



A JUST VISION FILM

BOYCOTT

DISCUSSION GUIDE

www.theboycottfilm.com

DEAR FRIENDS,

We are delighted that you're interested in organizing a screening of *Boycott*. A legal thriller with "accidental plaintiffs" at the center of the story, *Boycott* is a timely story about the far-reaching implications of anti-boycott legislation and an inspiring tale of everyday Americans standing up to protect our rights in an age of shifting politics and threats to freedom of speech.

This discussion guide is designed to help you host your own screening. It includes information about the origins and implications of anti-boycott legislation and efforts to protect Americans' right to voice dissent. It also provides background information on the Israeli-Palestinian context while explaining how this issue made its way into the backyards of everyday Americans. *Boycott* touches on themes that are relevant to audiences across the globe, including the history of boycotts as a tool for social change, how Israel-focused anti-boycott laws are being used as a template to silence dissent more broadly, the role of individuals and communities in protecting our collective civil rights and more.

We have provided a list of discussion questions that are designed to encourage constructive conversations on a variety of themes raised in *Boycott*. This guide is intended for audiences from diverse backgrounds and age groups, so some questions may be more or less relevant for certain audiences. Please select the questions best suited to your group and the particular conversation you are leading.

You will also find more information about the protagonists, a guide to facilitation and support materials including further reading, frequently asked questions and answers (FAQs) and a glossary. Since the phenomenon of anti-boycott laws – and the national pushback against them – is rapidly evolving, this discussion guide captures developments as they stand in mid-2023. We encourage you to use this guide alongside the resources on Just Vision's website, especially our [anti-boycott legislation tracker](#) which has up-to-date information about anti-boycott laws across the country. You may also benefit from [resources on our website](#) related to Israel-Palestine, including a collection of maps, a video library, a glossary of terms and more.

Boycott was created by Just Vision, a team of filmmakers, journalists and human rights advocates who fill a media gap on Israel-Palestine through independent storytelling and strategic audience engagement. Our previous films include *Naila and the Uprising*, *My Neighbourhood*, *Budrus* and *Encounter Point*. We also co-founded and co-publish the Hebrew-language media outlet, *Local Call*, together with 972 Advancement of Citizen Journalism.

We hope this discussion guide serves as a valuable resource for you and your community. Please don't hesitate to contact our team if you have questions or comments.

Best of luck with your screening,
The Just Vision Team

We invite you to follow us on Facebook and Twitter and check out our website to stay up-to-date with our latest resources: www.justvision.org/resources.

  @JustVisionMedia  JustVision  theboycottfilm.com

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Bahia Amawi speaking at a press conference. Credit: **Jonah Candelario**

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FILMMAKERS' STATEMENT

For the past two decades, we've been making films about everyday people going up against extraordinary odds in the struggle for justice, equity and dignity in Israel-Palestine. As we followed this thread in an era of unprecedented democratic backsliding, we noticed a troubling trend: **attempts to silence voices of dissent on Israel-Palestine have taken root far beyond the region, with governments in the United States and Europe leading the charge.** The trend is especially sharp in local legislatures across America, where 36 states have laws on the books that aim to silence those boycotting Israel based on its human rights record. More than ever, Israel-Palestine has entered the backyards of everyday Americans.

Boycotts have long been a tool used by Americans and global citizens rallying for social and political change, from farmworkers to civil rights leaders to anti-apartheid activists. Not only that, the Supreme Court – in a landmark 1982 ruling – identified that boycotts were one of the highest forms of protected political speech under the First Amendment. So as filmmakers, we had to ask: how and why had boycotts suddenly become such a threat to state governments across the US? And what impact might anti-boycott legislation have on everyday Americans – not only those taking part in boycotts of Israel, but also those expressing political views on a whole range of issues, from environmental justice to racial justice and beyond?

We found answers to those questions – and unearthed many more – while following the stories of Mikkel Jordahl, Alan Leveritt and Bahia Amawi. As ordinary citizens embroiled in high-stakes constitutional battles, their stories remind us how personal and widespread the implications of anti-boycott legislation are.



1985 anti-apartheid protest at UC Berkeley. Image courtesy of **ILWU Archives**

As we uncovered the network of supporters and architects of the bills, we also came across some striking alliances. Traditional Israel lobbying groups were working in lockstep with fundamentalist right-wing entities, with support from several other organizations, including a prominent organization that convenes conservative politicians and private sector lobbyists to develop model legislation on a wide range of issues that impacts communities across the country. Their declared aim – to fight the Boycott, Divestment, Sanctions (BDS) movement, which emerged in 2005 as Palestinian civil society called on the international community to hold Israel accountable for its human rights abuses.

Anti-boycott laws are a Pandora's box being used to silence voices of dissent on a whole range of issues. Indeed, lawmakers are now actively citing legislation banning boycotts of Israel as their inspiration for similar laws punishing those who boycott the gun industry or divest from fossil fuels. Many other anti-protest laws, most flying under the radar, are targeting Black Lives Matter and indigenous rights activists. This is part of a trend attacking freedoms of speech, assembly, and protest across the globe, in both democracies and dictatorships alike.

Boycott lays bare what is at stake for everyday American citizens. It also shows the power of courageous individuals who are taking on great risk to stand up for the rights of all. Their stories cut to the heart of a pressing national issue and illustrate how the right to free speech could be redefined across our society for generations to come.



Bahia Amawi is a Palestinian-American speech therapist for Austin public schools, a mother of four children and an observant Muslim. After she is fired from her job for refusing to sign the anti-boycott pledge, Bahia remains undaunted, suing the State of Texas and becoming a powerful symbol for the Muslim-American community in Texas, the largest in the United States.



Alan Leveritt is the publisher of a local newspaper, the *Arkansas Times*. Alan, who comes from a conservative, libertarian family, is distraught by the role of fundamentalist right-wing organizations on the rapid spread of these bills across the country. He is committed to bringing his case all the way to the Supreme Court if necessary.



