's no reading
14 between the lines. There's no effort for it to have
15 anything to do with procurements, which is the
16 responsibility of the Contracts. It's sitting here
17 now in it's A version, which no longer has to do with
18 contracts. So I want to dispel that myth before it
19 begins. Thank you again for your testimony. Please.

20 IMAM TALIB ABDUR-RASHID: Good afternoon.
21 [speaking foreign language] I'm Imam Imam Talib
22 Abdur-Rashid, Imam of the Mosque of Islamic
23 Brotherhood, a 49-year-old African-American Sunni
24 Muslim congregation located in Harlem. Today,
25 though, I'm here in my capacity as a special

2 representative of the Majlis Ashura also known
3 Islamic Leadership Council of New York. I currently
4 serve as the special representative of that body, and
5 that is of restoring to justice, civil and human
6 rights. The Majlis Ashura of New York Represents
7 over 80 mosques and Muslim organizations here in New
8 York City. Imams, board presidents, activists and
9 youth directors leading women, men and youth of
10 communities across the metropolitan area. We of the
11 Majlis are here to express our opposition to those
12 calling for punishment through condemnation of the
13 global BDS Israel movement and its supporters and
14 participants here in New York. Those wishing to
15 condemn that movement have spoken with passion and
16 eloquence today. We support it, hope to do the same,
17 an expression of our ethical obligation a Muslims to
18 engage others mutually affected by the outcome of the
19 decision. We do so in a quiet (sic) spirit of Shura
20 on mutual consultation as New Yorkers. We intend to
21 address the issue at hand directly to the point,
22 particularly speaking through the power in the best
23 democratic tradition. We of the Islamic Leadership
24 Council of New York commend the City Council for
25 doing what the respective Governor of our state

2 failed to do before issuing his executive order,
3 which is to hold hearings in order to listen and
4 evaluate the varying points of view regarding the BDS
5 Israel Movement. Before passing judgment on it, and
6 deeming it and those who support it worthy of
7 condemnation and punishment. The democratic process
8 that governs all people in this land demands better,
9 as the members of this august body has demonstrated,
10 and we thank you for that. We of the Islamic
11 Leadership Council of New York recognize that
12 ultimately the issues raised here today will be
13 addressed most appropriately in buildings north of
14 City Hall, the United Nations General Assembly.
15 Undoubtedly, the debate there, which has been
16 occurring for decades will continue just five days
17 from now, but since we all live as neighbors in an
18 international city, and justice demands truth, we as
19 Muslims are compelled to express our opinions and
20 views as other have already done and will yet do
21 today. It is important, though, that we understand
22 the BDS Israel Movement for what it is and what it is
23 not. Whether we agree or disagree on its utility, we
24 must be able to see past any mischaracterizations of
25 that that are being promulgated by some folks for

2 political reasons. In an examination of the
3 character of the BDS Israel Movement we see some of
4 its opponents using tactics that other people use in
5 modern American with regards to racism. Because
6 racism has been publicly exposed as the wrong that it
7 is, there are those who characterize it in such a
8 manner as to divert criticism directly towards it,
9 and those who support it framing racism in a way that
10 disguises its true nature. Similarly, we must
11 examine the framing of BDS Israel by some who would
12 use the same strategy. Because if we allow BDS
13 Israel to be framed as anti-Semitic, and by the way
14 are presumed that by anti-Semitic, as we've heard
15 several times here today, that you mean anti-Jewish,
16 anti-Semitic as opposed as anti-Arab anti-Semitic
17 because the Arabs are just as Semitic a people as
18 Jews. But if we allow BDS Israel to be framed as
19 anti-Jewish anti-Semitic then it will be and should
20 be rejected because anti-Semitism of any kind is
21 wrong. If we allow BDS Israel to be framed as hate
22 speech then it will be and should be censored because
23 hate speech is wrong. If we allow BDS Israel to be
24 framed as an effort to delegitimize Israel, then many
25 good people will deem it worthy of an unquestioning

2 condemnation because when a democracy is viewed as
3 being under attack, then other democracies will move
4 to defend it. We of the Majlis Ashura along with our
5 partners and allies condemn resolution 1058-A's
6 proposed condemnation of BDS Israel. We view it as
7 the first step towards a replication on the city
8 level of the arguably unconstitutional policies
9 adopted by our state government with regards to that
10 strategy of the social justice movement. It is our
11 intention to speak the truth as we understand it, and
12 in the words of Almighty God in the Quran to do so
13 speaking directly to the point. Further, we do so in
14 the spirit of God's commandment as found in the Torah
15 of our Old Testament in the Book of Isaiah, Come, let
16 us reason, or come let us settle this matter
17 together. First, from the point of view of the
18 Islamic Leadership Council, the wording of Resolution
19 1058-A contains language, which is misleading. It
20 calls for condemnation of and I quote, "All efforts
21 to delegitimize the State of Israel and the global
22 movement to Boycott, Divest from and Sanction the
23 people of Israel." End of quote. We say that the
24 opening and, therefore, framing declaration of the
25 resolution is inaccurate and again misleading. The

2 purpose of the BDS Israel Movement is not to
3 delegitimize the State of Israel, contrary to what
4 many people have said here today. Nor, to victimize
5 its people yet again. Rather, its openly stated
6 international, global raised introduction since the
7 year 2005 has been and is to urge, quote "Various
8 forms of non-violent punitive measures against Israel
9 until it complies with the precepts of international
10 law." End of quote. BDS Israel defines its stated
11 goal, and we've heard them here today is in the State
12 of Israel's occupation of our Arab lands, recognition
13 of the fundament rights of the Arab-Palestinian
14 citizens of Israel for fully equality, and
15 respecting, protecting and promoting the rights of
16 Palestinian refugees to return to their homes and
17 properties as stipulated in U.N. Resolution 194. In
18 today's world of violent strife and acts of terrorism
19 committed by individuals, groups and governments
20 seeking either to preserve the status quo or oppose
21 it, the BDS Movement in all of its forms and
22 manifestation is an earnest effort to effect social
23 change through protest divestment as an act of
24 economic shareholder activism. We of the Islamic
25 Leadership Council stand for justice and we support

2 and have engaged in acts of protest throughout the
3 City of New York for decades whenever we've deemed it
4 necessary because of the existence or occurrence of
5 an injustice. We also oppose violent extremism
6 whether individual groups or states commit them. In
7 the immediate past we publicly declared this right on
8 the steps of this building, right here at City Hall.
9 Therefore, we support the BDS Israel Movement as
10 viable authentic and legitimate means of non-violent
11 resistance or struggle in a matter demanding justice.
12 Now, with your permission I'm going to summarize,
13 okay, because, you know, as we've been here two hours
14 and 15 minutes and with the exception of Charles
15 Barron, this is the whole opposition here,
16 interruptions notwithstanding. So just to try to
17 summarize. Criticism—criticizing or opposing a
18 nation's policies is not equivalent to seeking the
19 delegitimization of the nation itself. We live in
20 America, and we've had countless of that time and
21 time again. In America, dissent is woven in
22 principle and law into the very fabric of our way of
23 life, and as others have pointed out, the Supreme
24 Court held an *NAACP v. Claiborne Hardware* that states
25 have no right to prohibit peaceful political

2 activity. So when we get into this whole area of
3 states condemning and punishing people because of
4 their political activity, then we're on unethically
5 dangerous grounds for American democracy. In the
6 United States of America freedom of expression is a
7 right, and there's been a lot of declarations here
8 today directed against BDS Israel, but boycott,
9 divestment and sanction is a legitimate American
10 tradition. In 1930, when Dr. Martin Luther King, Jr.
11 was just being born, and two decades before the
12 Montgomery bus boycott, in the City of Chicago, a
13 group of religious leaders, a Muslim community
14 activist named Sufi Abdul Hamid and leaders from the
15 Black Church instituted the tactic of economic
16 boycott as a means for seeking redress to their
17 grievances regarding racist hiring practices. Many
18 other people have mentioned South Africa here. So
19 the only thing that will save our back is that when
20 the BDS South Africa Movement was launched, the white
21 South African people opposed it. The South African
22 government opposed it. Groups and organizations
23 opposed it. The President of the United States
24 Ronald Reagan opposed it, but eventually that
25 movement prevailed and the result was a non-violent

2 resolution to what could have been the bloodiest race
3 war in the history of humanity. The tactics of BDS
4 have been used for years to pressure U.S. companies
5 to stop illegally profiting from foreign occupations.
6 Skipping the details I'm just going to mention that
7 on a global level, BDS in previous decades targeted
8 South Africa's occupation of Libya, Indonesia's
9 occupation of East Timor. Right now in Europe
10 there's a BDS movement directed against Morocco for
11 its occupation of the western Sahara. Fifteen years
12 ago here in America, Taco Bell was the target of a
13 BDS movement because of its treatment of its workers.
14 Right now, there's an Environmental Justice BDS
15 movement that is in effect. So BDS Israel is not
16 just a movement directed in isolation from these
17 other movements designed to bring about justice. So,
18 and lastly I'll just say that as others have said,
19 there's a wide variety—if I had more time I would
20 give you the details—there's a wide variety of
21 religious groups right here in America and around the
22 world who have signed onto the BDS Movement,
23 Christian groups long on this, Jewish groups long on
24 this, and some of them, some of them, and I'll just
25 the Quakers for a quick example. Because the Quakers

2 they don't do the things that people have been
3 criticizing here today. They have their own version
4 of BDS, but under the wording of this resolution, and
5 under the wording of Governor Cuomo's executive
6 order, even the Quakers would be condemned. So I
7 want to, you know, again thank you. To be very
8 honest, I've debated as to whether I should even
9 distribute copies of my statement, but because of my
10 respect for the City Council-- and I've been
11 testifying here for two decades on various matters--I
12 will give you copies of our statement from the
13 Islamic Leadership Council. We pray that you will
14 read it, and evaluate it, and we thank you for your
15 time.

16 CHAIRPERSON ROSENTHAL: Thank you so much
17 and only because you raised it, I do want to thank
18 the people who are remaining the Chambers for not
19 interrupting any of the speakers so we could really
20 hear what you have to say, and it was my pleasure to
21 give the most recent speaker a lot of additional
22 time. Thank you very much. If you could continue.
23 Introduce yourself, please.

24 PAUL GAZZOLA: Good afternoon, everybody.
25 My name is Paul Gazzola and I'm with the American

2 Muslims for Palestine. We are a not-for-profit that
3 is dedicated to educating the American public about
4 Palestine and its heritage and its cultural heritage
5 and its people. I'm here today in opposition to the
6 proposed resolution, but before I say that I wanted
7 to interject that I believe it Ghandi who once said
8 that first they ignore you, then they laugh at you,
9 then they fight you, then you win. And for the
10 longest period of time since the Palestinian civil
11 society made its call in 2005 to boycott, divest and
12 sanction the State of Israel, we were ignored
13 because-- And as a matter of fact, on campus we were
14 told that BDS was not an accepted tactic by the
15 Zionists, by the pro-Israel group, and then they
16 laughed at us when we proposed resolutions on campus
17 to divest our university funds from companies,
18 American companies profiting off of the Israeli
19 occupation. And now, they're fighting us now. You
20 have the heads of every major pro-Israel group in New
21 York City attending this hearing because of their
22 concern with this movement, and that just shows you
23 what the next step will be. Then we will win.
24 Whether the New York City Council likes it or not, we
25 will win. I'm here to also look at the proposed

2 resolution in its entirety, and I want to take the
3 time to look at the wording of this resolution. Some
4 of the things that were said in this resolution
5 clearly indicate that it might not even have been one
6 of the City Council members on this panel that even
7 drafted it. It might have been somebody from outside
8 that gave it to them, and let them author it on
9 behalf—on their behalf.

10 The first whereas, the global Boycott,
11 Divestment Sanctions Movement is a campaign seeking
12 to exclude the Israeli people from the economic,
13 cultural and academic life of humanity. I mean any
14 person with a sane mind can look at this statement
15 and look at to exclude the Israeli people from
16 economic, cultural and economic life of humanity.
17 What does that even mean exactly? Does that mean
18 that the BDS seeks to exclude Israelis from life?
19 What does that even mean? There's no—there's no
20 indication of what that even means. The first thing
21 that—that it says. Then you have a resolution. In
22 the first paragraph not even before with a whereas, a
23 resolution condemning all efforts to delegitimize the
24 State of Israel and the global movement to boycott,
25 divest, sanction the people of Israel. What

2 delegitimize even mean? Does delegitimize mean
3 criticizing the occupation? Does delegitimize mean
4 criticizing apartheid? Does delegitimizing mean
5 taking the critical approach to Israel's state
6 policy? Because if that's what delegitimization
7 means, then you can call me a delegitimizer. I will
8 always criticize Israel's occupation of the
9 Palestinians. Occupation, apartheid, ethnic
10 cleaning, those are truly illegitimate. Those are
11 the illegitimate things that must be criticized, and
12 we will stand here no what New York City Council does
13 or says to do that, and it shows more. It says more
14 about Israel that they're afraid of this BDS
15 Movement. They're afraid of being held accountable
16 to international law. They're afraid of being held
17 to an international norm of standards for human
18 dignity and rights. It says more about Israel than
19 it does say about the BDS Movement.

20 Second, I want to take a look at the
21 other statement that was placed in this, which is,
22 "Whereas, the global BDS Movement targets Israel and
23 only Israel while ignoring the world's myriad
24 despotic regimes." You know, this argument was made
25 so many times on campus. But is it the Palestinian

2 people's responsibility to boycott, divest and
3 sanction regimes around the world? Is it the
4 Palestinian people's responsibility to issue a
5 condemnation of every single despotic regime around
6 the world? Imagine—imagine going to the Syrian people
7 now and saying why are you guys just focusing on al-
8 Assad? Why don't you guys focus on what's happening
9 in India? Why don't you guys focus on what's
10 happening in Africa? What kind of dehumanization of
11 the Palestinian people and their struggle is
12 that? On top of that we just heard a panel just
13 before us talk about the special relationship that
14 the United States has with Israel. Over and over
15 again talking about the strategic alliance, the
16 economic cooperation, the—the academic
17 cooperation, the deep rooted connection
18 between Israel and the United States, and that is
19 precisely the reason why we as Americans standing in
20 this hall reject our City Council's condemnation of
21 those who oppose Israel's human rights violations of
22 Palestinians. It is precisely because of this
23 relationship, this special relationship that we stand
24 here and say that as American citizens we want to
25 know, we want to hold accountable those institutions

2 that use our money, our tax dollars, the profits from
3 our purchases to make more money off of the backs our
4 of our Palestinian brothers and sisters. In another
5 whereas, Israel is far and away the most democratic
6 and open society in the Middle East with well
7 established rights for religious minorities, women
8 and LGBT citizens and far exceed those of any other
9 nation or region. Does that bring any attention to
10 the fact that Israel has in its law more than 50
11 discriminator laws against the Palestinians living
12 here. Does that take into account the LGBT
13 Palestinian citizens are not treated as LGBT
14 citizens? They're treated as Palestinian LGBT
15 citizens, or are still treated like third or fourth
16 class citizens. Does that sound like the most
17 democratic state in the world to you? Whereas, the
18 global BDS Movement does not recognize the right of
19 the Jewish people to a national self-determination?
20 Please indicate to me, show me where somebody in the
21 BDS Movement or a leader in the BDS Movement from the
22 Palestinian civil society or-or the Palestinian civil
23 society itself mentions that. I have no idea how a
24 New York City Council committee can put through a
25 resolution that is founded on false statements, that

2 is founded on propaganda, that is meant to
3 disenfranchise and to demonize a community that is
4 working so hard for social justice in the United
5 States and around the world.

6 Finally, and this one for me is just
7 absurd. Whereas, university-based BDS efforts
8 violate the core goals of the university and global
9 cultural development, which thrive on a free and open
10 exchange and debate? We just heard four panelists
11 talk about the history of BDS Movements on campus.
12 We've just heard panelists talk about BDS of South
13 African Apartheid Regime. We've heard panelists talk
14 about the BDS of Darfur, and—and the prison divest
15 campaigns that are happening, which just happened
16 here at Columbia. We're—we're talking about so many
17 divestment campaigns, how could you ever mention or
18 say in a resolution sponsored by the—by the City
19 Council that says that BDS efforts violate the core
20 goals of the university? I don't know which
21 university you attended, but any university that I
22 attend those are a part of the core goals or engaging
23 students, allowing them to be politically involved
24 and engage and—and empowering them to take action

2 against regimes such as the Apartheid State of
3 Israel. And finally-

4 CHAIRPERSON ROSENTHAL: Thank you.

5 PAUL GAZZOLA: I'm sorry. I'm going to
6 finish this here quickly. Finally, whereas, the city
7 of New York has the largest population of Jewish
8 residents in the nation and is home to the largest
9 Jewish community outside of Israel, now, therefore,
10 be it resolved and then, of course, the condemnation
11 occurs. You know, I think it's-it's-I want to make
12 sure this is on the record, that those-I would say
13 80% of those who interrupted today and were
14 passionate about their position were Jewish citizens
15 of New York City. There is no way possible that
16 anyone can claim that this is a movement of-of anti-
17 Semitic haters or bigots. There is no way anyone can
18 claim that this is a movement seeking to
19 delegitimize the Jewish people or their aspirations
20 in any way, shape or form when, in fact, you have the
21 entire audience here of Jewish heritage, and those
22 who participated in the protest were of Jewish
23 heritage. And those who are speaking and advocating
24 loudly and expressing their concern so-so
25 passionately of Jewish heritage there's no way that

2 some people in the city can claim full authority or
3 full representation of their Jewish community and say
4 that this the Jewish position. There is no way that
5 should be accepted especially as a New York City
6 Council resolution. Thank you.

7 CHAIRPERSON ROSENTHAL: Thank you very
8 much, and I want to welcome Council Members
9 Greenfield and Treyger and the-Levin, and with that,
10 do you want to ask questions or no you're just saying
11 hi? Okay, a couple of people what to ask questions.
12 We're going to start with Council Member Lancman.