Mikkel Jordahl is an attorney who works as a civil rights advisor in Arizona. During a long-postponed trip to Israel to celebrate his son's Bar Mitzvah, Mik decides to boycott companies complicit in Israel's occupation. As Mik challenges the anti-boycott bill, his relationship with his son deepens.

WHO'S WHO

BOYCOTT IS ALWAYS



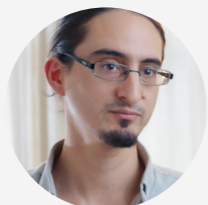
Brian Hauss is an up-and-coming lawyer with the American Civil Liberties Union. Brian is stunned that boycotts, an act he believes to be core to American democracy – from the colonial era boycott of British goods to the civil rights era boycotts to end Jim Crow laws – is at risk nationwide.



Laiken Jordahl is Mik's son and an environmental and social justice activist. Laiken grew up in the Jewish tradition and reflects on his bond to his grandparents and the injustices he and his father witnessed when visiting the Occupied Palestinian Territories.



Vince Warren is the Executive Director of the Center for Constitutional Rights, a group that has been investigating the role of the corporate-backed lobbying group, American Legislative Exchange Council (ALEC), in passing anti-boycott laws across the country.



Itamar Benzaquen is a reporter for *The Seventh Eye*, an Israeli investigative magazine devoted to journalism, the media, freedom of speech and transparency.



Senator Bart Hester is the Republican Majority Leader of the State Senate in Arkansas. He is the proud sponsor of the Arkansas anti-boycott bill and speaks about his motivation to sponsor the bill, introducing us to a network that is determined to help lawmakers replicate these bills in state legislatures across the country.



Lara Friedman is the President of the Foundation for Middle East Peace, a Washington DC-based organization promoting a just resolution to the Israeli-Palestinian conflict.



Dima Khalidi is the Founder and Director of Palestine Legal, a group that provides legal advice and litigation support to individuals and communities who stand up for justice in Palestine.



Peter Beinart is a columnist, journalist and political commentator, a regular contributor to *The New York Times* and frequent commentator on CNN.



Rabbi Barry Block is the Rabbi of Congregation B'nai Israel, the largest synagogue in Arkansas.

BACKGROUND

ON ANTI-BOYCOTT LAWS

From the Boston Tea Party to the Civil Rights movement to labor organizing and the global campaign to end South Africa's Apartheid rule, boycotts have long been a tool used around the world by those rallying for social, racial and economic justice. Yet, unbeknownst to most Americans, 36 states have passed laws intending to silence boycotts of Israel for its human rights record. These anti-boycott laws threaten the legal protection awarded to boycotts for generations, and grant state governments the power to condition jobs and public investments on political viewpoints.

Some of these laws prohibit public entities from working with contractors unless the latter sign a written certification that they will not engage in a boycott of Israel for the duration of their contract. These laws affect a wide range of ordinary people, from public school teachers to lawyers to civil engineers to journalists. Other laws require the state to create a blacklist of companies that boycott Israel, forbidding investments from public pension funds in those companies. Further, many of the laws do not distinguish between boycotts of Israel and boycotts that target Israel's occupation of East Jerusalem, the West Bank, the Gaza Strip or the Golan Heights, territories that international law considers illegally occupied. Indeed, because the United States considers the West Bank and the Gaza Strip to be occupied territory, many anti-boycott laws require that individuals and companies orient their speech, investment priorities and economic practices in opposition to decades of official US policy.

Anti-boycott laws were passed in most state houses with little public scrutiny. But several state contractors — including Bahia, Mik and Alan — refused to sign the anti-boycott pledge and sued their states for violating their First Amendment rights, leading to a number of federal courts ruling that the laws were unconstitutional. Rather than abandoning the laws, some state legislatures revised them so that they only apply to larger contracts and companies rather than individuals. This worked to bypass the courts' decisions but did little to affect the constitutionality of the laws, ensuring that they remain on the books. You'll learn more about separate cases throughout this discussion guide.



**MIK JORDAHL AND
HIS SON, LAIKEN,
AT THE US-MEXICO
BORDER WALL**

Image courtesy of Just Vision



Anti-boycott laws are also growing in scope. Israel-focused bills have been used as a template for similar model bills targeting boycotts related to a wide range of issue areas. As of mid-2023, at least nine states have passed bills punishing boycotts of the fossil fuels and/or firearms industries. Several other states have introduced similar laws. Anti-boycott bills targeting those advocating for gender-affirming care, reproductive rights and workplace equity have also spread rapidly, introduced in at least seven states in the first eight months of 2023 alone. Still others aim to shield the mining, agricultural and lumber industries from boycotts.

None of this is happening within a vacuum. Israel-focused anti-boycott laws are part of a concerted campaign by governments and lobbyists to use a broad range of lawfare tactics against Palestinian rights. That includes pressuring colleges, governments and other institutions to adopt the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism, which conflates criticism of the Israeli state and its policies with antisemitism, or filing Strategic Lawsuits Against Public Participation (SLAPPs) against those advocating for boycotts of Israel. The effects are starkly felt: between 2014 and 2020, legal advocacy group Palestine Legal [has documented](#) over 1,700 cases where speech supportive of Palestinian rights was suppressed, targeted and censored in the US.