13 COUNCIL MEMBER LANCMAN: [pause] Thank
14 you. [coughs] Good afternoon. Let's start where we
15 can find common agreement, and that is that the words
16 that are used matter, and racist, bigoted,
17 Xenophobic, anti-Semitic, Islamophobic words can have
18 very serious consequences. In fact, just last week I
19 was at the funeral of a Muslim woman who was murdered
20 in my district, my constituent Nazma Khanham, who
21 although it hasn't been declared it hasn't been
22 declared a hate crime, we are deeply suspicious that
23 it was, and it would be foolish [coughs] of us if we
24 were to ignore the atmosphere of xenophobia and
25 Islamophobia that is being propagated particularly at

2 the presidential campaign level. So, part of what
3 the Council does, as you all know. You probably all
4 testified before the Council many, many times, is
5 sometimes we pass bills, and sometimes we pass
6 resolutions that express the sentiment of the
7 Council, and very often, and particularly this
8 Council, being a proudly progressive Council, we take
9 stands against racism and sexism and homophobia and
10 Islamophobia, et cetera. But I, you know, the irony
11 of somebody testifying against an anti-BDS resolution
12 with the slogan I don't agree with what you say, but
13 I'll defend to the death your right to say it, is
14 just mind boggling to me because at the heart of the
15 BDS Movement, particularly as it relates to cultural,
16 social, academic boycotts, is the suppression of
17 viewpoints and speech particularly on college campus,
18 but not exclusively. People who have pro-Israel—a
19 pro-Israel viewpoints being shouted down, and being
20 prevented from speaking or Jewish students who are
21 excluding attainment, being prevented from speaking
22 or articulating their views. That, too, is the BDS
23 Movement. I also hear the phrase a lot from his
24 panel that the BDS Movement is non-violent, as if
25 non-violence is enough to exclude any speech movement

2 that is discriminatory. In New York State we have
3 laws against discriminatory conduct that is non-
4 violent. You cannot deny someone employment based on
5 their race or national origin. You cannot deny
6 someone public accommodations. You cannot deny
7 someone housing, et cetera, et cetera, and including
8 in New York State you cannot initiate a boycott or
9 conduct a boycott against someone because of their
10 national origin among other categories. So the fact
11 that that conduct does not rise to the level of
12 violence, does not mean that it is not both abhoric
13 and illegal. So I—our views on the Israel
14 Palestinian issue are diametrically opposed, and some
15 of us have shared those views on Twitter and other
16 forms. So, I'm not going to do that today, but as a
17 legal matter and—and I'm sorry, ma'am, I don't
18 remember your testimony so I don't--

19 RADHIKA SAINATH: Sainath. (sic)

20 COUNCIL MEMBER LANCMAN: You're from
21 Legal Palestine.

22 RADHIKA SAINATH: Palestine Legal.

23 COUNCIL MEMBER LANCMAN: Palestine Legal.

24 I'm sorry. Reference was made by you and I think
25 another panelist to—to the *Claiborne* case, which is a

2 Supreme Court case decided in 1982, which upheld or
3 rather prevented a tort claim against the NWAACP for
4 conducting a boycott. But I would like you to
5 recognize that on the record or correct me if I'm
6 wrong that 10 years after that case, the Second
7 Circuit had the opportunity to examine New York
8 State's Anti-Boycott Law in the case of *Jews for*
9 *Jesus v. JCRC* ironically, and it upheld New York
10 State's Anti-Boycott Law because like conducts or
11 speech that, or speech that results in conduct, that
12 discriminates based on race, religion, national
13 origin, employment, housing you name it, that also
14 includes boycotts, and it's appearing with economic
15 activity because of someone's national original. And
16 that is what—speaking for myself—that is what the BDS
17 Movement is. It identifies people of a national
18 origin, Israel, in point of fact and I would be
19 surprised if it this panel of very capable,
20 intelligent, experienced people would deny. It has
21 often, very often expressed itself beyond Israeli,
22 but just Jews generally. But can you please
23 recognize or correct me if I'm wrong that in New York
24 State we have a law that prohibited—prohibits
25 boycotting base on national origin [coughs] and that

2 law has been upheld by the Second United States Court
3 of Appeals for the Second Circuit, one level below
4 the Supreme Court after the Supreme Court's decision
5 in *Claiborne*.

6 RADHIKA SAINATH: I'd be happy to correct
7 you. So, BDS is a tactic. It does not target
8 individuals based on their national origin. It
9 targets organizations based or companies based on
10 their conduct. So, for example, you heard testimony
11 today from the entire—you have BDS campaigns on
12 college campuses urging their—their universities to
13 divest from companies such as for example
14 Caterpillar—Caterpillar Bulldozer, which is an
15 American company, which is used by the Israeli army
16 to bulldoze Palestinian homes. So that would be an
17 example of—of—of a divestment tactic. It is—it does
18 not target individuals because of their national
19 origin again so--

20 COUNCIL MEMBER LANCMAN: [interposing] But
21 it would—but it would also be—but it's also a
22 divestment tactic to not invite or—or block a speaker
23 from an Israeli university not located anywhere in
24 what we would call the West Bank from speaking. So,

2 it-it covers lots of and lots of things, and I don't
3 want to-listen--

4 RADHIKA SAINATH: [interposing] I mean I
5 don't, you know, I don't want to waste everyone's
6 time with it.

7 COUNCIL MEMBER LANCMAN: Yeah.

8 RADHIKA SAINATH: I would-I would just
9 say one thing. So, you know, you're saying a lot of-
10 of-making a lot of statements that aren't based on
11 any actual facts, and I really do recommend-I mean I
12 know the resolution doesn't actually have any
13 footnote. So I'm not sure where-where this-where
14 these statements are even coming from. I do suggest
15 that you go--

16 COUNCIL MEMBER LANCMAN: [interposing]
17 Our-our-I'm sorry, are Israeli-are Israeli academics-
18 -

19 RADHIKA SAINATH: --to the actual
20 committee's website. It's really--

21 COUNCIL MEMBER LANCMAN: [interposing]
22 Are-- Israeli academics from universities--

23 RADHIKA SAINATH: [interposing] You can
24 go to the--

2 COUNCIL MEMBER LANCMAN: --and colleges
3 outside of the West Bank not subject to boycott?
4 Are—are Israeli--

5 RADHIKA SAINATH: [interposing] It's the
6 institutions. If people would—Israeli officials can
7 be subject to—to academic boycotts as well. So it's
8 not—again, it' not about individuals and their
9 individual capacities. It's about institutions.
10 It's about companies. Again, this is a, um, we're
11 talking about people who are taking a principled
12 stance for human rights here. When—when Governor
13 Cuomo did a boycott of North Carolina for its anti-
14 LGBTQ laws, no one said that hey, you know, why are
15 you singling North Carolina for discrimination?
16 There's a whole bunch of other countries a whole lot
17 more discriminatory. No one said that they targeted
18 North Carolinians. So the question here really is
19 why is this Council singling out people who support
20 Palestinian human rights for condemnation? That's a—
21 you know, I'll just say, you know, I'm Indian
22 American. My parents are from India. There were
23 some quotes from Gandhi going on here. I've been an
24 activist on may different issues before I became an
25 attorney at Palestine Legal. When I've spoken out

2 for any human rights, no one asked me why I'm, you
3 know, singling out India for condemnation. Why don't
4 I talk about Sudhakar (sic) and African countries
5 that have it so much worse than India. So really I
6 mean I-I-I want you all to think very carefully here
7 about why-why we're spending so much time trying to
8 condemn New Yorkers of every stripe, every religion,
9 every background who are really-care very
10 passionately about this issue?

11 COUNCIL MEMBER LANCMAN: [interposing] To
12 answer-to answer the question--

13 RADHIKA SAINATH: I won't be able to
14 answer the question because I don't want to cause
15 any--

16 COUNCIL MEMBER LANCMAN: --that you put
17 to me, and I know that you didn't-you didn't answer
18 my question, which was a focused legal question, but
19 to answer that you put to me, despite what the last
20 panelist said, it's true that the BDS Movement is not
21 winning in any way shape of form. There almost no
22 actual successes in terms of having an economic
23 impact on-or-or impact on the State of Israel. We
24 are here today because you movement is creating a
25 climate of, an actuality of fear, anti-Semitism and

2 depression of the rights of those who are pro-Israel
3 and in many cases they don't even have to be pro-
4 Israel. They just have to be Jewish to be able to go
5 about their lives. That's really why we're here to
6 answer your question to me.

7 LINDA SARSOUR: So I would like to
8 respond because you quoted from my testimony, and
9 Councilman Lancman we don't agree on Israel policy,
10 and I'm not going to get into that either. We're
11 just not going to ever agree, and I don't care to
12 agree with you on that, but what I will say is I was
13 invited to the New York University during MLK Week,
14 and pro-Zionist groups and Jewish groups on college
15 campus did a campaign on the NYU campus asking for
16 the New York University to disinvite me from the MLK
17 Week. The irony of the situation again comes to
18 light. So, students are—the Jewish students are free
19 to organize. They are free to call on the campus to
20 disinvite me. They are free to advocate with their
21 fellow students to not invite Indusar (sic) students
22 to come to their school because the Indusar School is
23 an anti-summit. That's exactly what happened. The
24 students on the other side, the Black Student
25 movement, the Black Lives Matter Chapter, the

2 Students for Justice in Palestine organized and they
3 were committed to me and my attendance to speak at
4 their college campus. The point here is that we're
5 missing is that people who are pro-Israel have the
6 right to stand up for the State of Israel. You have
7 the right to-to-to say and feel what you want to feel
8 as an individual. What I don't think that people
9 have the right do is why we are-why we are
10 experiencing Islamophobia in this country, when you
11 say 'your movement' you are making it seem like we
12 own something like I got it in my pocket or I-I
13 registered it here in Brooklyn, New York. This is a
14 movement, a collective movement of people all over
15 the world. These are people I never met in my life,
16 but were aligned on a mission together. We are
17 aligned on some principles and values. You can't
18 take a movement and paint us all just like the Islama
19 folks say we're all-we must be all ISIS because we're
20 Muslim. Like this is the problem with the-the-where
21 we are right now. I don't think all Jews are anti-
22 Palestinian for example. So that this-this broad
23 bush or your movement or the BDS Movement in capital
24 letters with an underline is what's false here. So
25 you can believe what you want to believe, but it has

2 to be based on fact. I won't take from you your
3 personal experience, but I will not allow you to
4 broad brush all and then come and say this movement
5 is anti-Semitic. What, in fact, you were saying is
6 that Imam Talib, Imam Abdus Musa we are anti-Semites
7 and we will not accept that just like you won't
8 accept me saying that you are an Islamophobe like
9 this is the--the fundamental problem that we have.

10 COUNCIL MEMBER LANCMAN: Right, so I'm
11 not--I'm not asking you to accept that I think that
12 you're anti-Semites, which I--which I do--

13 IMAM TALIB ABDUR-RASHID: [interposing]
14 And that anti-Jewish and Anti-Semites.

15 LINDA SARSOOR: [interposing] Does the
16 Chair of the committee and Mr. Mark Levine know that?

17 COUNCIL MEMBER LANCMAN: [interposing]
18 You're--you're entitled to your view, and I'm entitled
19 to mine. I thought that's what started our
20 conversation.

21 LINDA SARSOOR: So we are entitled to
22 each other views--

23 COUNCIL MEMBER LANCMAN: [interposing]
24 But what yours--

25 LINDA SARSOOR: --what I'm asking you--

2 COUNCIL MEMBER LANCMAN: Well, your—you-
3 you are here as supporters of the BDS Movement, and
4 this resolution is about the BDS Movement. You have
5 chosen to subscribe to that--

6 LINDA SARSOUR: [interposing] We are
7 here--

8 COUNCIL MEMBER LANCMAN: --to that
9 movement, and that's what we are debating.

10 CHAIRPERSON ROSENTHAL: Councilman
11 Lancman, I'm going to ask that we--

12 COUNCIL MEMBER LANCMAN: [interposing]
13 This isn't a—a resolution about--

14 LINDA SARSOUR: [interposing] Council
15 Member Lancman, I would like—I would ask—that you--

16 COUNCIL MEMBER LANCMAN: [interposing] So
17 you subscribe--

18 LINDA SARSOUR: [interposing] I would ask
19 that you respectfully not to put words in--in my
20 mouth. I am woman and I am Palestinian and I'm a New
21 Yorker, and I can speak for myself. I came here in
22 opposition to a resolution that chills free speech
23 coming out of the Contracts Committee. Although it
24 was clarified by Council Member Rosenthal that that
25 was in the resolution, which I am outraged that

2 somebody actually thought it should be in the
3 resolution in the first place. Well, let's say that
4 we moved on from that, but that this can have
5 chilling effects on non-profit organizations, on
6 Palestinians and Muslims and Jewish groups and civil
7 rights groups, and groups that do social services in
8 communities of color who may have leadership or may
9 want to engage in BDS that you—this could chill free
10 speech. So what I'm—I'm here to say to you this:
11 I'm not trying to convince you about BDS. You can
12 think whatever you want about BDS and that's cool
13 because that's why we're in American, but what I'm
14 telling you is this is a conversation and a debate
15 about free speech. Tell me that I have the right to
16 BDS. Israel 20 years from now when I'm 60 years old
17 I might a BDS in other countries. For God's sake,
18 I'll start a BDS movement against Saudi Arabia. This
19 is about fundamental human rights and justice for the
20 Palestinian people just like you know, and we don't
21 have to agree, but don't take my agency away as
22 someone who stands for the human rights of all people
23 in New York City. This is also a disturbance to the
24 people saying.

2 CHAIRPERSON ROSENTHAL: [interposing]

3 Council Member--

4 LINDA SANSOUR: --black lives matter or
5 terrorist organizations--

6 CHAIRPERSON ROSENTHAL: --Lancman, do you
7 want us to give you a few minutes--

8 LINDA SANSOUR: --called the Black Lives
9 organizations.

10 CHAIRPERSON ROSENTHAL: --or because
11 just, you realize there are other people who--

12 IMAM TALIB ABDUR-RASHID: Yeah, and--and--
13 and I would like to respond to the Council Member's--

14 CHAIRPERSON ROSENTHAL: [interposing] I-I
15 just really--

16 IMAM TALIB ABDUR-RASHID: --response.-

17 CHAIRPERSON ROSENTHAL: --cannot
18 emphasize enough we--

19 COUNCIL MEMBER LANCMAN: [interposing]
20 But I'll just--

21 CHAIRPERSON ROSENTHAL: I'd-I'd like to
22 wrap this--

23 COUNCIL MEMBER LANCMAN: [interposing]
24 Yeah, I'll-I'll keep it--

25 CHAIRPERSON ROSENTHAL: --exchange up.

2 COUNCIL MEMBER LANCMAN: The Council
3 takes many opportunities to stand for different
4 things. Usually good things that I support. We're
5 against racism. We're against homophobia, we're
6 against Islamophobia, we're against anti-Semitism and
7 insofar as this resolution if it should pass will
8 have the effect of—because it has no—no force of law.
9 Like we'll have the moral effect of chilling, the
10 speech of people who would skew or engage in what I
11 believe is anti-Semitic language, behavior support,
12 then that's why I'm supporting this resolution. It
13 is my intention and I only speak for myself. With
14 this resolution to, in fact, shame the people who
15 support the Boycott, Divestment Sanction Movement
16 against Israel, and I hope that that will have an
17 effect on their conduct, just as I hope that the
18 other things that we do will shame people who are
19 racists, and shame people who are Islamophobe and
20 shame people who are Homophobes, et cetera.

21 IMAM TALIB ABDUR-RASHID: Sure, I—

22 COUNCIL MEMBER LANCMAN: So thank you for
23 your time.

24 CHAIRPERSON ROSENTHAL: So there are two
25 more members who have questions. Someone wrote a

2 note to me expressing their concern they might not
3 have a chance to speak. I will make sure everyone
4 has a chance to speak. We've changed the calendar
5 for today. So, just—we do have this room beyond 1
6 o'clock. So I don't want anyone to feel anxious
7 about not being able to—having a chance on their
8 panel. I'm going to ask Council Member Grodenchik
9 to—to limit his questions.

10 COUNCIL MEMBER GRODENCHIK: Thank you,
11 Madam Chair, and I promise I will be brief. I don't
12 really have questions for the panel. I appreciate
13 their being here today, and I appreciate their
14 expressing their First Amendment Rights. I do want
15 to go on the record, though, to say that in now way,
16 shape or form in my opinion does this resolution
17 suppress anybody's First Amendment Rights. Everybody
18 that is sitting here is a member of the New York City
19 Council. We have all taken an oath to defend the
20 Constitution of the United States of America, which
21 includes the Bill of Rights and the First Amendment,
22 and everybody here today has acted accordingly except
23 for those people who supped BDS who were here today
24 to suppress the rights of those people who testified
25 in favor of this resolution. And I think as a New

2 York as an American as a citizen of the world that
3 that was outrageous and needs to be condemned. I
4 don't know if it was planned. I don't know if it was
5 spontaneous, but it was outrageous, it was sickening
6 and it was disgusting to me to sit here as a member
7 of this Council representing 165,000 people in one of
8 the most diverse districts in the City of New York to
9 have to listen to this nonsense when people were
10 prepared to testify. So Madam Chair, I think you for
11 your patience. I thank you for conducting, as you
12 always do, with the utmost integrity and sincerity
13 and with a tremendous amount of patience, and we will
14 go from here. We will agree and we will disagree on
15 various issues, but I want to go on the record as
16 stating that the most important thing that has to
17 happen in this chamber is that people have to be
18 civil even when their feelings are strong because
19 otherwise we will evolve into things that we don't
20 want to see. We have seen ugliness on the national
21 scale from some politicians and would-be politicians.
22 We cannot countenance that here in this chamber.
23 Thank you, Madam Chair for your patience with me.

24 CHAIRPERSON ROSENTHAL: Always. Council
25 Member Levin.

2 COUNCIL MEMBER LEVIN: Thank you very,
3 Madam Chair. I have a very quick question and—and I
4 don't meant to be naïve or coy or provocative in
5 asking questions. I just want to get—it's a question
6 that's—that's been on my mind as these discussions
7 have—have been ongoing. Does—does the BDS Movement,
8 the Global BDS Movement, I don't know if anyone here
9 feels qualified to speak on behalf of the Global BDS
10 Movement, but the Global BDS Movement recognized a
11 two-state solution that would recognize Israel's
12 right to exist as a—as a Jewish homeland, as a
13 Jewish state, and that's—I don't—again I don't mean
14 to be provocative. I—I want to get some clarity
15 because that—that is obviously a point of—of—of
16 significant contention and there's a lot of reading
17 into position. Explicitly, can somebody state
18 whether the Global BDS Movement recognizes a two-
19 state solution with a Palestinian state that is
20 sovereign, and a Jewish Israeli state that is
21 stopped. (sic)

22 PAUL GAZZOLA: I think—I think we should
23 make it very clear for those who are confused that
24 the BDS Movement is not a Palestinian political
25 party. It is not the PLO. It is not the PSLP. It

2 is not Hamas. It is civil society members, average
3 Palestinians that work in unions that work as
4 teachers, but there's the service workers.

5 COUNCIL MEMBER LEVIN: [interposing]
6 It's just a statement of principle, right?

7 PAUL GAZZOLA: Yes, and I'm, you know,
8 what I'm going to read you what the demands of the
9 BSD movement are so that people are very clear about
10 what that is because it has nothing to do with two
11 states, one state.

12 COUNCIL MEMBER LEVIN: I'm not asking
13 about the demands. I'm asking about the statement of
14 principle.

15 PAUL GAZZOLA: But the statement of
16 principle was based on demand.

17 COUNCIL MEMBER LEVIN: Okay.

18 PAUL GAZZOLA: I just want to make it
19 very clear because the BDS Movement is concerned with
20 the human rights of the Palestinian people. It has
21 nothing to do with—

22 LINDA SARSOOR: [interposing] They don't
23 take a political on two states.

24 PAUL GAZZOLA: They don't have a position
25 on one state or two states. They're concerned with

2 the fundamental human rights or the Palestinian
3 people. So the first demand, which is what the
4 principles are based on, but it's because I'm going
5 to read it to you right now. I'm going to read it to
6 you right now. BDS called--the BDS called--

7 CHAIRPERSON ROSENTHAL: [interposing] You
8 know, what, I was really hoping that would be a yes
9 or no.

10 PAUL GAZZOLA: [interposing] No, no, I'm--
11 I'm going to do it because I have--

12 CHAIRPERSON ROSENTHAL: And I don't mean
13 that to be slip--

14 PAUL GAZZOLA: [interposing] --because I
15 have

16 CHAIRPERSON ROSENTHAL: --but I've got
17 two people now who are telling me they have to leave
18 at 1:10, one person who has already submitted, one of
19 whom who have already submitted their testimony for
20 the record. So she can't testify, and I've got three
21 students who are telling me they have to get back to
22 class. So whether it's all--so, Helen's answer--so
23 the answer to--the answer to the afternoon--

24 PAUL GAZZOLA: [interposing] Ma'am, this
25 is not an--this is not a yes or no question.

2 CHAIRPERSON ROSENTHAL: --one, two,
3 three. I'm going to allow you to answer for two
4 minutes. You're on the clock,

5 PAUL GAZZOLA: [interposing] It will be
6 less than two minutes.

7 CHAIRPERSON ROSENTHAL: --and then this
8 panel is finished.

9 PAUL GAZZOLA: In less than two minutes.

10 CHAIRPERSON ROSENTHAL: Can you please
11 put it on? Thank you very much.

12 PAUL GAZZOLA: Less than two minutes.
13 I'm going to read it real quick, okay. The
14 Palestinian BDS call urges non-violent pressure on
15 Israel until it complies with international law by
16 meeting three demands, and these are all things that
17 are stipulated in the U.N. resolutions and
18 International Human Rights Law. Ending its
19 occupation in and colonization of all Arab lands and
20 dismantling the wall, international law recognizes
21 the West Bank including East Jerusalem, Gaza,
22 Manhego and places occupied by Israel. That's very
23 basic. Everybody knows that. It's even close to
24 U.S. position. Recognizing the fundamental rights of
25 the Arab Palestinian and the citizens of Israel to

2 full equality. If the BDS movement sought to destroy
3 Israel, then why would it fund--ask for the
4 fundamental right of Arab Palestinian citizens of
5 Israel to full equality. That doesn't make sense.
6 If they're asking for the destruction of Israel, then
7 they wouldn't even call for-- Exactly. So you get
8 it. Respecting, protecting and promoting the rights
9 of Palestinian refugees to return to their home and
10 property as stipulated in Resolution 194, which is
11 also based on International Human Rights Law. So
12 this is the basic fundamental. This is what the
13 demands are, and this is what--this is how we target
14 companies based on that. That's basic.

15 CHAIRPERSON ROSENTHAL: But I'll take
16 that as a non-answer actually, but ask that this
17 panel depart. Jane Hershman has said that she needs
18 to leave in a minute. Donna Nevel wanted to testify,
19 but she already submitted her testimony for the
20 record, and so according to the rules, I'm not--she is
21 not going to come up and testify. Jane you have two
22 minutes if you would like to testify as all the
23 panels going forward will have two minutes. I am
24 specifically taking you out of order as the next
25 panel that's ready to go is in favor of the

2 resolution. You can choose to testify at this time
3 or not, but I will—a fair warning not be advancing
4 the time for anyone else who feels they need to
5 testify out of order. And then just to line up the
6 next panel, we have Lisa Pollack, Lauren Solner,
7 Mosha Bergman, Jeff Weisensel and Hindy Poupko who
8 will testify after this two-minute testimony at this
9 time. Jane. [background comments] I am just so
10 sorry, but someone else needs to leave. As I said,
11 you have two minutes. You may not testify. I am
12 being told by my counsel that once you submit—are you
13 Donna Nevel?

14 PROFESSOR FRANKE: No, no, Donna is over
15 there. [background comments/pause] I'm Professor
16 Katherine Franke from Columbia Law School.

17 CHAIRPERSON ROSENTHAL: And you also have
18 to leave early. You don't have to leave early?

19 PROFESSOR FRANKE: I would have liked to
20 have left a long time ago I think.

21 CHAIRPERSON ROSENTHAL: All of us would
22 have liked to have liked--

23 PROFESSOR FRANKE: [interposing] I'm sure
24 you would have, too.

2 CHAIRPERSON ROSENTHAL: --to have lunch a
3 long time ago.

4 PROFESSOR FRANKE: But I do. I have a
5 class to teach.

6 CHAIRPERSON ROSENTHAL: You know what, I--
7 I actually have made--I--I shouldn't go out of order.
8 The order is the order. The, you know, Jane if you
9 want to talk for two minutes, I said out loud you can
10 talk for two minutes and let's let that happen right
11 now. After, we're going back to them for the
12 resolution, against the resolution. Everyone has two
13 minutes to speak.

14 SERGEANT-AT-ARMS: Alright, folks, if
15 your name wasn't called, please take a seat. Please
16 find a seat.

17 JANE HERSHMAN: Before I give my
18 testimony, I just--

19 CHAIRPERSON ROSENTHAL: No, this--the
20 clock is starting now.

21 JANE HERSHMAN: I just want--I just want
22 to--why--why--I mean everybody else had a few minutes.
23 I just want to respond to what you opened with, which
24 was, which I agree with, which is that we should have
25 an open and fair discussion and a respect for one,

2 and I appreciate the remark, but I think that that
3 should have happened before the resolution was
4 written, and that we would have had that kind of
5 discussion before 55 council members signed onto the
6 resolution, and I don't know if our testimony means
7 anything because people have already signed on. But
8 I just—I just want to say that for the record it
9 would have been better had we had that discussion.
10 Okay, my name is Jane Hershman and I am representing
11 a group called Jews They Know. We're a New York City
12 based group of Jews who stand up for human rights and
13 justice in Palestine. We believe in the best
14 tradition—[background comment/pause]

15 CHAIRPERSON ROSENTHAL: All of your
16 testimony is being read into the record, and all of
17 it will be online.

18 JANE HERSHMAN: Okay. We believe in the
19 best tradition of the Jewish people to criticize, to
20 argue, to think and think some more about issues of
21 justice and fairness to protest—to protest human
22 rights abuses where they exist. Indeed for many of
23 us that is one of the major lessons of the Holocaust.
24 Also, as Jews we have a particular obligation to
25 speak out concerning Israel, which reports to speak

2 for Jews everywhere. As the daughter of Holocaust
3 survivors, anti-Semitism concerns me deeply, but to
4 suggest, as the resolution does, that the BDS
5 Movement is anti-Semitic or attempt to delegitimize
6 Israel is unfounded rhetoric and defamatory. This
7 resolution and similar ones nationwide have been
8 promoted by the Israeli lobbying segments of our
9 community to distract people from the real issue at
10 hand, that is Israel human rights abuses and blatant
11 disregard for the law. This resolution is based on
12 the premise that if you protest the inhumane behavior
13 and policies of a nation, you are delegitimizing that
14 state, and in the case of Israel, you're anti-
15 Semitic. The U.N. and several international courts
16 have made it clear that Israel is in violation of
17 international law. These violations include the 60-
18 year illegal [bell] occupation of the West Bank, the
19 illegal settlement expansion. Well, my major point
20 is that this--this resolution is based on the fact
21 that BDS Movement is delegitimizing Israel, and the
22 fact is that Israel has delegitimized itself by
23 behaving in this terrible way, and abusing the
24 Palestinians by stealing their land and their water,
25 by the settlement expansion, by the killings of

2 people in Gaza, and it is really Israel that is
3 delegitimizing itself. If you take the Montgomery
4 Boycott with this way delegitimize Alabama--

5 CHAIRPERSON ROSENTHAL: [interposing]

6 Okay, thank you so much.

7 JANE HERSHMAN: --or was it to-to really
8 talk to the racist policy. Our governor has said we
9 should ask for a--

10 CHAIRPERSON ROSENTHAL: [interposing] I'm
11 going to ask you to please stop--

12 JANE HERSHMAN: --a boycott this.

13 CHAIRPERSON ROSENTHAL: --and I'm
14 forewarning--fair warning--

15 JANE HERSHMAN: [interposing] Why am I the
16 only one that can answer the problem? (sic)

17 CHAIRPERSON ROSENTHAL: --to the panel in
18 front of us, there will be a two-minute limits.
19 Professor Franke, I'm sorry.

20 PROFESSOR FRANKE: Okay.

21 CHAIRPERSON ROSENTHAL: We will come back
22 to a panel that is speaking against the resolution as
23 soon as this panel is finished. Can I ask you to
24 please all have a seat? Thank you.

2 JANE HERSHMAN: This is the most
3 undemocratic hearing I have ever been at, and to let
4 all those people who did nothing up in the balcony,
5 some of whom were teachers today.

6 MALE SPEAKER: [interposing] I just—I
7 just have to make the observation.

8 CHAIRPERSON ROSENTHAL: Good.

9 MALE SPEAKER: That we wasted more time
10 with people disrupting this hearing than—than we have
11 with actually having the hearing.

12 CHAIRPERSON ROSENTHAL: Why do you think
13 that is?

14 MALE SPEAKER: So if the BDS reporters
15 had not disrupted hear--

16 CHAIRPERSON ROSENTHAL: Why do you think
17 that is?

18 MALE SPEAKER: --continually, everybody
19 would have had a full and complete opportunity.

20 JANE HERSHMAN: I have been before this
21 Council for 30 years. I have never--

22 CHAIRPERSON ROSENTHAL: [interposing] You
23 know, I—

24

25

2 JANE HERSHMAN: --been to a hearing like
3 this, but you should ask yourself why did this
4 happen? Ask yourself that question.

5 COUNCIL MEMBER GRODENCHIK: Madam Chair.

6 CHAIRPERSON ROSENTHAL: Council Member
7 Grodenchik.

8 COUNCIL MEMBER GRODENCHIK: Well, I don't
9 know—I don't know if these two people on the left
10 side of the panel are finished testify, and I know—so
11 I'll let them—I'll let the testify before I ask a
12 question.

13 CHAIRPERSON ROSENTHAL: We have a panel
14 in front of us, and we're going to start again on
15 left, my left to right, and if you could if in case I
16 chopped up your name, if you could just introduce
17 yourself and from fair warning to everyone we are
18 strictly on a two-minute clock. Please if you're
19 testifying keep an eye on the clock because I am
20 going to cut you off at two minutes. So when you see
21 10 seconds, I would urge you to wrap up. [pause]

22 MUSHA BERMAN: Okay. So I wrote here
23 good morning, but clearly it isn't. So that's good
24 afternoon. Thank you for having me here. My name is
25 Musha Berman and I'm a senior at Brooklyn College. I

2 grew up in Manhattan, Paulus Hook and I live in
3 Brooklyn. I've been student activist since my
4 freshman year. I've served on Student Assembly as
5 president of the Israel Club and the Computer Science
6 Club. In my time serving fellow students, and in
7 time sitting here this morning, I learned that groups
8 that promoted the boycott and signer (sic) of Israel
9 had to promote that behavior, too. Last semester a
10 group of about 15 students interrupted a faculty
11 meeting and reportedly called the Orthodox Jewish
12 Council Chair a Zionist blank. Two students—the two
13 students accused of shouting those words stood at a
14 disciplinary hearing under what's known as the
15 Henderson Laws in New York State. I was curious
16 about the—those laws. So I looked them up, and I
17 went to that Section 129-A of the New York State
18 Education Code that requires every college in the
19 state to have a code of conduct. CUNY's Code of
20 Conduct, which the students were accused of violation
21 prohibits the encroachment on First Amendment Rights
22 of other people including shouting down the Jewish
23 faculty chair as he's running the meeting, and I
24 believe someone else is here to speak about their
25 experience with that as well. The same code of

2 conduct was changed October 27, 1980 to say that any
3 organization—this is a quote—“Any organization which
4 authorizes conduct prohibited under substantive Rules
5 1 through 9 shall have his permission to operate on
6 campus rescinded.” Based on this incident, it is my
7 firm belief that SJP, Students for Justice in
8 Palestine, has no place in our City University
9 system, and should be rejected as a supported of BDS.
10 Similarly, anti-Semitic companies have no right to do
11 business with our great city of New York. I urge the
12 Council to take action in favor of the resolution to—
13 and—and also to enforce the bylaws to the full extent
14 of their legal authority, and to support freedom and
15 justice in our commercial dealings and in general.
16 Thank you. That is the end of my reported remarks.
17 I just wanted to set for the record straight the word
18 anti-Semitism is a German scientific term set to
19 refer to Jews specifically. I acknowledge that Arabs
20 are a Semites, but to go off the word is inaccurate
21 historically. Thank you.

22 CHAIRPERSON ROSENTHAL: I almost gave you
23 a mazel tov, friend of the on time.

24 MUSHA BERMAN: Alright.

25 CHAIRPERSON ROSENTHAL:

2 MUSHA BERMAN: I timed it, and then I
3 heard someone say something that was not accurate.
4 So I wanted to set it straight. Thank you.

5 LISA BUCHSBAUM: Thank you. I speak
6 before you the City Council as both the Executive
7 Director Hillel Hunter College and the daughter of a
8 Holocaust survivor and veteran of Israel's War for
9 Independence who will be turning 93 tomorrow. My
10 devotion to the preservation of the Jewish faith came
11 from my father, a man who had seen the worst of
12 humanity. The preservation of Judaism is why today I
13 work for Hillel. Each and every day I'm privileged
14 to engage with young New Yorkers at Hunter about
15 Judaism, its values and its complexities that arise
16 in this ever-changing world. Not surprisingly as
17 these conversations go on, sensitive topics come to
18 the fore, the most prominently being Israel. My
19 students hold an incredibly broad spectrum of views
20 on Israel. However, when they can converse about
21 this sensitive topic, their intelligence and
22 willingness to avoid personal attack shines through.
23 The very notion of the Global BDS Movement violates
24 the spirit of conversation I seek to engender in my
25 Hillel. So, my students are young and both cursed

2 and blessed with the passion that comes from youth.
3 I do not seek to silence them. Frank and honest
4 conversations about Israel are necessary. Israel is
5 not the mythical city upon a hill like every other
6 country. It has flaws, but in spite of its flaws,
7 it's still a great country succeeding a region that
8 is striped with discord. In my student's
9 conversation that is the theme one of openness and
10 honesty about both Israel's challenges and successes.
11 The supporters of BDS strive for none of this balance
12 only condemnation and ignoring her place as the most
13 democratic society in the Middle East. They openly
14 and proudly compare Israel to Nazi Germany,
15 particularly wounding to me and my students, many of
16 whom carry familial scars of the Holocaust. Any
17 important issue that we face today ranging from
18 racial inequality to student debt is liable to be
19 conflated. I'll skip parts. I pride myself on
20 encouraging open- Sorry. To illustrate, on November
21 12, 2015, the Million Student March that was to have
22 addressed student debt and faculty consideration--

23 CHAIRPERSON ROSENTHAL: [interposing] Oh,
24 again, just to be clear, for all those who turn in
25 their testimony it is part of the record, and it will

2 be read in full. I'm so sorry, but we're really
3 enforcing the two-minute rule. So if you say I want
4 a sentence to go over, I'm going to nod and encourage
5 you. But when you start a new story, it's not going
6 to happen. So if you want one sentence to conclude,
7 I'm more than happy to give you one sentence, and
8 then we'll be moving on.

9 LISA BUCHSBAUM: The notions of BDS
10 violates the tenets of Jewish faith, the aims of
11 Hunter College and the very freedoms upon which the
12 United States was founded and New York thrives.