There is an even broader context to consider: efforts to silence Palestinian rights advocacy coincides with government and corporate efforts to stifle the very right to individually and collectively protest in the United States. Since 2017, the International Center for Not-for-Profit Law (ICNL) has tracked the passage of [dozens of laws](#) that directly restrict the right to peaceful assembly. That includes ["critical infrastructure"](#) bills, which, though broad in their scope, specifically target indigenous rights, land rights and environmental justice activists while protecting fossil fuel companies. It also includes a range of laws broadly termed ["traffic interference laws,"](#) which spread rapidly after Black Lives Matter protestors blocked highways. Attempts to police the public conversation are also ramping up. "Don't Say Gay" bills are censoring teachers and school boards in an effort to stifle conversations about LGBTQ rights. Right-wing politicians across the country, including at the federal level, are passing laws that regulate curriculum on race in public schools, the military, government agencies and more, aiming to control conversations about race, racism and racial justice in the United States. And book banning – often associated with authoritarian regimes – has become commonplace in the United States, affecting nearly four million students across 32 states. Books covering race, racism and LGBTQ themes are often at the top of targeted lists, in a concerted right-wing campaign to censor teachers and craft a narrative in support of their political and social ideologies.



None of this is happening within a vacuum. Israel-focused anti-boycott laws are part of a concerted campaign by governments and lobbyists to use lawfare against advocates for Palestinian rights."

WHAT DOES IT MEAN TO BOYCOTT FOR PALESTINIAN RIGHTS?

Boycotts have become a popular tactic for those advocating for Palestinian rights, from individuals to organizations and companies.

Palestinians have long employed nonviolent tactics in their struggle for justice, freedom and equality, from the revolt against British Colonial rule and its effects in 1936 to the First Intifada of the late 1980s, which included strikes, boycotts, civil disobedience, demonstrations and more. The general strikes and boycott campaigns of the First Intifada were so effective that they cost Israeli businesses millions of dollars in losses and further strengthened Palestinian civil resistance. Recognizing the risks associated with economic dependence on Palestinians as a primary labor and “export” market, Israeli leaders used the vague terms of the Oslo Accords, signed in the early 1990s, to isolate the Palestinian economy, thus shielding its own economy from future waves of Palestinian economic resistance.

In this climate, in 2005, over 170 Palestinian civil society organizations issued a call to the international community to boycott, divest from and sanction the State of Israel until it complies with international law, forming what would become the BDS Movement. The stated goal of the movement is to pressure Israel to end its illegal military occupation of the Occupied Palestinian Territories, recognize the rights of Palestinian citizens of Israel to full equality and allow Palestinian refugees the right of return as established under international law. This internationalization of economic resistance can be understood as a strategic adaptation following a deeply flawed and imbalanced peace process that made home-grown economic resistance less effective. It was also inspired by the South African anti-Apartheid movement, which saw global citizens, institutions, corporations, and ultimately countries, use nonviolent measures to isolate and pressure South Africa until it ended the Apartheid regime.



Credit: Ryan Rodrick Beiler, ActiveStills

Many individuals, organizations and companies outside of the region employ boycotts today to pressure Israel on its human rights record. Some express their political voice using their purchasing power, boycotting products made in Israeli settlements. Others boycott a targeted list of products made by companies linked to Israel's violations of international law, such as Caterpillar, an American company that builds bulldozers specially designed to be retrofitted in Israel with blades used to demolish Palestinian homes. Others boycott multinational corporations like Motorola Solutions for providing technology that Israel uses to surveil Palestinians in the Occupied Palestinian Territories. Still others pressure banks and pension funds to divest from companies they consider complicit with Israel's system of occupation and apartheid.

In recent years, corporations and banks have begun to pull investments or halt sales in Israel and in Israel's illegal settlements in the West Bank. For example, Ben & Jerry's announced they would no longer distribute their products in Israel's illegal settlements in the occupied West Bank because it was “inconsistent with [their] values” to do so. Others, like telecom company, Orange, British security company, G4S, and French corporation, Veolia, ended or modified contracts in Israel after facing years-long campaigns by advocates for Palestinian rights.

In addition to economic boycotts, activists have called on artists, academics, musicians and authors to leverage their influence by supporting an academic and cultural boycott of Israel. Notable participants include scholars and public intellectuals Angela Davis and Marc Lamont-Hill, the late physicist Stephen Hawking, writers Naomi Klein and Sally Rooney and musician Roger Waters.





Image courtesy of The All-Nite Images

Dozens of organizations and institutions in the US have also endorsed the call for boycott, divestment and sanctions, including a diverse range of grassroots organizations, academic associations, newspaper editorial boards, faith-based groups and others. Those include [INCITE! Women of Color Against Violence](#), [The Red Nation](#), the Movement for Black Lives, the Native American and Indigenous Studies Association, the [Harvard Crimson Editorial Board](#), [American Studies Association \(ASA\)](#), [The Presbyterian Church \(U.S.A.\)](#), [Middle East Studies Association \(MESA\)](#), [Jewish Voice for Peace](#), [American Anthropological Association](#) and many others. Several Israeli organizations – including [The Israeli Committee Against House Demolitions \(ICAHD\)](#) and [Zochrot](#) – support certain boycott, divestment and sanctions campaigns as a key tool to resist normalizing the occupation.

Israeli governments have viewed the growth and impact of the BDS movement and the growing number of individuals calling for economic pressure on Israel over its human rights record as a strategic threat – particularly in the realm of global public opinion – and have taken steps to counteract it. In 2011, the Israeli government enacted the [Law for the Prevention of Damage to the State of Israel through Boycott](#), ordering civil penalties for any Israeli citizen calling for a boycott of Israel or “areas under its control.” Local Israeli and Palestinian civil rights groups challenged the law as unconstitutional on free speech grounds in the Israeli Supreme Court, but the court upheld the law after minor revisions. The law was first applied successfully in 2018 and continues to negatively impact Palestinian and Israeli activists advocating for boycotts today. In 2017, the government approved a law that blocked entry into Israel for people who call for a boycott of Israel, including calls for boycotts

of Israel’s illegal settlements. That law has been used to deport senior leadership from Human Rights Watch and others while having a chilling effect on those engaged in the issue.