13 LOREN SOLEMAN: Ladies and gentlemen of
14 the Council, my name is Loren Soleman and I'm
15 currently a sophomore at the Macaulay Honors College
16 at Hunter College. I am a Jew and as far as long
17 I've been politically conscious I've been an
18 unabashed unapologetic Zionist. My grandmother, a
19 Holocaust survivor, never quite recovered from the
20 trauma of surviving the war. As a result, she had my
21 father baptized because as she said, it's okay, to be
22 Jewish in your heart but on paper. The constant
23 violence and suffering she witnessed and endure in
24 wartime Europe was enough to scare her for the rest
25 of her war—rest of her life. Growing up a Jew in

2 Manhattan, I never expected to face violence for
3 being a proud Jew and a proud lover of Israel
4 especially at a college, a subway stop away from
5 where I grew up. Luckily, I haven't yet faced
6 violence, but that doesn't mean BDS has not called
7 for it. You see, they co-op other worthy causes as
8 their own, co-sponsoring or coordinating an event
9 with another group. Just like Ms. Sansorigan (sp?)
10 with Black Lives Matter, she conveniently forgets
11 Operation Solomon in the 1990's in which 14,000
12 Ethiopian Jews were brought to Israel as refugees.
13 But also just last year at a protest about adjunct
14 professors' benefits, SJP and the BDS affiliates were
15 front and center. This was a labor issue that
16 nothing to do with Israel and Palestine, but just
17 like at many other rallies, Zionists out of CUNY and
18 Intifada, Intifada rang through the southwest corner
19 of 68th Street and Lexington Avenue. It hasn't yet
20 applied to me, but it has instilled a certain level
21 of fear in myself and other Jewish students on
22 campus, and as a result I strong stand in affirmation
23 of this resolution, and I urge the entire City
24 Council of New York to do the same. Thank you very
25 much.

2 JEFF WIESENFELD: I'm Jeff Wiesenfeld.
3 I'm representing the Advisory Board of the New York
4 Board of Rabbis and by way of identification, I'm
5 also the Treasurer of the World Jewish Congress and a
6 member of the Board of the JCRC. Look, we've heard a
7 lot of things here, and people have—have danced
8 around quite a number of circumstances. It's very
9 interesting that in the last panel we heard from the
10 Palestinian representative. If you listen to the
11 principles that he enunciated, he made it very clear
12 that those three principles mean the destruction of
13 Israel. When 600,000 Palestinian refugees at the
14 urging of their Arab compatriots moved out, one
15 million Jews who had lived for a millennium in all of
16 the Arab countries were thrown out similarly. There
17 were Farah hoards, there were hangings, their
18 property was stolen. Everyone else settled their
19 refugee problem. Here is a problem of professional
20 refuges for four generations. Let's talk about it
21 plainly. Even the Arab states a fed up with it
22 already. BDS is conscientious objection. It's not
23 about territory. It's not about settlements. It's—
24 it's as Makwana Bagudi (sp?) has said, it's about the
25 dismantlement of the Jewish state. Neither he nor

2 his descendants, I might add, will ever live to see
3 it. This is—this is the final and third temple of
4 the Jewish people and it's not going anywhere. The
5 true problem is that the Jihadists amongst the four
6 generations of professional refugees that are
7 suppressed sponsored by Unra, and the Jew haters who
8 inculcate hatred and incitement to their children do
9 to subjugation by corrupt kleptomaniacal and
10 oppressive Palestinian authorities. The Arab states
11 have had enough of it. The BDSers can have Iran, and
12 their newborn European anti-Semites as their—as their
13 allies, but we know what it's all about. We're not
14 fooled. You can be as eloquent as you want. There's
15 one Jewish state. The Jewish state represents the
16 movement of Jewish national liberation, something
17 that they would deny to no other people. And
18 finally—and finally, most eloquently to quote Mayor
19 de Blasio. We in the United States or in any nation
20 you can disagree with a particular government's
21 policy at that moment in time, but it doesn't mean
22 that you don't believe in that nation or its right to
23 exist or its founding ideals. BDS is an—is
24 ahistorical. It writes off the critical facts in the
25 histories of Israel, and the surround region

2 including that Israel has been the Jewish homeland
3 for several thousand years. There are plenty of
4 people who support BDS who have advanced degrees, and
5 call themselves progressive. I look forward to
6 challenging them. Thank you, Mayor de Blasio.

7 CHAIRPERSON ROSENTHAL: Thank you.

8 Good afternoon. My name is Cindy Poupko
9 and I'm the Managing Director of the Commission on
10 the Jewish People at UJA Federation of New York.
11 Thank you for your leadership on this issue, and
12 thank you to all the co-sponsors. As part of my job
13 at UJA Federation I work to ensure that our students
14 have a safe and fulfilling academic experience on our
15 campuses. Unfortunately, the BDS Movement threatened
16 this fundamental right. My colleagues before me
17 clearly articulated the real goals of the BDS
18 Movement. It's not complicated. You ask their
19 founder would BDS and if Israel withdrew from the
20 West Bank and he said no, it wouldn't end, and we
21 hear this rally after rally. When they refer to a
22 daily occupation, they referred to that since 1948.
23 This is not Israel's presence at the West Bank. This
24 is about the presence of a Jewish state in our
25 ancestral homeland. There is nothing complicated or

2 ambiguous about it. Another way to judge a movement
3 is by the act that that it inspires. On campus after
4 campus, Northeastern, Northwestern, Perdue, Vassar
5 and Stanford, Swastikas appeared in bathroom, and a
6 Jewish fraternity when a BDS debate was happening on
7 campus. There is a direct correlation, and it's not
8 big and it's not confusing. It's clear. On November
9 12, 2015, there was a protest outside of Hunter that
10 was supposed to be about rising tuition costs at
11 CUNY. It was co-opted by BDS activists who chanted,
12 "Zionists out of CUNY. Zionists out of CUNY." I met
13 with the students the next day. They said to me, "I
14 didn't wear my Yamaka to school because I was
15 afraid." They were afraid because of the toxic and
16 hateful environment that was created at that rally,
17 that is created on campuses across the city on every
18 single day. It is unconscionable that in a city like
19 New York, home to the largest Jewish population
20 outside of Israel that we have students who feel that
21 they can't wear their Yamakas proudly, and hold their
22 heads high. I commend you for your courageous
23 leadership. We all know that what happens in New
24 York never stays in New York, and this resolution

2 will have profound reverberations across the country
3 and I thank you.

4 CHAIRPERSON ROSENTHAL: Thank you very
5 much to the panel. Are there any questions? I
6 haven't gotten any additional- Okay. Thank you so
7 much for your time and for your patience, and get
8 back to class. Yeah, if you'd show the sergeant-at-
9 arms. Okay, I'm calling up the next panel. Donna
10 Nevel, I was incorrect about your ability to testify.
11 Please join us. Katherine Frank. Lamumba Bendell,
12 Marty Goodman, Jim Fararat, again Farrat. If I have
13 mispronounced any names, please correct them when you
14 introduce yourselves, and we are again sticking very
15 strictly to the two-minute clock with your help from
16 the sergeant-at-arms. [background comments] Two
17 minutes. Those just showed up there. Yes. Okay. If
18 you could-Donna, if you could begin.

19 DONNA NEVEL: I'm Donna Nevel, a Board
20 Member for Jewish Voice for Peace. First, I'd just
21 like to say there's no time to list the many reasons
22 why, but I need to say for the record that I believe
23 this hearing left any integrity. As part of my
24 commitment to speaking out and supporting the
25 movement for Justine in Palestine and Israel, I'd

2 like to speak about why I consider it my
3 responsibility to stand in support of the movement
4 for Boycott, Divestment and Sanctions, BDS, and why I
5 strongly opposed the resolution being put forth
6 today. As a board member of JDP, a national
7 organization dedicated to a just peace for
8 Palestinians and Israelis, I am speaking here to
9 represent the growing numbers of progressive Jews who
10 support this global movement for Justice. The
11 resolution under discussion shamelessly and
12 shamefully distorts the BDS movement's goals. BDS is
13 about leveraging pressure to compel a state to change
14 its behavior and respect human rights. The BDS
15 movement is not permanent. This pressure is needed
16 only until Israel complies with basic principles of
17 equality. BDS has garnered such strong international
18 support among concerned people including Jews across
19 the globe because people of conscience oppose decades
20 of denial of a people's basic human and national
21 rights. One of the false and destruction accusations
22 being made is that it is anti-Semitic to support BDS.
23 This is not only a highly irresponsible accusation
24 and harmful to those fighting for justice, but it
25 also does an injustice to the reality of actual anti-

2 Semitism when it occurs. It is not discriminatory in
3 any way to hold a nation state accountable for its
4 human rights abuses, and for violations of
5 international law. There is nothing anti-Semitic
6 about that in any rational definition of anti-
7 Semitism. On a final and personal note, I support
8 the ethical and yes dignified call for BDS as a Jew
9 and as a human being committed to justice and to
10 peace. I have always felt and continue to feel
11 deeply connected to my community's history of
12 struggle and resistance, of the anti-Semitism and
13 oppression we've endured. In no way is my support
14 for BDS and my deep commitment to justice for
15 Palestinians at odds with that deep connection to my
16 people. Therefore, I will continue to support BDS
17 until thousands and thousands—along with thousands
18 and thousands of other across the globe until there
19 is a just solution in ending state policies that are
20 discriminatory and anti-democratic and ensuring equal
21 rights and respect and safety for all. Thank you.

22 [background comments]

23 KATHERINE FRANKE: Yep. Thank you so
24 much for giving us the opportunity to speak. I, like
25 others didn't this moment would come. So, I

2 appreciate your deft handling of the day to day. I'm
3 Katherine Franke. I am a law professor at Columbia
4 Law School where I am a scholar of constitutional law
5 and civil rights. I'm also the chair of the Board of
6 the Center for Constitutional Rights, a 50-year-old
7 organization that has stood with and by social
8 movements that have fought for civil rights in the
9 United States and across the globe. But before I was
10 a law professor, I was a supervising attorney at the
11 New York City Human Rights Commission. I know a
12 little bit about discrimination. I just—I litigated
13 employment, housing and public accommodations cases,
14 many of which tragically were based on claims of
15 anti-Semitism, and many of them founded. I also have
16 endorsed the academic and cultural boycott of Israel.
17 If I thought there were any way in which the—the—the
18 academic and cultural boycott of Israel further and
19 instantiated a form of anti-Semitism, I would never
20 have endorsed it, and I would actually disavow it
21 actively. It's—it's—I lost my train. I've been so
22 upset the thought that a tactic that is used by
23 political movements whether it's the Boston Tea Party
24 and the founding of the United States, in South
25 Africa or to protest apartheid by civil rights

2 activists here in the United States and the
3 Montgomery bus boycott would be reduced to a kind of
4 hatred of the people. I think it's simplistic, and
5 it's offensive. So I'm here as a representative of
6 the civil rights community. I'm here as someone who
7 cares deeply about protecting the civil and human
8 rights of all New Yorkers, and I'm here because I-I
9 feel if what you're interested in doing, and if what
10 the Council is interested in doing is condemning
11 anti-Semitism, then pass a resolution that does that,
12 and all of us will endorse it, but passing a
13 resolution--and there was a semicolon there--passing a
14 resolution passing a resolution that condemns BDS by
15 conflating it with anti-Semitism is wrong minded and
16 not based on the facts. Thank you so much.

17 CHAIRPERSON ROSENTHAL: Thank you and I
18 appreciate your use of the semicolon.

19 LAMUMBA BANDELLI: Good afternoon. My
20 name is Lamumba Bandelli (sp?) and a member of the
21 Malcolm X Grassroots Movement. The Malcolm X
22 Grassroots Movement continues to stand with freedom
23 loving people and people of good conscience around
24 the world in opposition to this resolution. Since
25 our organization was founded in '91, the Malcolm X

2 Grassroots Movement has and continues to firmly-
3 firmly assert the right of the Palestinian people to
4 resist their ongoing occupation and colonization by
5 the Israeli government and the inter-international
6 forces of Zionism. We also firmly support the
7 Palestinian people's right to self-determination and
8 statehood, and the unequivocal-unequivocal and
9 irrevocable right to return. I must say that if the
10 leadership of this hearing had its way, I would not
11 be able to sit here and read this statement today. So
12 I want to also reiterate some of what has been
13 already said about the integrity of this panel, and I
14 hope that some of the council members will remove-
15 will correct some of their statements in insulting
16 members of the previous panel who are important
17 members of our community and to call them anti- anti-
18 Semites is a problem, and I hope that they will offer
19 an apology. I will close by saying to attack those
20 defending and supporting human rights, and
21 specifically calling for boycott and divestment is
22 absolutely immoral. I ask you to imagine yourselves
23 in the same seat in the mid-1980s when the global
24 community called for divestment of South Africa's
25 Apartheid Regime. How would you have voted? Where

2 would you stand on this issue? You have an
3 opportunity, but more importantly an obligation to
4 stand on the right side of history. The Constitution
5 that you all have sworn to uphold protects the rights
6 of U.S. citizens to call out injustice. For
7 lawmakers to step over their bounds and to simply
8 disagree, and attack the rights of-of the strategies
9 and those standing for freedom is attack-is an attack
10 on Democracy. The Governor of New York is wrong.
11 Mayor de Blasio is wrong, and so are those in support
12 of this resolution. We urge you to reconsider, to
13 defend democracy and to stand in the principles of
14 freedom and justice.

15 CHAIRPERSON ROSENTHAL: Thank you and I
16 saw you sitting up in the balcony. Thank you for
17 making the effort to come back in and to testify. I
18 really appreciate that.

19 LAMUMBA BANDELLI: There are dozens of
20 other people who were-are still outside.

21 CHAIRPERSON ROSENTHAL: No good deed goes
22 unpunished. Thank you.

23 LAMUMBA BANDELLI: Who are still outside.

24 CHAIRPERSON ROSENTHAL: Thank you.
25 That's it.

2 LAMUMBA BANDELLI: The only way I was
3 able to get in was because I actually had to pull a
4 personal favor with the council members that I know.
5 What about the people who do not know those council
6 members? The integrity of this hearing has been
7 totally undermined.

8 CHAIRPERSON ROSENTHAL: Okay, so next,
9 please. Thank you.

10 JIM FORRAT: Thank you. My name is Jim
11 Forrat (sp?). I have sat here all day. I came at 10
12 o'clock and signed up first. I'm a candidate in the
13 primary on Tuesday. I blue off about three important
14 visits to senior centers today because I think this
15 issue is really important. I will submit a statement
16 that I was going to read earlier, but I just want to
17 say a couple of personal things with this limited
18 amount of time that I have. I was brought up to
19 believe that I had freedom of choice. When I went to
20 a supermarket, I could pick this bottle of bottle of
21 milk when I was seven or that bottle of milk. As an
22 adult I've learned that it's much more complicated
23 how one makes one's choice in a supermarket or a
24 store. I support this boycott, and participate in it
25 because I want the two sides to come to the table and

2 resolve a conflict, which has created havoc in the
3 lives of many of generations of people I know. And I
4 want this Council to make a substitute resolution,
5 which is not partisan, but calls for what the
6 diversity of people that live in this city I think
7 would want, to use your power and influence to bring
8 people together and not be partisan. It's terrible
9 the way the things I heard spoken this morning. It
10 took a great deal of age I guess and experience to
11 sit in my chair and not stand up and protest. I did
12 that out of respect to the Council. My council
13 person Corey Johnson is not present, and has signed
14 onto this, and I will talk to him personally. But
15 please understand you saw what happened today. If
16 you want to play a partisan role, you're going to
17 alienate a great deal of-of the community. I just
18 want to end by saying that I sat in this room in 1970
19 and testified at the first Intro 1 hearing. It took
20 30 years to get equal protection under the law in the
21 city. When I heard this morning the use of LGBT in
22 opposition to-to support this resolution, I just want
23 to tell you I support LGBT people in Israel, and I
24 support LGBT people in Palestine. Let's deal with

2 the homophobia here at home, which still exists
3 before we condemn other people. Thank you.

4 CHAIRPERSON ROSENTHAL: Thank you all for
5 your testimony. Council Member Grodenchik.

6 COUNCIL MEMBER GRODENCHIK: Madam Chair,
7 I just have a very simple question for all the people
8 that are at this panel. Do you use cell phones? I
9 see at least two of them up there. You own a cell
10 phone? Just simply yes or not. [background
11 comments] I'm asking you if you own a cell phone?
12 Do you use a cell phone? Can you understand that? I
13 am sure you can all understand your--

14 LAMUMBA BANDELLI: [interposing] Can you
15 ask your question because once again you're turning
16 this into a circus.

17 COUNCIL MEMBER GRODENCHIK: I'm not
18 turning this into a circus. I'm a council member and
19 I'm entitled to ask a question. I asked you a
20 question do you own a cell phone. I'm sure all of
21 you, and most of the people in this room do. My-my--
22 since you refuse to answer my question, the fact of
23 the matter is cell phone technology was developed in
24 the state of Israel.

25 AUDIENCE: Oh.

2 COUNCIL MEMBER GRODENCHIK: Oh. I'm
3 speaking now, okay, and if you don't like it, you can
4 leave, but the fact of the matter is--

5 CHAIRPERSON ROSENTHAL: [interposing]
6 So, you know what, fir the last 20 minutes or half
7 hour or hour, we've been really respectful of
8 listening to each other. We need to just hang in
9 there. I got a little cranky. I've had some coffee.
10 If you need coffee, get coffee.

11 COUNCIL MEMBER GRODENCHIK: Thank you,
12 Madam Chair.

13 CHAIRPERSON ROSENTHAL: But if everyone
14 could just hang in there a little bit longer so we
15 can listen to each other without any interruptions.
16 Thank you.

17 COUNCIL MEMBER GRODENCHIK: Thank you,
18 Madam Chair. The fact that you won't answer the
19 question tells me that there is at least a bit of
20 hypocrisy in this room, because the fact is cell
21 phone technology was developed in the state of
22 Israel. You can leave, sir. That's your choice, but
23 if you want to be honest with us here on this panel,
24 you could at least answer the most simple question
25 that was asked today. Thank you, Madam Chair.

2 LAMUMBA BANDELLI: Are—are we—

3 JIM FORRAT: I—I sorry. I didn't know
4 what the question was that you were asking. Could
5 you please state it simply? You said you wanted to
6 ask a question of all of us.

7 COUNCIL MEMBER GRODENCHIK: Do you own a
8 cell phone? It's a yes or no answer. Thank you,
9 Madam Chair.

10 CHAIRPERSON ROSENTHAL: Yes, thank you,
11 council member and thank you so much to the panel.
12 Thank you for your patience and staying to testify.
13 The next panel is—includes Robin—Rabbi Jonathan
14 Pearl, Michael Cohen, Avi Pasnik, Sinovia Car—Carsey.
15 Sorry, and Michael Gottlieb. That was a handwriting
16 thing. Thank you all for your patience, and again we
17 are going to be trying to stick with the two-minute
18 clock. When you see one minute, you just see—the—
19 when you see you have 10 seconds left try to wrap up.
20 [background comments] Okay, I'm just going to call
21 two more people. Helen Friedman and Al Jones, if
22 they're available. I'm just trying to grow the panel
23 to a panel of five. Al Jones, great. Helen Friedman
24 is not here. Okay, let's begin. If you could just
25 introduce yourselves, the sergeant-at-arms is right

2 behind you, and she will take your testimony. Two
3 minutes. [background comments]

4 SONOVIA RAJU: I'm Sonovia Raju,
5 Associate Director of the Department of Coalitions at
6 the Israel Project. I spent two years in Israel as a
7 freelance journalist. Prior to journalism, I was
8 involved in social activism at my alma mater the
9 University of Illinois Urbana-Champaign. I am not
10 Jewish, Arab or Israeli. My family immigrated from
11 Kenya to the United States and we are Zoroastrian,
12 which is an ancient ethno-religious people from Iran.
13 We no longer have a homeland and many of us lived in
14 the Diaspora. I feel a unique kinship with the
15 Jewish people. Like Jews, Zoroastrians have been
16 persecuted for millennia, kicked out of their native
17 Iran and forced to preserve their identity in the
18 Diaspora. While I was in Israel, it was evident that
19 Israel was the only country in the Middle East where
20 Zoroastrians and other religious minorities to could
21 freely and openly practice their religion. The BDS
22 Movement has tried to push itself into the ranks of
23 legitimate social justice movement, but BDS is not
24 about social justice. It's about bullying, genocide,
25 anti-Semitism, and the abuse and manipulation of the

2 unfortunate history of oppressed people around the
3 world. This year, we at the Israel Project are
4 working to tell the stories of black South African
5 social activists who traveled to Israel to find that
6 Israel indeed is not an Apartheid state. They found
7 that boycotting Israeli companies and products is
8 detrimental to the Palestinian economy. Worst of
9 all, they found that all of this happening while
10 their own history of racism and prejudice in
11 apartheid South Africa is being distorted and abused
12 from economic gain and political power. The BS
13 Movement is bigger than just boycotting Israel and
14 Israeli goods. It's a movement that to me and other
15 religious minorities in the Middle East represent
16 continued persecution and isolation in the Middle
17 East. So as a religious and ethnic minority, my
18 counterparts and I around the world urge you to pass
19 this resolution. New York City will not subsidize,
20 discriminate, hate, bullying and the facts of the
21 history of oppressed people.

22 [pause, background comments]

23 MICHAEL KELLY: Thank you. Hi, my name
24 is Michael Kelly. I'm the East Coast Director of the
25 Sun & Reganfeld (sic) Center at the New York City

2 Committee—at the new York City Council Committee on
3 Contract here in—here this afternoon. On behalf of
4 our 400,000 constituents, American families including
5 150,000 members residing in the New York City area, I
6 wish to commend Councilman Cohen and—and this
7 committee for launching this important initiative in
8 the 34 council members who have already their support
9 to this timely resolution. What happens in New York
10 is noticed, and when New Yorkers speak up the world
11 listens. It is time for our city who has the largest
12 Jewish population outside of Israel to speak out
13 against this insidious global BDS campaign that seeks
14 to demonize, weaken, and opening do away with
15 America's trusted friend and ally, the only true
16 democracy in in the Middle East. BDS is not out to
17 influence Israeli policies. They're out to
18 delegitimize them. It is important to recognize that
19 BDS has never helped a single Palestinian. It isn't
20 designed to create more jobs for Palestinians, only
21 to erase Israeli ones. The BDS Movement is
22 attempting to shut down businesses where Palestinians
23 and Jews work together and are paid equal salaries
24 even when it means that hundreds of Palestinians on
25 whose behalf BDSers claim to advocate, lose their

2 jobs and the ability to feed and support their
3 families. The goal of the BDS Movement is to isolate
4 the Jewish faith, denigrate her among Christian
5 churches, and an her academia from our schools.
6 Barring Israeli academics from New York conferences,
7 and shunning the Israel dynamic university are
8 unwarranted Draconian moves appropriate perhaps for
9 the likes of state controlled Iranian or North Korean
10 institutions and not against our nation's most
11 reliable ally in the Middle East. BDS is both
12 morally wrong and geopolitically bankrupt as it
13 solely and unfairly holds Israel to a double standard
14 while terrorist attacks brought by her—by her
15 neighbors time and again are given a free pass. Make
16 no mistake about it, the unfair targeting of the
17 Jewish state alone for defending itself from
18 terrorism and terrorism in a world where horrific—
19 and—and in a world where horrific human rights abuses
20 around the world go unchallenged is a prime 21st
21 Century manifestation of the world's oldest hate,
22 anti-Semitism. [bell] I—I just—we welcome, you
23 know, we welcome the leadership of the Council and—
24 and—and of all the members who have supported this
25 resolution to join the course of all these—of—of all

2 the states and—and—and legislative bodies who have—
3 who have become—who have had similar resolutions and
4 have made similar resolutions, and we thank you again
5 for the opportunity to be here today.

6 ALBI POSNICK: Good afternoon. My name
7 is Albi Posnick. Thank you, Madam Chair for
8 convening this important session, and thank you to
9 Councilman Andrew Cohen for sponsoring this
10 resolution as well as all the co-sponsors of this
11 important resolution. My organization Stand With Us,
12 an international Israel education organization
13 supports those who want to educate others about
14 Israel. We have been a leading organization fighting
15 the boycott campaign against Israel in major
16 corporations, college campus, food co-ops, transit
17 systems and more throughout the country and locally
18 here in the great city of New York. I urge the
19 Council to pass this resolution, which will be good
20 not just for Israel, but also for the City of New
21 York. New York City is home to hundred of Israel
22 start-ups. Many Israeli technologies are used by New
23 Yorkers, and some are here to improve our daily lives
24 and protect them like the technology protecting the
25 New York City water supply. New York City is also

2 home to large-to large Israeli-American communities.
3 May Israeli professors teach in New York schools and
4 colleges. New Yorkers and Israelis have built
5 tremendous bridges as well as incredible partnerships
6 and friendships. They have many shared values. Both
7 people believe strongly in liberalism and diversity.
8 Learning from each other is the only way to make the
9 world a better place. In light of increasing efforts
10 to target Israel and our international trade partners
11 for commercial discrimination, the city's economic
12 interest must be defended. It is also important to
13 pass this resolution for the benefit of younger
14 generations. As I mentioned earlier, Stand With Us,
15 an organization for which I-I serve as Managing
16 Director in the Northeast, has been at the forefront
17 of educating students on college campuses and in high
18 schools about Israel for 15 years. On too many
19 college campuses across the country and locally here
20 in New York City student groups have been attacking
21 pro-Israel students, and calling for the boycott of
22 Israeli academics programs and products. They are
23 creating a very uncomfortable climate for students.
24 As Stand With Us believes education is the road to
25 peace and through people-to-people experiences and

2 building bridges among various communities, we will
3 see a more peaceful region and create a better world.
4 Boycotting Israel does not improve the lives of
5 Palestinians. In fact, it hurts them. Soda Stream
6 is a great example of which over 1,000 Palestinians
7 now out of a good paying job. As Palestinian human
8 right activists Boston Heeb (sic) said, BDS hurts me
9 as a Palestinian. BDS destroyed the Palestinian
10 economy, and interestingly enough, in 2013 Mahmoud
11 Abbas, the President of the Palestinian Party came
12 out against boycotting Israel. Peace takes two, and
13 I'll just close with this last statement. While we
14 have found this work in partnership with other
15 organizations, some who are here today, on a
16 grassroots level to educate—educate communities and
17 students and empower the next generation, we also
18 need the leadership of our elected officials. We
19 need you to do what is right. We need you to pass
20 this resolution, which will send a message that New
21 York City, the largest, most liberal, most tolerant
22 and most diverse and greatest city in the U.S. will
23 stand—will stand against the racist and destructive
24 movement known as BDS, and send a clear message that
25 this city does not stand for divisiveness—

2 divisiveness especially on college campuses but
3 rather stands for peace and co-existence. Thank you
4 so much.

5 AL JONES: My name is Al Jones, and I'm
6 actually not a head or a manager of any sort of
7 organization, or here representing one. I'm just
8 here sort of representing myself. I was a student in
9 CUNY for undergraduate school and graduate school at
10 Brooklyn College and then at the Graduate Center. In
11 February 2013, I was a graduate student at Brooklyn
12 College. I attended an event featuring the founder
13 of the BDS Movement Omar Barghouti, and Karen Gould,
14 then the President of Brooklyn College sort of urged
15 anyone who had disagreements or questions for Mr.
16 Barghouti to attend to start discourse as is, you
17 know, alleged to be at the time one of the primary
18 functions of the universities. My brother and I, two
19 of the only visibly Jewish students aside from
20 mandatory (sic) Karta figures, and one of who which
21 was here, there were more upstairs and, you know, we
22 were removed from the event by the Students for
23 Justice in Palestine. They ordered security to
24 remove us for no reason other than our political
25 beliefs. Brooklyn College's independent

2 investigation eventually confirmed that we were
3 removed simply because we supported Israel, and were
4 holding the questions that were counted where they
5 said they stifled this cause violating free speech
6 right, and that's not the way to peace. This
7 violation is perpetrated by followers of BDS. It's a
8 movement that seeks to delegitimize and demonize the
9 only Jewish state and also anyone connected to it,
10 and they've been doing it in New York City councils
11 and streets without repercussions. My first brush
12 with DBS was also my first brush with true anti-
13 Semitism, and it changed how I walk about not only my
14 campus, but the city I've grown up in. Wearing a
15 kippah became a risky move. Mystere brought upon
16 Jewish students and residents of our community by the
17 followers and proponents of BDS is hateful ideology.
18 It's definitely not the way to peace, and
19 unfortunately my story is not unique. Colleagues of
20 mine from across New York City especially in Brooklyn
21 College have been intimidated, threatened and even
22 staked by BDS supporters simply because they disagree
23 and believe that the one Jewish state deserves to
24 exist. We once reached out to the President of SJP
25 while we were there. She was actually removed from

2 this room earlier, and she said she wouldn't come to
3 a cooperative peace dinner featuring many clubs
4 because there would be Israelis there. I believe
5 strongly that we can't allow this movement, which is
6 regularly targeted hatred conditions, and in some
7 cases violence towards Jews to work and function
8 while we stay silent. With anti-Semitism rising
9 worldwide, we must at least use our voices and say no
10 to BDS and no to the division and fear it breeds, and
11 focus on cooperation and peace between people. Thank
12 you very much.

13 CHAIRPERSON ROSENTHAL: Do we have any
14 questions from the council members? Thank you so
15 much for your time, for your patience. This morning
16 I watched you all sit here very patiently, and I
17 appreciate that, and I appreciate you work today.

18 AL JONES: Thank you.

19 CHAIRPERSON ROSENTHAL: I'm going to call
20 up the next panel. Joel Covell, Assaf Calderon
21 (sp?), Rabbi Mordecai Ruberman (sp?), Sitti Galli
22 (sp?) and Michael Letwin (sp?) [background comments]
23 Okay, that's alright, we—that happens. If someone
24 has already left, that's okay. We can—we'll call up
25 the next person. So, if your name has been called,

2 come on up, a panel of four. [background comments]

3 Alright, it was our panel size the last time. We'll

4 stick with this. Thank you again. Again, we're

5 going to--again, if I could just start by saying I saw

6 all of you also wait very patiently. Thank you for

7 staying, and now I'm interested in hearing what you

8 have to say. Please begin.

9 SITTI GALLI: Thank you. My name is

10 Sitti Galli(sp?). I'm here with Jewish Voice for

11 Peace. I am a Jew. I'm a New Yorker. I'm an

12 Israeli. I'm pretty sure I'm the only Israeli who

13 would be testifying her technically with a passport,

14 and I'm here to educate some of us on the experience

15 that would lead one to become a young nationalist to

16 and advocate to BDS. [coughs] Today, I'll share a

17 bit about myself with you. I was born and raised in

18 Israel. When I was young we moved to an exclusively

19 Jewish settlement in the West Bank. My dad

20 demolished homes in the military with Caterpillar

21 built tractors, which is among the companies that we

22 boycott. My grandfathers fought in wars an as a

23 young woman my mother was in the Intelligence Corps.

24 I was--I had a very Israeli upbringing. I was raised

25 to learn and repeat a morbid altruism, which to this

2 day I believe encapsulates the dehumanizing policies
3 used to sustained the occupation. I learned that
4 good Arab is a dead Arab. After soccer matches, we
5 Israeli boys expressed our enthusiasm with chants
6 such death to the Arabs. As I grew up, military life
7 enthralled me. I aspired to be an elite open street
8 (sic) commander and rack up as many dead bodies under
9 my name next to the best soldier. I remember sitting
10 with my friends trying to compare which of our dads
11 were Palestinians more? Which of—which was more
12 elite? Which was a part of the more violent
13 operations? Which father killed more of them? I was
14 bred within hate and it blinded me to the crimes and
15 violence perpetrated in my name. Today, I see the
16 impacts such inculcation has on those I grew up with.
17 I see the tantalizing racism that binds the political
18 imagination parts of the young and the old. I see a
19 nation building for sustaining it's powerful position
20 to remain on top of the Palestinian people with their
21 studded boots pressing hard on their dignity. I ask
22 you to find courage and resist this resolution. In
23 the name of Hannah Arendt, a Jewish thinker, "Courage
24 liberates men from their worry about life for the
25 worry of the freedom of the world."

2 JOEL COVELL: [off mic] Thank you very
3 much. I'd like to thank everyone--[on mic] Oh, is
4 that better? Yes. I have, I'm Joel Covell and I
5 wrote this morning about 5 o'clock, and it's like 300
6 words and it doesn't work. I'll just give you an
7 opening and then I'll ramble a bit and you can throw
8 me out. The, um--it's a joke. Harry, overlaid his
9 garish humor about the relation of Israel to the
10 United States. Question: Why don't we just make
11 Israel the 51st State? Answer: Because then you
12 would have only two senators, and I think that tells
13 us a lot about the nature of this country, and also
14 tells us a lot about the nature of this inquiry, and
15 what I've heard today because I haven't heard
16 anything today about the relationship of Israel the
17 United States or Zionist politics to Raja politics.
18 You go on and on about that, but it's surely not
19 trivial. It's obviously not trivial when we're
20 talking about the city of New York and its political
21 gathering. Who's--who's buying who off, and so on and
22 so forth. There are many, many incidents, many
23 anecdotes about that, and obviously I have to brush
24 the second aside. Mostly, I would love to spend an
25 hour or two discussing the analysis of this book,

2 which is called *Overcoming Zionism* published in 2007,
3 and it's very interesting to run into the man, you
4 know his name was Sy, but he was the official of
5 Standard Bus, and he was—he was considered by the
6 University of Michigan Press and about after a few
7 months he started receiving a series of scurrilous
8 and totally blasphemous, you know, comments on this
9 book. It was of no merit, it was anti-Semitic, it
10 was totally wrong, but never any evidence at all
11 presented to his book. Never went in the View (sic)
12 but the cowardly editor Chairman of the University of
13 Michigan Press removed this book from circulation
14 because of the pressure that Stand With Us has. So
15 you can see that this is not of that consequence.
16 Mostly the book was restored, but basically freedom
17 of expression was severely curtailed by this attack,
18 and not a word, needlessly to say, were not in this
19 network or the embeddedness of Zionists institutions,
20 Zionists processes of thought within American
21 academia, and that—that's just talking about
22 politics. We should also talk about American media.

23 CHAIRPERSON ROSENTHAL: [interposing] I'm
24 sorry. Could you please wrap it up?

2 JOEL COVELL: Uh-huh. Well, I can wrap
3 it up, and it's going to be wrapped up any how for
4 me. So I'm finished, but I would just want to leave
5 you with that, and say that my principle conclusion
6 of this book is that Israel is not a legitimate
7 state. It's a very unusual state that bears very
8 detailed and in-depth political, historical,
9 psychological understanding, which I can't give now,
10 but maybe we can think of. That's for me.

11 CHAIRPERSON ROSENTHAL: Thank you. Sir.

12 MICHAEL LETWIN: [off mic] Thank you my-
13 [on mic] my name is Michael Letwin. I'm a former
14 president of the Association of Legal Aid Attorneys,
15 UAW Local 2325. I'm also co-founder of Labor for
16 Palestine and Jews for Palestinian Right of Return,
17 and I'm on the leadership body of the U.S. Committee
18 for the Academic and Cultural Boycott of Israel. As
19 a life long supporter of racial justice, as a public
20 defender in Brooklyn for more than 30 years, a
21 supporter of the Movement for Black Lives and native
22 American protest at this moment at Standing Rock, it
23 is only natural that I'm here today with many other
24 New Yorkers to condemn the Resolution 1058-A as
25 unconstitutional attack on those who support Boycott,

2 Divestment Sanctions, which has gained momentum in
3 recent years particularly in the wake of Israel's
4 massacre of 2,200 Palestinians in Gaza, a crime that
5 was committed with the use of \$3.1 billion bi-
6 partisan provided, U.S. bullets, bombs and white
7 phosphorous, something in criminal law we would call
8 being an accessory to murder. I was here in this
9 very building in 1990 when Nelson Mandela spoke as a
10 guest on honor on the steps of City Hall, and he was
11 an honored guest by this city, by the Council, by the
12 Mayor. The same Nelson Mandela who supported BDS and
13 who in 1997 said, "We know too well that our freedom
14 is incomplete without the freedom of the
15 Palestinians." So it is time to stand up to say
16 quite clearly that anti-Zionism is not anti-Semitic.
17 It is anti-racist, and I say that as a Jewish person.
18 I say that as a supporter of human rights everywhere,
19 and whether it's the NYPD and the issue surrounding
20 the abuse of the NYPD of the citizens of color of
21 this city. Whether it's apartheid Israel and its
22 abuse of Palestinians, it's time for this body to
23 stop acting like a White Citizens Council and stop-
24 start acting like the New York City Council. Thank
25 you.