Successive Israeli governments have also engaged in the battle over public opinion through the Israeli Ministry of Strategic Affairs. Created in 2006, it has been at the center of several actions designed to shape prevailing global sentiment in Israel’s favor. While the Ministry’s efforts have often been kept secret, investigative journalists have revealed that it has spent millions of dollars funding and publishing government propaganda on social media and in top news outlets, with readers unknowingly consuming the information as “news.” The Ministry of Strategic Affairs has referred to its activities as “extra-governmental discourse” and “mass consciousness activities.”

The film, *Boycott*, features one aspect of the Ministry’s efforts, unveiled through investigative journalist, Itamar Benzaquen: the funneling of Israeli government funds to a quasi-governmental organization that in turn funds “pro-Israel” entities abroad, thus avoiding the United States’ Foreign Agent Registration Act (FARA). In the past several years, dozens of organizations in the United States – as well as Europe, Latin America and Africa – have received millions of dollars in funds from the Israeli government to further Israel’s public diplomacy efforts, particularly targeting the movement for Palestinian rights. Recipients include the Israel Allies Foundation – which was directly involved in the legislative process in South Carolina that led to the passing of the first Israel-focused anti-boycott bill in the United States – and Christians United for Israel (CUFI), one of the key driving forces among the fundamentalist evangelical right.

WELCOME
TO THE
CENTER
OF THE USA



TIMELINE OF ANTI-BOYCOTT LEGISLATION

Credit: Ross Griff. Modified from the original. See license here.

JULY 1982

The Supreme Court enshrines boycotts as a form of protected free speech in *NAACP v. Claiborne Hardware Co.*

JULY 2005

Over 170 Palestinian civil society organizations issue a call for the international community to boycott, divest and sanction Israel until its government complies with international law. Specifically, they call on Israel to end its military occupation of the Occupied Palestinian Territories, fulfill Palestinian citizens of Israel's rights to full equality and allow Palestinian refugees the right of return as established under international law.

JULY 2011

The Israeli government enacts the Boycott Law, ordering civil penalties for any Israeli citizen calling for a boycott of Israel or Israeli settlements in the West Bank. Local Israeli and Palestinian civil rights groups challenge the law as unconstitutional on free speech grounds in the Israeli Supreme Court, but the court upholds the law with minor revisions. The law was first applied in 2018 when Israeli concert-goers sued activists who successfully petitioned New Zealand singer Lorde to cancel a show in Israel.

MAY 2015

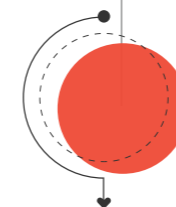
Gilad Erdan takes over the Israeli Ministry of Strategic Affairs and convinces Prime Minister Netanyahu to quintuple its budget and devote resources toward battling BDS domestically and abroad.

JUNE - JULY 2015

Illinois and South Carolina are the first states in the US to enact laws penalizing boycotts of Israel. Illinois' law forbids public investments in companies that boycott Israel, while South Carolina's law requires state contractors to sign a certificate pledging to not engage in such boycotts.

NOV 2015

The European Union moves to label certain goods produced in the Occupied Palestinian Territories as "made in settlements."



JULY 2016

The American Legislative Exchange Council (ALEC) – a right-wing, pro-corporate organization that drafts and promotes model state laws which are then shopped to conservative state legislators – introduces [The Protection and Enforcement Against the Commercial Exclusion of Israel Act](#), "model legislation" at the root of anti-boycott laws.

2016

Dozens of US states introduce anti-boycott bills related to Israel, and within the year, several bills are passed. In states where legislative traction was difficult to gain, like New York, governors pass Executive Orders.

2017

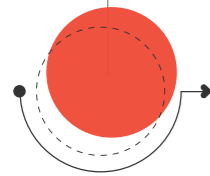
Legal opposition to anti-boycott laws begins — see timeline on page 22.

MAY-JUNE 2021

Laws targeting boycotts of the fossil fuels and firearms industries are passed in Oklahoma and Texas. The architects of the template bills - Texas legislators and staffers from the Texas Public Policy Foundation - have [pointed to the Israel anti-boycott bills as their inspiration](#).

2021-2022

After ice cream company Ben & Jerry's announces plans to stop selling its products in the occupied West Bank, Israeli officials call on US states to enforce their anti-boycott legislation against the ice cream brand. A number of states move to divest from Ben & Jerry's' parent company, Unilever, including New York, Arizona, Florida, Texas, New Jersey, and Colorado.



DECEMBER 2021

ALEC's Energy, Environment, and Agriculture Task Force unanimously passes the [Energy Discrimination Elimination Act](#), a model bill that requires banks and financial companies to sign a pledge to not boycott fossil fuel companies in order to obtain state contracts. Its drafters cite the Israel anti-boycott legislation as their inspiration.

2022

Bills targeting boycotts of fossil fuels, firearms and other industries are introduced in over a dozen states, including in Indiana, Kentucky, Louisiana, Alaska and Minnesota. Several of them pass and become law.

DECEMBER 2022

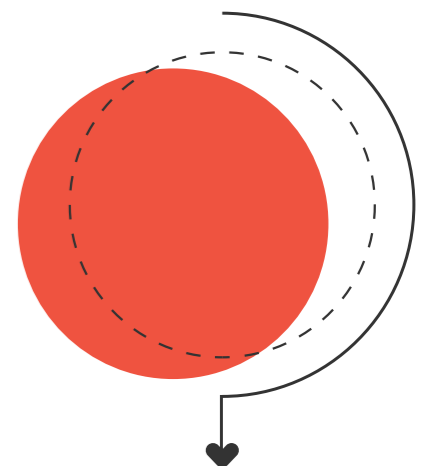
Lobbyists and legislators introduce new model legislation at the American Legislative Exchange Council's summit: the [Eliminate Economic Boycotts Act](#) (previously titled the Eliminate Political Boycotts Act). The draft legislation is designed to shield any industry from public scrutiny and collective pressure.