2 HANI GHAZI: My name is Hani Ghazi, I'm-
3 my name is Hani Ghazi. I'm here to speak on behalf
4 of Adalah New York. [background comment][coughs]
5 Okay. I'm here to speak on behalf of Adalah New
6 York, the New York Campaign for the Boycott of Israel
7 to express our deep concern with the wording of this
8 resolution that Mr. Cohen read, and especially
9 because it states that this movement delegitimizes
10 Israel and it fails to mention Palestinians and it
11 fails to mention international law completely in this
12 resolution, and I'm here to point out that we target
13 companies that profit from violating international
14 law. Israeli and non-Israeli alike, companies that
15 profit from practices that were found illegal under
16 international law. [coughs] For example, illegal
17 confiscation of expropriation of Palestinian land in
18 order to expand settlement expansion—to expand
19 settlement construction in the West Bank is illegal
20 under international law and if there is a non-Israeli
21 company that is involved in the home demolitions and
22 in the uprooting of all olive trees and depriving
23 Palestinians civilians of their source of income, we
24 are going to target that company with our boycott
25 campaign, and I call on the member of City Council to

2 avail themselves through the perspective of the
3 oppressed civilian indigenous population [coughs] of
4 Palestine, none of which of the members of the panel
5 that were pro this resolution are. Avail yourself to
6 the perspective of the indigenous population of
7 Palestine, and stand on the right side of history
8 because the BDS Movement targets specific companies
9 and organizations that violate international law and
10 it has specific campaigns that point out why they are
11 targeted by the BDS Movement, which makes the
12 argument about the cell phones not about an argument
13 because it's a little target. (sic) Thank you.

14 [bell]

15 CHAIRPERSON ROSENTHAL: Thank you very
16 much. I think there's a Council-Council Member
17 Lancman has a question.

18 COUNCIL MEMBER LANCMAN: Well, I just
19 want to make the observation for anti-Semitic tropes.
20 This panel really takes the cake from accusation that
21 the reason that this elected body is supporting this
22 resolution, you know, who's paying off who and Israel
23 should be the 51st state, but it couldn't be the 51st
24 state because they'd only have two senators, all the
25 mythology about Jewish power and Jewish control that

2 so well in-in two minutes. The idea that there's a
3 state, it's my turn, sir. You had your turn. The
4 statement that Zionism is-is-is-is-is racism, if I'm
5 not mischaracterizing what you said. I don't think I
6 am. There are people who lament, and wish that we
7 could go back to the days when the United Nations
8 disgraced itself with its Zionism is Racism
9 Resolution, but it is almost universally recognized
10 as the low point for a body that competes on a
11 regular basis for low point. So anybody who adheres
12 to that view should be rightfully ashamed of
13 themselves. And sir, on the end, I would just point
14 out to you that if you had the opportunity to read
15 the resolution, it actually says, Whereas, both
16 Israelis and Palestinians have the right to live in
17 safe and secure space free from fear-free from fear
18 and violence with mutual recognition. This is a
19 resolution that is supported by many people who
20 believe strongly in a fair and just two-state
21 solutions. The Palestinians are-are mentioned in
22 here, and I would just conclude I'm not quite sure
23 what you meant, but I think I am, by referencing the
24 indigenous population of Israel as if Jews are not
25 there indigenous to the land of Israel. I think you

2 should really examine the facts of that statement, and
3 I think that you should really consider whether or
4 not you're looking at this from—from an honest and a
5 fair perspective. The Jews have lived in the land of
6 Israel from time immemorial except for those periods
7 when they were forced out, but they're there now.
8 Thank you.

9 CHAIRPERSON ROSENTHAL: I'm going to—
10 Council Member Levin has a question. I'm going to
11 ask Council Member Cohen to take over for just a
12 short bit. Thank you.

13 COUNCIL MEMBER LEVIN: Thank you very
14 much Madam Chair. This is a question I asked the—a
15 previous panel, and again, I'm not being coy, naïve
16 or provocative here. Do you believe—first is this—
17 the members of this panel support a two-state
18 solution with Israel as a sovereign Jewish homeland
19 and a sovereign Palestinian state side by side in co-
20 existence? Is that something that this panel
21 supports?

22 HANI GHAZI: This is a diverse panel.
23 It's a variety of opinions, I'm assuming, but if you
24 want, we could each probably address that
25 individually.

2 COUNCIL MEMBER LEVIN: I mean--

3 HANI GHAZI: [interposing] Right.

4 COUNCIL MEMBER LEVIN: --this-this-I
5 couldn't quite get a very clear answer from the brief
6 panels this afternoon. Is this a position of BDS,
7 this global BDS Movement?

8 HANI GHAZI: So like today, we were
9 composed of a variety of organizations that came from
10 different angels.

11 COUNCIL MEMBER LEVIN: But-but I know
12 that. So the Global BDS Movement has a-has a-has a-
13 has a list of-there's a-there's a clear--

14 HANI GHAZI: You were told they didn't
15 take a stand on whether or not it is-it will be a
16 one-state or a two-state solution.

17 COUNCIL MEMBER LEVIN: But-so then, so
18 then, so then the global BDS Movement is not opposed
19 to a two-state solution--

20 HANI GHAZI: I didn't say that was--

21 COUNCIL MEMBER LEVIN: That-that includes
22 a--

23 HANI GHAZI: --before and I'll speak for
24 myself, not for the Global BDS Movement. I am
25 opposed to a two-state solution.

2 COUNCIL MEMBER LEVIN: You are opposed?

3 HANI GHAZI: But I am not opposed to a
4 one-state solution that stands on a pillar on
5 equality and dignity for all--

6 COUNCIL MEMBER LEVIN: [interposing] I
7 know, but I-I-I hear that, but, but, but I'll say
8 that the position of the United States, the position
9 of the UN, the position of the State of Israel and
10 the position of the PLO recognize that there is a--
11 the position is to get to two-state solution. That
12 has been the bedrock of the peace process going back
13 to the '70s.

14 HANI GHAZI: Have you looked at the
15 architectural expansions of settlements in the last
16 40 years and whether there is a viable Palestinian
17 state in the core and form of occupation? Are you
18 aware of that? Are you aware of the hundreds of
19 checkpoints that move around constantly and reshape
20 the West Bank?

21 COUNCIL MEMBER LEVIN: I'm-I'm-I'm--

22 HANI GHAZI: [interposing] No.

23 COUNCIL MEMBER LEVIN: --asking the
24 question.

25

2 COUNCIL MEMBER LEVIN: I-I-you asked the-
3 I'm asking the question: Does anybody here believe
4 in a two-state solution.

5 JOE COVELL: [off mic] I believe in a
6 two-state, that is proposed, but it actually-

7 COUNCIL MEMBER COHEN: [interposing] Sir,
8 could you use your mic?

9 JOE COVELL: [on mic] --that raised
10 Israel to the level of Apartheid South Africa, which
11 is a two-state solution. Each-

12 COUNCIL MEMBER LEVIN: [interposing] So
13 you do not believe in--

14 JOE COVELL: --of benches says (sic)

15 COUNCIL MEMBER LEVIN: [interposing] It
16 can be a very--

17 JOE COVELL: --a little state that had as
18 much--

19 COUNCIL MEMBER LEVIN: -quick-he gave-he
20 gave us the same answer.

21 JOE COVELL: --as much sovereignty as is
22 offered to the Palestinian state in the prevailing
23 states in the--

24 COUNCIL MEMBER LEVIN: [interposing] And
25 you do not believe in two-state solution.

2 JOE COVELL: I certainly do not think
3 that the two-state solution as is currently talked
4 about is anything more than--

5 COUNCIL MEMBER LEVIN: [interposing] But
6 it's been talked about for 40 years.

7 JOE COVELL: --and convenient idiocy to--
8 to provoke endless discussion and avoid the need to
9 come to grips with the questions posed by Zionist
10 Israel.

11 MICHAEL LETWIN: I'm happy to address
12 that question, Council Member.

13 COUNCIL MEMBER LEVIN: Okay.

14 MICHAEL LETWIN: First, I just recall
15 what your premise is. There is no peace process.
16 I've heard that referred to a number of times here
17 today. What there is, is the continual theft of
18 Palestinian land since well before 1948 especially
19 feeding off of 1948 that expelled 750,000 indigenous
20 Palestinians and replaced them in large part with
21 people who had no immediate or in many cases any
22 historical relationship to the--what became the
23 settler colony of Israel. So I'm going to answer
24 your question--your question. So as anti--so as an
25 anti-Zionist Jew, I do not support any apartheid

2 solution, which is what the so-called two-state
3 solution is because what the two-state solution
4 supposedly calls for is the separation of people
5 based on race and ethnicity. I don't support that in
6 South Africa--

7 COUNCIL MEMBER LEVIN: It calls for two--

8 MICHAEL LETWIN: [interposing] I'm sorry.
9 I don't support that in South Africa. I don't
10 support it Mississippi or Alabama as--as white people
11 in this country often did in those years. I don't
12 support it in New York City, and I don't support it
13 in--

14 COUNCIL MEMBER LEVIN: [interposing] But
15 it is--it is--

16 MICHAEL LETWIN: --this for Palenstine.

17 COUNCIL MEMBER LEVIN: --it's been the
18 fact that's setting at a low. (sic)

19 MICHAEL LETWIN: [interposing] But I'm---
20 I'm not finished with my answer, Council Member. You
21 asked a question. I'm answering it quite directly I
22 think. I'm not avoiding anything.

23 COUNCIL MEMBER LEVIN: Okay, but the
24 answer is no.

2 MICHAEL LETWIN: So I mean, so I told you
3 the answer was no and I'll--and I'll further explain
4 that I don't support an apartheid solution in any
5 country, and--and as far as the United Nations and the
6 so-called International Consensus, the United Nations
7 and the International Consensus so-called and the
8 United States certainly has no right to determine
9 what happens to indigenous Palestinian land any more
10 than it has a right to determine what happens to
11 indigenous land in this country, which we're sitting
12 on right now, and which Native Americans in Standing
13 Rock, North Carolina are fighting on right now to
14 stop it from happening to them, and you should be on
15 that same--you should be on the same side as they are.

16 COUNCIL MEMBER LEVIN: But, sir, you're--
17 you're--you exist in and you're in a U.S., a United
18 States citizen. You're existing on that--

19 MICHAEL LETWIN: [interposing] Yes.

20 COUNCIL MEMBER LEVIN: --you're existing,
21 you're benefitting just in your daily life from--from
22 the United States of America as a colonization
23 exists. I mean, you're--you--you take--

24 MICHAEL LETWIN: [interposing] Right, and
25 I--and I will do everything--

2 COUNCIL MEMBER LEVIN: --you take, you
3 participate in American civil life.

4 MICHAEL LETWIN: --I can to remedy that,
5 which is why I support Standing Rock. So do you?

6 COUNCIL MEMBER LEVIN: That's how you--

7 MICHAEL LETWIN: Do you support the
8 movement for Black lives.

9 COUNCIL MEMBER COHEN: [Gavel] Council
10 Member Levin.

11 COUNCIL MEMBER LEVIN: But--but do you
12 support the movement for public civil rights?

13 COUNCIL MEMBER COHEN: Council Member
14 Levin. Council Member Levin, do you have any
15 question?

16 MICHAEL LETWIN: Yes, sir, are you?

17 COUNCIL MEMBER LEVIN: And--and I want to
18 point out that you--you--

19 COUNCIL MEMBER COHEN: Folks.

20 COUNCIL MEMBER LEVIN: --in your daily-by
21 participating in American civil society, United
22 States civil society, you are, in fact, benefitting
23 from--from the United States, which was a European
24 colonization--

2 MICHAEL LETWIN: [interposing] That stole
3 it away from the Native Americans, right?

4 COUNCIL MEMBER LEVIN: --a fact of many
5 years? I'm sorry?

6 MICHAEL LETWIN: It stole the land from
7 the Native Americans. They enslaved African-
8 Americans to work this lane.

9 COUNCIL MEMBER LEVIN: [interposing] But
10 you are, in fact, benefitting from that.

11 MICHAEL LETWIN: No, but let's just make
12 sure we understand the premises. Do you agree with
13 me that that's what happened, and are you going to
14 stand on the right side of history in terms of trying
15 to rectify those injustices? That's the question,
16 sir, that's where we see what it is.

17 COUNCIL MEMBER LEVIN; The--the--I mean so
18 the answer--the answer is no you don't believe in a
19 two-state solution?

20 MICHAEL LETWIN: I've--I've made that
21 quite clear, sir.

22 COUNCIL MEMBER LEVIN: Okay.

23 COUNCIL MEMBER COHEN: That's clear to
24 everybody. Thank you. I'd like to thank the panel.

2 Thankyou very much. Thank you. We're going to call
3 the next panel. Thank you very much.

4 HANI GHAZI: I didn't get a chance to
5 address to address the one state, two state, can I?
6 [background comments]

7 COUNCIL MEMBER COHEN: The next panel
8 will be Alex Bronso, Charlie Bernhart, Jacob Adler,
9 Helen Friedman, Michael Gottlieb and Rabbi Jonathan
10 Pearl. [background comments, pause] Jeffrey
11 Shreibwalt (sp?) Pamela Sporen, Saji Gowan. [pause]
12 Alice Storm Sutter, Imam Abdul Bazzi (sp?), Rabbi
13 David Feldman, Rabbi Yisorel Dovid Weiss, James
14 McLaughlin. Ma'am, would you like to start on the
15 right or on my right? Please.

16 PAM SPOREN FOSTER: Hello, my name is Pam
17 Sporen Foster. I am a 30-year long resident of the
18 Norwood section of the Bronx. I'm also the wife of
19 someone who served for 10 years as chair of Community
20 Board 7. So I'm embedded in the life of New York
21 City and the Bronx. Before I read my statement, I
22 want to say that I think that this hearing has been
23 held in the most unprofessional manner beginning from
24 when members of the panel were on the cell phones
25 texting while Mr. Charles Barron was speaking. The-

2 I'm questioning why people come and go? Why were
3 some people late and then leave? Are you really
4 interested in hearing what citizens of New York have
5 to say? I'm also questioning why there's a lack of
6 diversity in the people who have remained here
7 throughout, and it's overwhelmingly people who are in
8 favor of this resolution. So I really question the
9 integrity of this hearing when you don't have people
10 who are asking any questions critical. I also would
11 like to point out that the questions that you have
12 asked panelists who—who support the resolution have
13 only served to give them more time to speak. And the
14 questions you've asked of people opposed to it have
15 only been provocative or asinine like the one about
16 cell phones. As a Jewish New Yorker, resident of the
17 Norwood section of the Bronx I want to tell you that
18 I vehemently oppose this resolution, as you know.
19 The authors of the—of the resolution are either ill-
20 informed or intentionally regurgitating false charges
21 of anti-Semitism to provide cover for its human
22 rights abuses against Palestinians. I'm going to
23 stop my statement. I've submitted it to you but and
24 I'm going to finish what I have to say even though
25 that rang, and it will be short. But I want you guys

2 to realize, and you were so disrespectful of Linda
3 Sarsour when she spoke. But I want you to know is
4 that besides the few seemingly handpicked people who
5 are speaking in—in favor of this resolution, I want
6 you to realize how many people were here at 10:00
7 a.m. on a—on a week day morning taking off from work
8 who were here overwhelmingly opposed to this
9 resolution. You have to realize that, overwhelmingly
10 Jewish here, and you have to realize. You can bang
11 your things, but you have to realize that you're on
12 the wrong side of history ,and we're growing, we
13 growing. Thank you.

14 ALICE STERNS-SUTTER: Do I go? Okay.
15 I'm Alice Sterns-Sutter. I'm going to second all of
16 what Pam just said. I'm a Jewish New Yorker from
17 Northern Manhattan, and a nurse—a nurse practitioner.
18 I want to introduce you to Lillian Pollack. She was
19 Brook's—she was our 101-year-old raging granny and a
20 member of the Women in Black who recently died, and
21 she wrote a poem, which I'm going to read part of,
22 quote, "Cousin Do Not Come" and it's about the
23 horrors of daily life in Gaza. I'll start with that
24 and I hope I have time for the rest of my statement.
25 She said, "Cousin Do Not Come, Cousin do not come.

2 Do you wonder? Listen, listen, boom, boom, the roll
3 of thunder. We are afraid, we are afraid all the
4 time not knowing when or where another Israeli drone
5 will follow and target us with it's lethal load.
6 There is no safe place. More will die. We know not
7 when. We are crying. What is happening to us?
8 There is no future. All of our friend are silent.
9 Gone. That's just the beginning of the poem. I'll
10 read my little spiel on the Boycott, Divestment
11 Sanctions. The Boycott, Divestment Sanctions
12 Movement came out of a social movement of Palestinian
13 people. They are people who decades of home
14 demolitions, land seizures, detentions, and
15 destruction of olive trees and farmland, denial of
16 water rights, and many violent attacks. The BDS
17 Movement is a people-to-people attempt to secure
18 human rights for those whom the United States and the
19 global community has ignored. It does not
20 delegitimize the State of Israel. It holds the state
21 accountable for its human rights violations. Many
22 Israeli—many Israeli human rights activists [bell]
23 support this strategy in the hope that it will relief
24 from the repressive right wing brutal government.
25 Our U.S. government provides over \$3 billion, well

2 over \$3 billion a year to the Israeli government, and
3 I'll end by saying that there's a coalition of women
4 in Israel who did research to figure out which
5 companies needed be boycotted, and they are part of
6 the Boycott, Divestment Sanctions Movement, and there
7 are people who believe in a two-state solution who
8 are part of the Boycott, Divestment Sanctions
9 Movement. It's a diverse movement. It has many,
10 many different people on many different levels.
11 Thank you.