JANUARY 2023

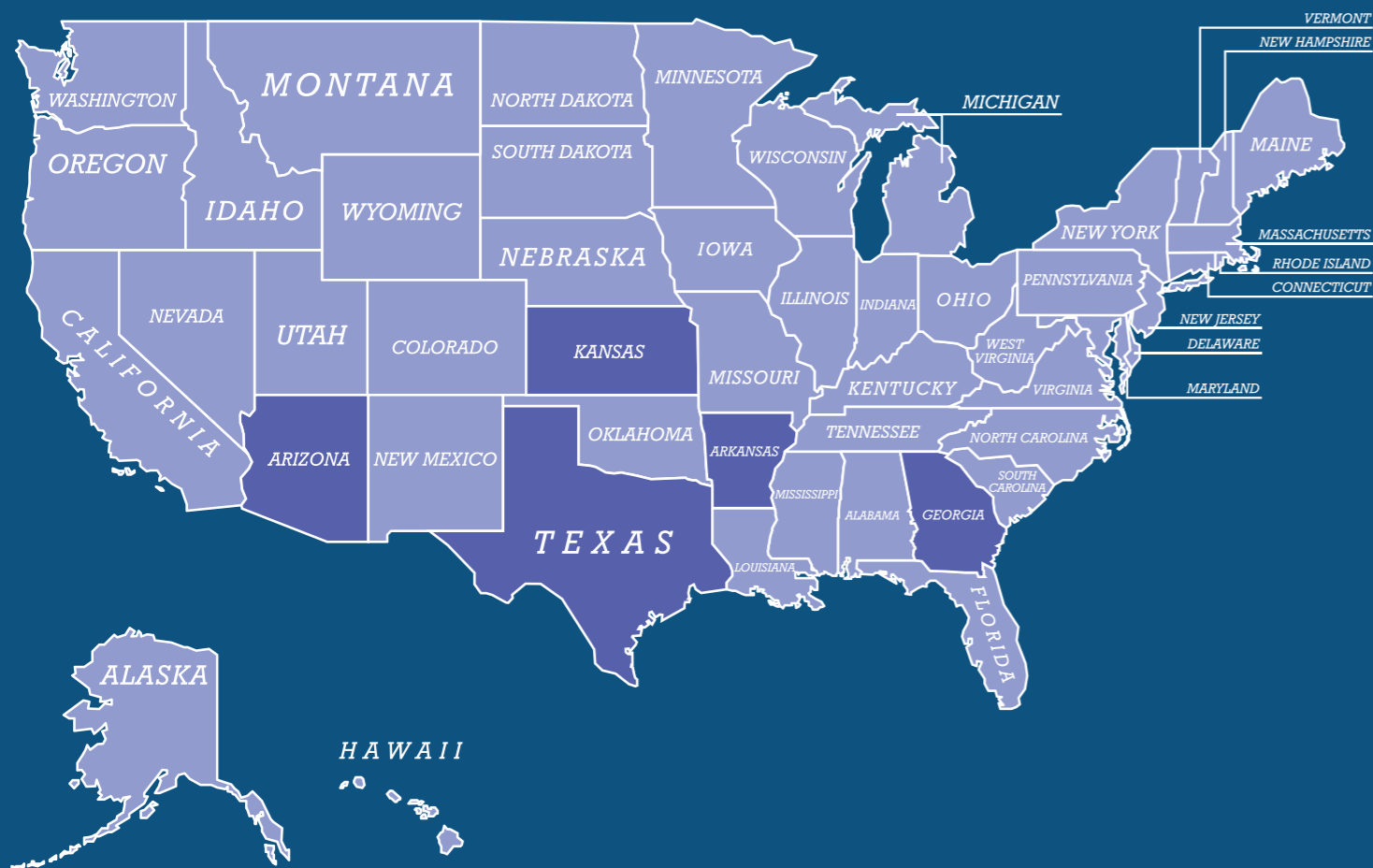
Legislators in South Carolina, Missouri, Iowa, Oklahoma, Wyoming and Colorado modify the Eliminate Economic Boycotts Act to target those organizing for transgender peoples' rights, abortion rights and workplace equity.

2023

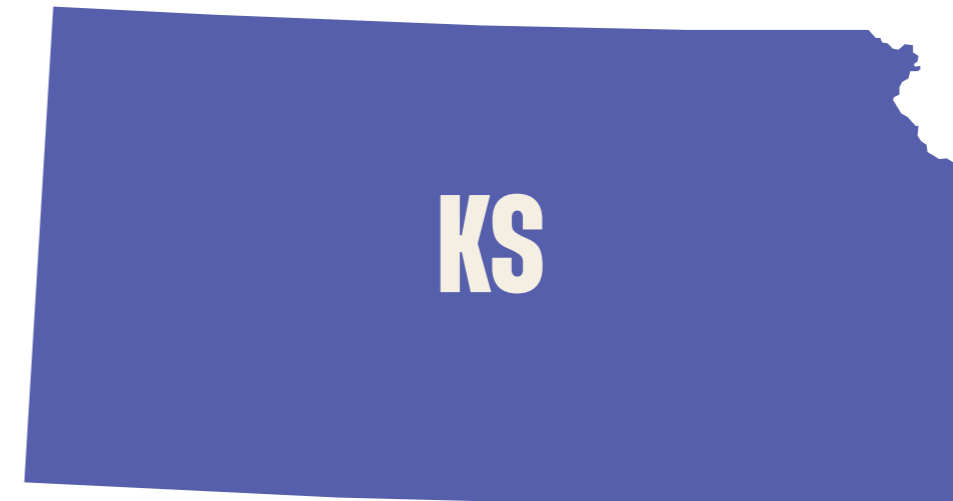
The number of anti-boycott laws related to Israel reaches 36 US states.



TIMELINE OF LEGAL OPPOSITION TO ANTI-BOYCOTT LAWS



● STATES WHERE ANTI-BOYCOTT BILLS HAVE BEEN CHALLENGED



KOONTZ V. WATSON

OCTOBER 2017

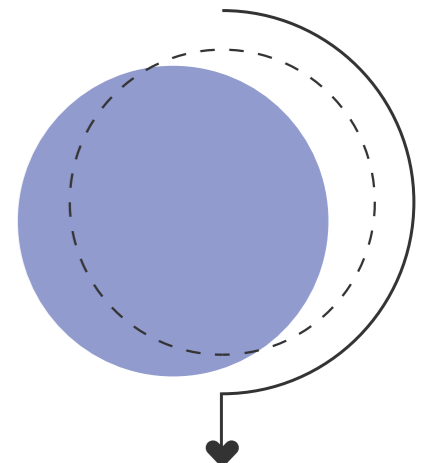
Esther Koontz **challenges Kansas's anti-boycott** law in court.

JANUARY 2018

A federal district court rules in Esther's favor, finding that the law violates her First Amendment rights.

APRIL 2018

Kansas lawmakers amend the law, rendering Esther's case moot, but leaving the underlying constitutional issues unresolved. The new certification excludes sole proprietorships, companies employing five or fewer employees, and companies with contracts valued at less than \$100,000.



JORDAHL V. BRNOVICH

DECEMBER 2017

Mikkel Jordahl [challenges Arizona's anti-boycott law](#) in court.

SEPTEMBER 2018

A federal district court rules in Mik's favor, finding that the law violates his First Amendment rights.

APRIL 2019

Arizona lawmakers amend the law, rendering Mik's case moot, but leaving the underlying constitutional issues unresolved. The amended law pertains only to businesses with 10 or more full-time employees with contracts valued at \$100,000 or more.



AMERICAN MUSLIMS FOR PALESTINE V. ARIZONA STATE UNIVERSITY

MARCH 2018

American Muslims for Palestine (AMP) and Dr. Hatem Bazian [challenge Arizona's anti-boycott law](#) in court.

MARCH 2018

In a court-approved agreement, Arizona State University modifies its speaking engagement contract with Dr. Bazian and AMP so they are no longer required to sign the certification. Arizona's anti-boycott law, however, remains in place.

For details on all legal challenges to anti-boycott laws, visit [Palestine Legal's summary here](#).

AMAWI V. PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT AND PLUECKER V. PAXTON

DECEMBER 2018

Bahia Amawi [challenges Texas' anti-boycott law](#) in court. In a separate lawsuit, John Pluecker, George Hale, Obinna Dennar, and Zachary Abdelhadi challenge the same Texas law. Their cases are later consolidated.

APRIL 2019

A federal district court sides with the plaintiffs, arguing that the laws violate their First Amendment rights.

MAY 2019

Texas lawmakers amend the law, rendering the plaintiffs' case moot but leaving the underlying constitutional issues unresolved. The amended law pertains only to businesses with 10 or more full-time employees with contracts valued at \$100,000 or more.



A & R ENGINEERING AND TESTING V. HOUSTON

OCTOBER 2021

A&R Engineering and Testing, Inc. is the first company with a contract valued over \$100,000 to [challenge Texas' revised Israel anti-boycott law](#) in court.

JANUARY 2022

The district court rules in the company's favor but applies its ruling narrowly to apply only to A&R Engineering, stopping short of striking down the law. Texas appealed the decision to the Fifth Circuit Court of Appeals.

JULY 2023

The Fifth Circuit vacates the injunction against the anti-boycott law on procedural grounds but does not rule on the merit of the case or the constitutionality of the law.



ARKANSAS TIMES LP V. WALDRIP

DECEMBER 2018

Alan Leveritt [challenges Arkansas's anti-boycott law](#) in court.

JANUARY 2019

The federal district court dismisses the case, upholding the state's law.

FEBRUARY 2021

A three-judge panel of the Eighth Circuit Court of Appeals reverses the lower court's decision, finding the law unconstitutional.

JUNE 2022

After appeal, a full panel of the Eighth Circuit Court of Appeals rules in favor of the state, upholding the anti-boycott law. They are the first federal court to rule that anti-boycott laws are constitutional.

FEBRUARY 2023

The Supreme Court, after the ACLU appeals the Eight Circuit's ruling, announces it will not hear Alan's case.

ALI V. HOGAN

JANUARY 2019

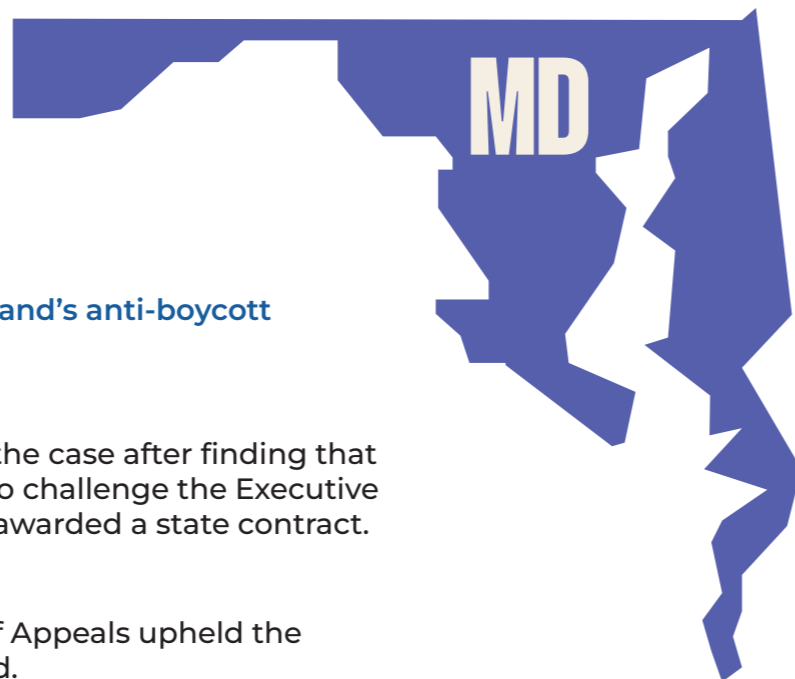
Saqib Ali [challenges Maryland's anti-boycott Executive Order](#) in court.