12 IMAM ABDUL BAZZI: I've been given only
13 two minutes. I'm going to defer most of that time to
14 my friend to my right because I think what he has to
15 say being Jewish is very important. But I would like
16 to say to the City Council it is fundamentally
17 undemocratic to prevent elected--

18 COUNCIL MEMBER COHEN: I'm-I'm sorry,
19 sir, could you--could you give us your name?

20 IMAM ADDUL BAZZI: Imam Abdul Bazzi.

21 COUNCIL MEMBER COHEN: Thank you.

22 IMAM ABDUL BAZZI: You--you called my
23 name. [laughs] It is fundamentally undemocratic to
24 prevent elected local Council people from making
25 ethical choices about what policies to follow. I

2 would like to bring your attention to what Jimmy
3 Carter wrote when he says, Palestine: Peace not
4 apartheid. This is the crux of the matter. This is
5 what we want in Israel, and this is what we want in
6 the world. We want peace not apartheid. BDS is only
7 addressing the concerns of the world because the
8 Palestinians' voice is not being heard. The
9 Palestinians have been silenced. Our political
10 figures have been, as my brother said, bought off, or
11 they have been pressured to make statements in
12 support of one particular aspect of it. If the
13 United States is to be fair and impartial as a
14 political power in this whole process, then it has to
15 be neutral and not take one side or the other. This
16 in essence is violating my rights as a citizen of
17 this country to say where my money goes, and what
18 issues I support and what issues I don't support.
19 You're violating my First Amendment rights. Thank
20 you. [pause]

21 RABBI ISRAEL DAVID WEIS: With the help
22 of the Almighty, first I would like to know, being
23 back I had four colleagues I believe who are on the
24 list who have—

2 COUNCIL MEMBER COHEN: Again, sir, could
3 you just please identify yourself for the record.

4 RABBI YISOEL DOVID WEISS: Rabbi Yisorel
5 Dovid Weiss and Jews Against Zionism. We had four
6 rabbis here who were on the list. They were sitting
7 up there. They were sent out. They were quiet.
8 They were polite and they were sent out, and they
9 pleaded to come back in and speak. I would like to
10 know if I can have their minutes to speak? [pause]

11 COUNCIL MEMBER COHEN: I'm—I'm sorry.
12 Thank you, but you take your time.

13 RABBI YISOEL DOVID WEISS: Well, it
14 doesn't—it really doesn't do any justice two minutes
15 to try to speak about this sorrowful subject. I will
16 just therefore—we will submit with God's help our
17 statements later. I just would like to say, though,
18 there is a community right across Manhattan,
19 Williamsburg, Brooklyn, and again I pray to the
20 Almighty he should bestow upon His truth, His truth
21 that I may convey his message and sanctify his name.
22 this community across the—right across the
23 Williamsburg Bridge is the most, the largest
24 concentration of religious Jews in the city and maybe
25 secondly in the world, and there is that one Israeli

2 flag if you will note, the they'll led by-by some
3 holy rabbis and some distinguished beautiful
4 community and they as already for many, many years,
5 68 years they've been boycotting Zionist products at
6 a large—to a large degree and that is a fact you can
7 check. We are not anti-semites and we don't hate
8 Jews. We are Jews, but we are being hated. We have
9 been hated since the Zionist state comes because the
10 Torah doesn't permit us to us to have a Jewish state,
11 and the Torah does not permit us to oppress the
12 people especially a people that have provided for us
13 a home, a safe haven when you can save inquisition
14 and by World War II and so forth. My father escaped
15 from Hungary while his parents were sent to
16 Auschwitz. We know what it means suffering. It
17 would be the flip side if you would be the
18 Palestinians or it would be the Palestinians in
19 control and the Jews would be the ones who would be
20 living in the West Bank and so forth, and there would
21 be a voice here who would come and they would have to
22 so—so couth and so—so respectable and speaking with
23 a—with such an icy heart then you would call your
24 brothers. You would call your brothers blood thirsty
25 and murderers. They're speaking because their hearts

2 are crying. We cry with them. We cry. We are
3 humiliated because you are Jews and you are laughing
4 and you are glib and you're not surrounded about
5 their suffering. We cry with their suffering, and
6 you are creating an anti-BDS movement. You're—you're
7 creating a pressure cooker that they explode, God
8 forbid, and there will be more anti-Semitism.

9 COUNCIL MEMBER COHEN: Thank you—thank
10 you for your testimony.

11 RABBI YISOEL DOVID WEISS: Just bear
12 with me one more minute to say there's one more
13 thing. What happens if you see that there's never in
14 history a time of peace where it hasn't been such an
15 exacerbation of anti-Semitism. Since Zionism we have
16 been living and growing with that and human rights
17 groups in every Arab and Muslim country.

18 COUNCIL MEMBER COHEN: Sir, sir, your
19 time is up.

20 RABBI YISOEL DOVID WEISS: This is
21 bringing bloodshed. You are causing bloodshed by this
22 referendum.

23 COUNCIL MEMBER COHEN: Thank you for your
24 testimony.

2 RABBI YISOEL DOVID WEISS: And I am
3 going to sit down and mourn by this referendum.

4 COUNCIL MEMBER COHEN: Council Member
5 Greenfield.

6 COUNCIL MEMBER GREENFIELD: Mr. Weiss,
7 let's have a conversation. Oh, Mr. Weiss, why don't
8 you sit up and have a conversation with us. Let's
9 have—let's talk about what you're discussion. Mr.
10 Weiss, let me ask you a question: When Hitler killed
11 six million Jews was there a State of Israel? I
12 thought you just said that there was—Let's have a
13 conversation. Sit back down, be a man. Let's have a
14 conversation.

15 RABBI YISOEL DOVID WEISS: [off mic]
16 Have a conversation. Have a conversation?

17 COUNCIL MEMBER GREENFIELD: Let's have—I
18 asked you a question.

19 RABBI YISOEL DOVID WEISS: Your, oh, you
20 rabbis.

21 COUNCIL MEMBER GREENFIELD: The first
22 question. I asked you a question.

23 RABBI YISOEL DOVID WEISS: Every single
24 rabbi said. That's just for pain--

2 COUNCIL MEMBER GREENFIELD: I asked you
3 to answer Mr. Weiss.

4 RABBI YISOEL DOVID WEISS: --you're
5 because against that.

6 COUNCIL MEMBER GREENFIELD: Answer the
7 question.

8 RABBI YISOEL DOVID WEISS: Against your
9 rabbi, against Zion.

10 COUNCIL MEMBER GREENFIELD: [speaking
11 foreign language] Answer the question.

12 RABBI YISOEL DOVID WEISS: Nina Hertzan
13 said that the--

14 COUNCIL MEMBER GREENFIELD: [interposing]
15 I'm asking you a question.

16 RABBI YISOEL DOVID WEISS: Yes, I'm going
17 heard the question.

18 COUNCIL MEMBER GREENFIELD: [interposing]
19 Was there a State of Israel when six million Jews
20 were killed yes or no?

21 RABBI YISOEL DOVID WEISS: I will answer
22 the way I want to answer.

23 COUNCIL MEMBER GREENFIELD: [interposing]
24 Answer the question.

2 RABBI YISOEL DOVID WEISS: Your
3 appearance.

4 COUNCIL MEMBER GREENFIELD: [interposing]
5 It's a fact.

6 RABBI YISOEL DOVID WEISS: So let's hear
7 your views.

8 COUNCIL MEMBER GREENFIELD: Who do you
9 speak for Mr. Weiss?

10 RABBI YISOEL DOVID WEISS: Our rabbis
11 are good, and I'm forced to go them.

12 COUNCIL MEMBER GREENFIELD: Who do you
13 speak for? You don't represent Satma.

14 RABBI YISOEL DOVID WEISS: [speaking
15 foreign language]

16 COUNCIL MEMBER GREENFIELD: Don't lie.
17 You don't represent anyone in Williamsburg.

18 RABBI YISOEL DOVID WEISS: We have done
19 those in every single--

20 COUNCIL MEMBER GREENFIELD: You live in
21 Monsey.

22 RABBI YISOEL DOVID WEISS: I'm in--

23 COUNCIL MEMBER GREENFIELD: You don't
24 even live in New York City.

2 RABBI YISOEL DOVID WEISS: Let me answer
3 you.

4 COUNCIL MEMBER GREENFIELD: Are the same
5 Mr. Weiss who attended the Holocaust Conference in
6 Iran--

7 RABBI YISOEL DOVID WEISS: [interposing]
8 Excuse me. Let me answer you.

9 COUNCIL MEMBER GREENFIELD: --that was
10 anti-Holocaust?

11 RABBI YISOEL DOVID WEISS: I won't
12 answer you. I won't answer you.

13 COUNCIL MEMBER GREENFIELD: Answer me.

14 RABBI YISOEL DOVID WEISS: Jewish people
15 before the Holocaust.

16 COUNCIL MEMBER GREENFIELD: Answer me,
17 answer me.

18 RABBI YISOEL DOVID WEISS: All the
19 Holocaust are--he stood up in opposition to Zionism
20 and they were--they were oppressed and it terrorized
21 them. It impacted them.

22 COUNCIL MEMBER GREENFIELD: Was there a
23 State of Israel--

24 RABBI YISOEL DOVID WEISS: [interposing]
25 He pleaded with you let me answer you.

2 COUNCIL MEMBER GREENFIELD: --was there a
3 State of Israel when the Nazis killed your
4 grandparents?

5 RABBI YISOEL DOVID WEISS: Let me answer
6 you. Let me answer you.

7 COUNCIL MEMBER GREENFIELD: That's for
8 all. The answer is no.

9 RABBI YISOEL DOVID WEISS: Well, we
10 pleaded with the United Nations, but we don't want
11 war in the state.

12 COUNCIL MEMBER GREENFIELD: [interposing]
13 Do you represent anyone except for a handful of crazy
14 people.

15 FEMALE SPEAKER: Is this a Cartwright
16 (sic) interrogation--

17 COUNCIL MEMBER GREENFIELD: [interposing]
18 Do you represent anyone except for a handful of crazy
19 people.

20 FEMALE SPEAKER: I know because my father
21 was called before Iraq and in 1984 and this sounds
22 almost like what happened to him.

23 COUNCIL MEMBER GREENFIELD: And the Rabbi
24 could speak for himself.

2 RABBI YISOEL DOVID WEISS: Our rabbis are
3 being brutally-[pause]

4 COUNCIL MEMBER GREENFIELD: I'm asking
5 you a question. Can you answer the question? Who do
6 you represent, Mr. Weiss? You spoke on behalf of
7 Williamsburg, but I know every major leader in
8 Williamsburg, and you're not a leader in
9 Williamsburg. Who do you represent? [background
10 comments] Who do you represent? Who do you
11 represent? Who do you represent? You represent two
12 dozen mentally unstable individuals. That's all, and
13 you are the leader of this mentally unstable cult,
14 and I wish you [speaking foreign language] and it's
15 sad and that you would come here and make a [speaking
16 foreign language] and I really hope that you get the
17 mental help that you need. Do not pretend to
18 represent my community. Don't pretend to represent
19 my community.

20 COUNCIL MEMBER COHEN: [interposing]
21 [gavel] Alright, thank you, thank you, Council
22 Member Greenfield.

23 COUNCIL MEMBER GREENFIELD: [interposing]
24 You do not represent my community.

25 COUNCIL MEMBER COHEN: [gavel] Hey.

2 COUNCIL MEMBER GREENFIELD: Who elected
3 you? Who appointed you?

4 COUNCIL MEMBER COHEN: [interposing]
5 Gentlemen.

6 COUNCIL MEMBER GREENFIELD: Who made you
7 a rabbi? Who are you? You're nobody.

8 COUNCIL MEMBER COHEN: Council Member
9 Greenfield. Thank you. Thank you. Thank you very
10 much for your testimony. Can we call--can we call the
11 next. Thank you. Can we call the next panel?

12 COUNCIL MEMBER GREENFIELD: [interposing]
13 You represent no one but yourself. Thanks for coming
14 and now you can lay down back on the ground.

15 CHAIRPERSON ROSENTHAL: With apologies to
16 Council Member Levin and Grodenchik who wanted to ask
17 questions. We're going to move on to the next panel.
18 Thank you, Council Member Cohen for taking over while
19 I needed to step away. Next, we're going to hear
20 from Marla Earling, Laura Castro, Deborah Taylor,
21 Marshall Douglas, David Ashford, Jordan Wook (sp?).
22 I've--I've got a few more names and let's all continue
23 our lovely patience. Jordan Wook, Assaf Calderon,
24 Marty Goodman, Shikamad Nobarak (sp?) Okay, now
25 again, these are all the slips that I have. If

2 someone—come De Gilda Bret, if you would like to
3 speak, why don't—you've waited so patiently. Why
4 don't you grab a slip? You filled out one. I am so
5 sorry. You can imagine what's been going on here
6 today, but what I would ask you to do is fill out
7 another one, and I'm going to call you right up. So
8 you will absolutely be heard. Is there anyone else
9 sitting here who does not—who would like to testify
10 who has not filled out a sip? If you have not heard
11 your name, I'm not calling you up. So now fair
12 warning it's your last chance to fill out a slip.
13 Okay, these are not here. We're going to start with
14 three gentlemen who are here. Sir, would you being?

15 CHEIKH AHMED: Sure. It's on?

16 CHAIRPERSON ROSENTHAL: And if I could
17 just ask you in starting, to restate your name
18 because I probably screwed it up. Please.

19 CHEIKH AHMED: My name is Cheikh Ahmed,
20 C-H-E-I-K-H A-H-M-E-D. Of course I support the right
21 to buy a car any state, any institution whenever it
22 the person or the or the—any American deems it
23 necessary. So that's why it has to be reserved to
24 those who support BDS or support any kind of buy car
25 that doesn't target individuals. That's one. Two. I

2 don't need to explain why I didn't know that BDS
3 actually that much until a couple of months ago, and
4 today I was given a lesson about BDS, and that is the
5 best argument for the BDS. It's not just the
6 diversity of the people who testify today. It's the
7 majority of these Jewish people. I am Muslim. I am
8 a Black Arab. These people destroyed a lot of images
9 in my mind as did the JVP last year when I got in
10 contact JVP. The best argument for BDS is we all sit
11 here. The best argument against this reso--this
12 resolution is the Jewish people here. I have--I can
13 actually speak to ask one question to you, Chairman.
14 The question is how from a leader's perspective, how
15 did you allow anyone on this panel to be called names
16 by someone of your own council member? How did you
17 not just even comment and say this not appropriate
18 when the councilman called Sister Grantover (sic)
19 that she's anti-Semitic, right? She's an Arab.

20 CHAIRPERSON ROSENTHAL: Thank you.

21 CHEIKH AHMED: Thank you.

22 CHAIRPERSON ROSENTHAL: Next.

23 JORDAN VOKE: Jordan Voke. I actually
24 signed up just a few minutes ago, and I was
25 responding to a question by one of the council

2 people, but before I do that a quick shout out to the
3 sergeant-at-arms who have been handling us and me
4 very well. Thank you. It got to the point where I
5 actually was—I think I may have reacted vocally to
6 the question of do you have a cell phone because the
7 that Israel helped to create the cell phone or that
8 Israel has more Nobel Prize winners in the countries
9 around it is to me irrelevant. What I am upset
10 about, and what I—why I'm involved with BDS is there
11 are specific actions that the State of Israel does in
12 particular to people on the West Bank, in particular
13 to children. If you have time, maybe you can looking
14 Defense for Children Palestine. On the West Bank
15 sometimes Palestinian children are arrested. It
16 occurs in the middle of the night. They're brought
17 to a station. By the time they get there, they may
18 have some bruises. They don't have their parents
19 with them. If a child living in the settlement also
20 on the West Bank is arrested it does not occur in the
21 middle of the night, the parents are permitted to
22 accompany. There is such a different treatment and,
23 in fact, the treatments of the young Palestinians
24 goes against all the human rights, the human rights
25 conventions that Israel has signed. So that's why I

2 felt that the question about cell phone had nothing
3 to do—yes proud about that. That's fine. It had
4 nothing to do with why I'm in favor of BDS. It's
5 because of the policies and actions of the Israeli
6 government. Thank you.

7 CHAIRPERSON ROSENTHAL: Thank you very
8 much, sir.

9 MARSHALL DOUGLAS: Hi. My name is
10 Marshall Douglas, and I wanted to say that regardless
11 of the amount of amount that goes on between Israel
12 and the United States and New York State, New York
13 City, regardless of the number of Jewish people in
14 New York, regardless of the cited relationship of the
15 City of New York to the State of Israel and
16 regardless of if—as Assemblyman Levine put it, they—
17 well I'm adding the word perceived interests of the
18 state. Regardless of all of those things, there is
19 no right. The City Council has no right to rescind
20 the Bill of Rights. Your resolution is—is a rescind
21 of the Bill—of the Bill of Rights, and the right to
22 free speech. You opened the session with a charge
23 that we were to respect free and open exchange of
24 ideas and to enter—enter into constructive dialogue.
25 But the very subject of the resolution being anti-BDS

2 is antithetical to that charge that you gave us. The
3 very discussion that's going on here is antithetical
4 to the free and open exchange of ideas because it
5 attempts to shut them down. There is no compulsion
6 in the BDS Movement. It is a non violent movement.
7 The actions of people who follow BDS are voluntarily
8 entered into, and they're acts of individual personal
9 conscience. What you have before you your resolution
10 is a prime and fundamental abridgement of the human
11 right to free speech. It can-it intends to punish
12 people for thought crimes. How a person spends their
13 money is their business. BDS is against the breaking
14 of international law, and against the conduct of
15 atrocities against the Palestinian people. It is the
16 right of every individual in this city, in the state
17 and in this country to oppose that and the City
18 Council has no business even considering a
19 resolution, which tires to block that or condemns it
20 even. Thank you.