OCTOBER 2020

A federal judge dismisses the case after finding that Ali did not have standing to challenge the Executive Order as he had not been awarded a state contract.

FEBRUARY 2022

The Fourth Circuit Court of Appeals upheld the dismissal after Ali appealed.



MARTIN V. WRIGLEY

FEBRUARY 2020

Abby Martin [challenges Georgia's anti-boycott law](#) in court.

MAY 2021

A federal judge denies the State's motion to dismiss the case, finding the law violates Martin's First Amendment rights.

FEBRUARY 2022

Georgia lawmakers amend the law, rendering Martin's case moot, but leaving the underlying constitutional issues unresolved. The new certification excludes sole proprietorships, companies employing five or fewer employees, and companies with contracts valued at less than \$100,000. When rendering Martin's case moot, the court also declined to hold state officials liable for the harm already done to Martin under the doctrine of qualified immunity.

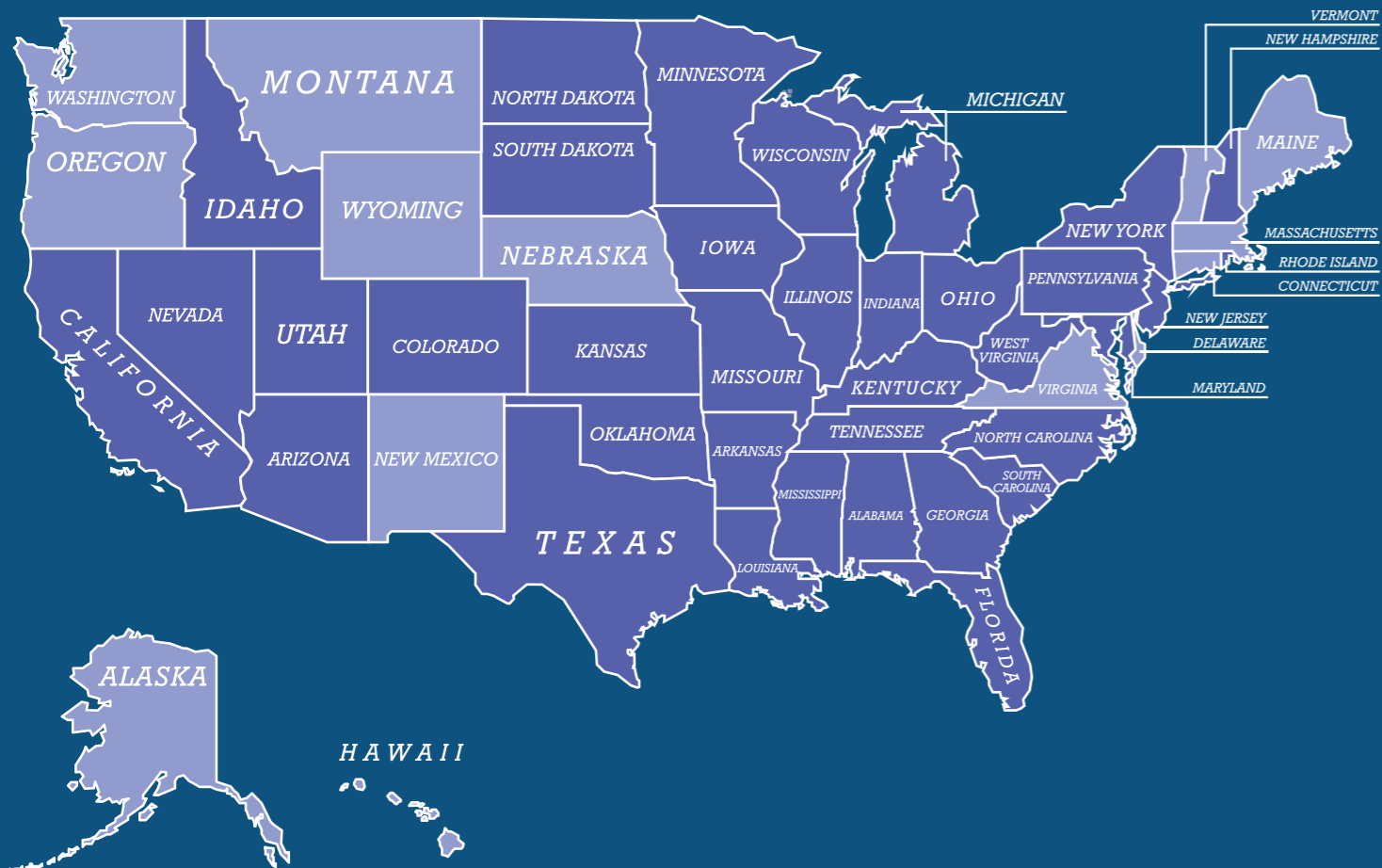
NOVEMBER 2022

Martin files an appeal with the 11th Circuit Court of Appeals.

JUNE 2023

The Eleventh Circuit Court of Appeals affirms the lower court's ruling but does not rule on the constitutionality of the law.