21 CHAIRPERSON ROSENTHAL: Thank you.
22 Council Member Levin.

23 COUNCIL MEMBER LEVIN: Thank you, Madam
24 Chair. I-I want to ask this-this panel. So, and I-I
25 want to put this in same context. I deeply believe

2 that all people of good conscience on both sides or
3 all sides of this discussion want peace as quickly as
4 it is achievable and that with peace comes respect
5 for everybody's human rights. With peace comes
6 everybody's safety. With peace comes everybody's
7 prosperity for them and their children and their
8 grandchildren, but first there must be peace, and the
9 only real hope that we have for peace is a two-state
10 solution. And I want to ask this panel do you
11 believe in a two-state solution?

12 JORDAN VOKE: [Speaking Yiddish] Peace,
13 peace but there is no pace. Can you please define
14 approximately what the borders of the proposed
15 division are?

16 COUNCIL MEMBER LEVIN: I can't because
17 I'm not in a position to do that, and I understand
18 where you're going with this, okay. I-I understand
19 where you're going with this.

20 JORDAN VOKE: Where am I going with it,
21 sir?

22 COUNCIL MEMBER LEVIN: Because about—
23 you're going to ask—there's the issue of settlement
24 buildings, and what's taken place over the last—
25 during—during the Netanyahu government, and—and I'm

2 not in anyway- I-I don't support the expansion of
3 settlements that have happened under Netanyahu
4 government. What I'm asking for, though, I'm going
5 to ask you the-the basic fundamental question of do
6 you believe in the sovereign nation of Israel that is
7 a homeland for the Jews and a Palestinian state in
8 the West Bank in Gaza?

9 JORDAN VOKE: The second one I fee very
10 comfortable with. It's the definition of Israel as a
11 homeland for Jews when there are many people who live
12 there who are not Jews, who have lived there for
13 generations, who continue to propop-to propagate. So
14 I can understand a potential geographic definition.
15 I don't know that we would agree on it, but the
16 definition of the State of Israel as a Jewish state I
17 have difficult with that because of the people-other
18 people who live there have lived there, lived there
19 before '48, lived there before 1900, live there
20 before 1800. That's my difficulty with the second
21 part.

22 COUNCIL MEMBER LEVIN: Okay. Do you
23 believe that Israel has a right to exist as a state
24 of Israel?

25 JORDAN VOKE: Yes.

2 COUNCIL MEMBER Levin: Along side a
3 Palestinian state?

4 JORDAN VOKE: If you're asking me
5 personally I have no representation for any other--

6 COUNCIL MEMBER Levin: [interposing]
7 Sure.

8 JORDAN VOKE: Yeah. Yes.

9 COUNCIL MEMBER LEVIN: Okay, good. Okay,
10 I think that's--I--I-- Thank you.

11 JORDAN VOKE: You're very welcome. It's
12 my pleasure. I'm glad I have the chance to answer.

13 MARSHALL DOUGLAS: Uh-huh.

14 COUNCIL MEMBER LEVIN: Sir.

15 MARSHALL DOUGLAS: I'm trying to get my
16 mic around. The possibility of there being two
17 states has been foreclosed upon, and not by just as
18 you say by the Netanyahu government. It's been the
19 police of Israel from the get-go to take as much
20 Palestinian land as they could possibly get away with
21 from the Palestinian people. So at this point, we
22 need to be championing a two-state solution. It's
23 fairly disingenuous because it's not something that's
24 being contemplated by the Israeli government.

2 COUNCIL MEMBER LEVIN: I could tell you
3 it's certainly, it's the stated policy of the United
4 States of America to achieve a two-state solution.
5 It's just—it's the stated policy of the United
6 Nations. It's the stated policy of PLO, and the
7 stated policy of the State of Israel

8 MARSHALL DOUGLAS: It's the conduct of
9 the United States to facilitate Israel taking as much
10 land as they can possibly take from the Palestinian
11 people.

12 COUNCIL MEMBER LEVIN: I mean that's not
13 borne out by the facts.

14 MARSHALL DOUGLAS: Oh, contraire.

15 COUNCIL MEMBER LEVIN: Thank you very
16 much, Madam Chairman.

17 CHAIRPERSON ROSENTHAL: Okay, I'm going
18 to call up— Thank you very much for your patience
19 and waiting and two—two women I have seen up there
20 whose name I distinctly remember calling out earlier,
21 and Rosalind Petchesky whose name I don't remember
22 calling our earlier. Thank you for your patience and
23 we look forward to hearing your testimony.

24 ROSALIND PETCHESKY: First of all, I'm
25 Rosalind Petchesky. I'm an distinguished professor

2 of American Political Science recently retired from
3 Hunter College and the CUNY Graduate Center and
4 resident for decades of Manhattan's Upper West Side.
5 So in your district, Chair. I want to—I did submit
6 this testimony. I want to expunge the first
7 sentence, which is to thank you because I don't thank
8 you. I've been sitting here for 4-1/2 hours. I
9 submitted this form 4-1/2 hours ago and it somehow
10 got lost mysteriously, and I agree with my colleagues
11 who have said this has been lacking in integrity and
12 professionalism. It's a sham. I strongly oppose
13 this resolution. As a New Yorker, a scholar and
14 educator, a life long social and racial justice
15 advocate and as a Jew. And as a Jew who first when
16 to Israel at age 16 right during the Civil Rights
17 Movement, and witnessed racism at age 16 when I was
18 told by white Israelis not to talk to dark skinned
19 people who were Jews, North African Jews. I wanted
20 to address the distortions and fallacies the most
21 egregious ones in this resolution that many people
22 have done this wonderfully. I'll say a few things.
23 Equating criticisms of Israeli policies and of
24 Zionism with efforts to delegitimize the State of
25 Israel is flawed thinking because it rests on the

2 assumption that Israel and must remain—is and must
3 remain an exclusively Jewish state whose Palestinian,
4 Christina and non-believing residents are second
5 class at best. I'm also the niece of the foremost
6 biographer of Martin Guber, Martin Guber and Arendt,
7 Albert Einstein and other illustrious Jews, Jewish
8 intellectuals have rejected this ethno-national
9 ideology because it is inherently undemocratic and
10 exclusionary. So, no, I don't believe in the two-
11 state solution. I believe in one state, which is
12 democratic and pluralist. I'm going to say one more
13 thing. I'm sorry because I've been sitting here such
14 a long time. Two more things. One is that as a
15 professor in CUNY I've worked with CUNY for Palestine
16 students for Justice in Palestine, and it's
17 unconscionable if you don't look at the other side of
18 physical threats, intimidation, Islamophobia that my
19 students have experienced over and over again. And
20 secondly, I want to say as a political scientist I
21 have to ask why the City Council feels obliged to
22 pass a resolution on behalf of a foreign power.
23 Equating Zionism in the state of Israel with the
24 interests of all New Yorkers not only disregards our
25 city's Palestinian, Muslim, Christian, Hindu,

2 Chinese, Korean and so on population. It also
3 insults the many Jews in New York City who don't
4 share Zionist values. It treats us as nobody.
5 Although a City Council resolution has no force of
6 law, it can nevertheless contribute to a poisonous
7 climate of intimidation and hostility especially
8 against students and activists. The City Council
9 should reject this kind of bias and dangerous taking
10 of sides.

11 CHAIRPERSON ROSENTHAL: Thank you.

12 Please. [pause]

13 FEMALE SPEAKER: Okay. I'm an Israeli.
14 I'm an American Citizen. I'm a Holocaust survivor
15 and I do not want the Palestinians to pay for the
16 crimes that the Europeans did to my family. They
17 have nothing—they have nothing to do with it. I've
18 lived in Israel most of my life and I've been an eye
19 witness. I know of the daily experiences of my
20 Palestinians friends. I was there in the north and
21 south, in the Jordan Valley and I made dear friend
22 that are demonized—demonized by the majority of
23 Jewish-Israelis, Jews in the Diaspora and non-Jews
24 alike. They want to live. They want to be free.
25 They want justice like you like me. BDS is a non-

2 violent struggle for freedom and justice, and I am a
3 BDS activist in solidarity with my Palestinian
4 friends. How can a non-violent struggle be
5 restricted in a democratic country and in New York
6 City where the Statue of Liberty stands? Who in this
7 room wants to live under a military regime? Who in
8 this room is ready to live without drinking water
9 when the settlements next to you has a swimming pool?
10 Who in this room will sleep idly as they are denied
11 year after year building permits and their small
12 single shed or tent demolished time and again while
13 your oppressor builds settlements on land that has
14 been your—that has been there for centuries? Who in
15 this room is willing to get up at 2 o'clock in the
16 morning to cross-check points like a herd of cows to
17 get to work or to school on time? Everyone I this
18 room has the right and indeed obligation to oppose
19 this regime. BDS is he growing democratic grassroots
20 campaign that express the will. The Israeli
21 oppression is not in my name, and it shouldn't be in
22 yours. [applause]

23 CHAIRPERSON ROSENTHAL: Alright, thank
24 you very much for that. It is late. You know,
25 please, please. Wow, I was about to thank you. I'm

2 taking that back. Thank you very much for your
3 testimony. Appreciate it. I want to thank Council
4 Member Cohen for submitting this resolution--

5 COUNCIL MEMBER TREYGER: I, uh--

6 CHAIRPERSON ROSENTHAL: Oh, sorry. I'm
7 so sorry. Council Member Treyger, please. The floor
8 is yours.

9 COUNCIL MEMBER TREYGER: I tried to sit
10 in as much as I could, and some--those who asked
11 before about why some members will even go, it is
12 actually a right that some of us have. There's
13 multiple committee hearings at the same time. We
14 have votes to take, but I tried to stay here as long
15 as I could to listen to all sides of this issue. Let
16 me just begin by sharing who I am. I'm not just a
17 City Council Member. I am also a former educator. I
18 taught high school, then teach college, but I taught
19 global history. I taught government. Very sensitive
20 subjects we've had to cover during the course of our
21 curriculum. I am also the son of Ukrainian
22 immigrants who left the former Soviet Union because
23 of economic, religious and political oppression. I
24 am the grandson of Holocaust survivors and World War
25 II veterans, and I just want to share with you that

2 when my grandfather was alive, he served in the
3 Soviet military against the Nazis, and he told me
4 that one of the painful things in addition to, you
5 know, war, which is so painful and dramatic and
6 traumatic is that even his own fellow soldiers while
7 they were on the same side fighting the Nazis, his
8 own fellow soldiers would sit away from him because
9 they pointed to him that he was a Jew, and that was
10 very painful to hear my grandfather share that story
11 with me as a young child. And, as a history teacher,
12 when I learned that President Roosevelt convened a
13 conference in France in 1938 to discuss the Jewish
14 problem of what countries would accept Jew during the
15 rise of the Nazi governments, and it became clear
16 that Jews were being oppressed and hurt in Germany
17 and other parts of Europe. Many countries did not
18 want to take them in. Many countries did not want
19 to, including the United States of America, and so,
20 that's why—but at the same time, it is that very
21 reason that—that teachers need that we have an
22 obligation to be respectful of all. And I want you
23 to know that when I—my first year in the City Council
24 when someone from Bensonhurst community alerted me
25 that they was a flyer being posted in a building in

2 Bensonhurst that was anti-Muslim, I immediately went
3 down to the building, called the local precincts,
4 made a report, had a press conference to denounce
5 because an attack against the Muslim community or an
6 attack against anyone is an attack against us all.
7 That is the lesson that I learned from my
8 grandparents and from my parents that when you attack
9 one member of a community you attack us all. So I
10 think that in this discussion of BDS, and this
11 discussion of the Israeli-Arab conflict, too much
12 time has been given to the fringes of these
13 discussions, and too little time to the people in the
14 middle, who I think are the majority who truly want
15 to see peace in that region that will once and for
16 all give us peace I think around the world. I just
17 want to just share with you we spent a lot of time
18 here discussion the merits of BDS of the roots of BDS
19 or the goals of BDS. I just want to go over very
20 quickly about some of the impacts indirect as they-
21 they might be on social media where it's painful that
22 some of people who are promoting a movement that I-I
23 understand to be a collection of people who are
24 grassroots activists, but also promoting the idea
25 that the Holocaust never happened, and that also has

2 to be denounced and rejected. As—as Jews we should
3 call out the Israeli government when they do wrong.
4 I agree, but people who support the BDS Movement
5 should call out and reject those who say that my
6 relatives never died being shot—executed. My
7 grandfather's brothers were killed in the Holocaust.
8 So I condemn that. I also want to discuss some folks
9 mentioned a figure who I adored in history Mahatma
10 Gandhi. They've quoted him today. Why was killed?
11 Gandhi was killed by a Hindu Nationalist because he
12 had the audacity to support a two-state solution with
13 India and Pakistan. He wanted peace in the region.
14 He wanted everyone to live peacefully side-by-side
15 and not just side-by-side but together. He didn't
16 believe in separation. He believed in everyone
17 living together. Even the Egyptian, the former
18 Egyptian leader was associated, Anwar Sadat because
19 he had the audacity of recognizing Israel. So, what
20 I'm trying to get here is this: It is very difficult
21 to have this discussion in isolation and not—and
22 ignore the context of history. It's very difficult
23 because we hear it referenced here before about—my
24 colleague Steve Levin mentioned it before about
25 Imperialism. It's very hard to divorce that

2 discussion from this topic. It's very relevant to
3 this discussion, right? It's relevant because in
4 World War I Great Britain promised multiple people
5 the same land.

6 FEMALE SPEAKER: Will we have time to
7 respond?

8 COUNCIL MEMBER TREYGER: Yes, you will.

9 FEMALE SPEAKER: Quickly?

10 COUNCIL MEMBER TREYGER: Ma'am, ma'am,
11 this is my time and I've—I've listened this entire
12 hearing, but—but [background comments]

13 CHAIRPERSON ROSENTHAL: I'm going to have
14 to ask the people in the audience to—

15 FEMALE SPEAKER: [interposing] I've been
16 waiting—

17 CHAIRPERSON ROSENTHAL: --keep their
18 thoughts to their thoughts to themselves, or again
19 unfortunately, even at this later hour, I will ask
20 the sergeant-at-arms to ask you to leave. We are
21 hearing from a member of the City Council who has sat
22 through this hearing and has the right to speak on
23 this, and we will not interrupt him.

24 COUNCIL MEMBER TREYGER: Where a European
25 nation or nations decided for an entire region in the

2 Middle East what their lines would look like, how can
3 we ignore that? Where is the movement to even
4 boycott? People would say boycott British products.

5 FEMALE SPEAKER: [interposing] Can I
6 answer?

7 COUNCIL MEMBER TREYGER: You know, but—
8 Ma'am, please.

9 CHAIRPERSON ROSENTHAL: You know what,
10 after Council Member Treyger speaks, I'm going to
11 acknowledge Council Member Torres and thank him for
12 coming, and this hearing will be called to a close.
13 So please do not anticipate speaking. You had your
14 chance. You were on the panel. I appreciate your
15 staying and speaking but at [background
16 comments/protests] I will not accept any more
17 interruptions of this committee hearing.

18 COUNCIL MEMBER TREYGER: A bunch of us—a
19 bunch, of course, it's of relevance when you provide
20 context to a very important matter that's relevant,
21 right? It's—that—that he deems relevant, but the
22 point—the point I'm making is that in my opinion in
23 this movement, and what's happening here as a result
24 of this is that biggest victim has been the truth and
25 the truth of the matter is that we have to work

2 together as a community. We have to work together
3 and come as people and civilly. As I said, Chair,
4 and-and I'll close. I'll wrap up by saying this:
5 This discussion has been hijacked by the fringes of
6 this issue. The moderate voices, the voices of
7 sensible people have been hijacked by the fringes of
8 this discussion on all sides, not just one side. We
9 need moderate common sense voices to rise and step
10 up, and the fact that I'm just trying to say is this:
11 You cannot divorce the facts of what happened from
12 World War I and what happened in World War II had a
13 direct impact about what would happen in this region.
14 And to call for the—to call for the paralysis of the
15 Israeli economy to think that that somehow will
16 advance the goals of BDS no my friends. That is not
17 going to advance peace in that region. If you bring
18 the state of paralysis to the economy of that region,
19 you hurt not just Israel, you hurt Palestinians, you
20 hurt—you hurt an international economy. So I—I ask
21 this moderate voices, people with—with sensible ideas
22 to step up, and to come together to support a
23 sensible, fair two-state solution of an Israel and a
24 Palestine side-by-side living in peace. It's about

2 them, not about anyone else's agenda here. Thank
3 you, Chair.

4 CHAIRPERSON ROSENTHAL: Thank you so
5 much, Council Member Treyger. I really appreciate
6 your taking the time to wrap this up. I'm calling
7 this hearing to a close, and I just want to remind
8 people that after a disruptive start and sadly a
9 disruptive end, I want to again apologize to the
10 panelists beginning with Assembly Member Levine.

11 PROTESTORS: [interposing] [shouting
12 protests]

13 CHAIRPERSON ROSENTHAL: While people were
14 not talking while the panelists were giving their
15 points of view, I thought that the points that were
16 raised today were very thoughtful, and most
17 importantly I want to thank the sergeants-in-arms,
18 and their staff today who did a magnificent job in
19 trying to keep order under a difficult circumstance
20 led by the able hands of Carl Alba and Rafael Perez.
21 This hearing is closed. [gavel]

22 FEMALE SPEAKER:
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1 COMMITTEE ON CONTRACTS

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date September 12, 2016