-  STATES WITH ISRAEL-FOCUSED ANTI-BOYCOTT LAWS ON THE BOOKS
-  STATES WITHOUT ISRAEL-FOCUSED ANTI-BOYCOTT LAWS ON THE BOOKS



QUICK FACTS

ABOUT ANTI-BOYCOTT LEGISLATION

- 01** 36 states have laws on the books that penalize individuals or companies that use boycotts and other nonviolent measures aimed at pressuring Israel on its human rights record.
- 02** There are parallel efforts at the federal level to adopt legislation prohibiting American citizens from engaging in a boycott of Israel, with the most recent bills introduced in July 2023.
- 03** Some of the anti-boycott bills/laws require the creation of blacklists of activists, non-profit organizations, and/or companies that are engaged in such boycott campaigns. Opponents have called the blacklists 21st-century McCarthyism.
- 04** Several states have passed or introduced similar legislation that punishes companies that boycott or divest from the fossil fuel industry or firearms manufacturers. Architects for the fossil fuel bills cite the anti-boycott bills related to Israel as their model.
- 05** In the 2023 legislative session alone, over 20 states introduced dozens of anti-boycott bills that modify the Eliminate Economic Boycotts Act to target those organizing for transgender peoples' rights, reproductive rights and workplace equity. Other bills aim to shield mining, agriculture, lumber, immigration detention centers and other related industries from boycotts.

2015	2016	2017	2018	2019	2020	2021	2022	2023
Illinois South Carolina	Alabama Arizona Colorado Indiana Iowa New Jersey New York Ohio Pennsylvania Rhode Island	Arkansas California Maryland Michigan Minnesota Nevada North Carolina	Florida Kansas Wisconsin	Kentucky Louisiana Mississippi Texas	Missouri Oklahoma South Dakota	Georgia Idaho Utah West Virginia	Tennessee	North Dakota New Hampshire

For the most up-to-date information, visit our [Legislation Tracker](#).



GUIDE TO FACILITATION

The facilitator or discussion leader should set a respectful tone to open the discussion. Remind the group that this is meant to be a conversation rather than a debate and ask that people use active listening rather than prepare mentally to make their own points. You may want to set basic ground rules (“Suggested Ground Rules” are located on the following page) or ask participants to suggest their own, such as keeping comments to less than two minutes to allow others time to speak.

It can be helpful to develop a clear outline of the questions you intend to ask your audience, along with the sequence in which you plan on asking them, prior to the discussion (see the Discussion Questions by Theme on pp. 36-47). You may want to briefly outline the discussion topics for your audience before opening the floor to comments, whether you work with the group as a whole, or break participants down into pairs or small groups. As the discussion leader, you should use your own judgment about which questions work with your audience and when to move on to another topic.

It is advised that you review the discussion question topics ahead of the event and, based on time constraints, highlight certain questions you feel are most relevant. If your audience includes groups and individuals that may have divergent views on this issue, we encourage you to ask questions that ensure the participation of everyone while also allowing participants to engage authentically from their lived experience.

PRE-SCREENING PREPARATION

It is a good idea for discussion leaders to think about their own relationship to the right to voice dissent and the Israeli-Palestinian context before leading a discussion.

If you're in touch with your audience ahead of the screening, you may want to encourage them to familiarize themselves with the topic. Consider sharing parts of this discussion guide, specifically: Filmmakers' Statement; Background on Anti-Boycott Laws; What Does it Mean to Boycott for Palestinian Rights?; and Timeline of Anti-Boycott Legislation. You may also encourage them to explore [our legislation tracker](#) to learn about how citizens of their home state are impacted by anti-boycott legislation.

The film, *Boycott* – and conversations of Israel-Palestine more broadly – can provoke strong emotional reactions from viewers. It is a good idea for discussion leaders to think about their own relationship to the right to voice dissent and the Israeli-Palestinian context before leading a discussion.

Consideration of the following questions may help organizers explore their own biases and prepare to facilitate an open discussion among participants:

- 01** What are my own beliefs about the Israeli-Palestinian context?
- 02** What are my assumptions about those who use boycotts in their activism, whether on Israel-Palestine or other issues?
- 03** What are my assumptions about how American politicians engage on this issue?
- 04** Am I open to recognizing that my own experience and knowledge on this topic can be expanded?
- 05** Am I open to new information, narratives and experiences on this topic?

Before starting the film, consider having participants discuss their connection to the issues raised in *Boycott*:

- What brought them to this screening?
- What makes this topic important to them?
- What are the sources of their interest in or connection to Israel-Palestine or to questions of political expression and dissent?

Establishing guidelines or community agreements with your audience prior to the discussion may help create a brave and supportive environment. You may draw from the guidelines below or ask your community what values and agreements they feel should guide their discussion.

SUGGESTED GROUND RULES

ACTIVE LISTENING.

Pay attention, listen carefully and try to understand what the speaker's message is.

USE "I" STATEMENTS.

Draw from your own experiences, values and perspectives, and speak on behalf of yourself rather than in the form of "we." Refrain from using "you" statements, which can cause others to be on the defensive.

BE RESPECTFUL.

Assume everyone in the group is doing their best to express their opinions, given their prior knowledge and experiences. Engage with ideas and opinions, but do not make personal attacks.

BE HONEST.

Start by being honest with yourself and the group about your experiences, beliefs and values and where they come from. This honesty often helps create a space where others feel comfortable sharing their experiences.

TAKE SPACE, MAKE SPACE.

Remember to balance active participation ("taking space") in the discussion with active listening to others ("making space"). When speaking and listening, ask yourself how you are contributing to the conversation and whether you are supporting the participation of others.

MAKE THOUGHTFUL INTERVENTIONS.

Positive contributions to a discussion do not always take the form of agreement; it is okay to intervene with an opposing view or encourage people to think about issues in a new way. Be sure to present your intervention with respect for difference of opinion and experience.

FIND UNDERSTANDING.

The goal is not necessarily to agree, but to learn from and understand new perspectives and others' experiences. Consider how those perspectives and experiences interact with your own.

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DISCUSSION QUESTIONS

AND BACKGROUND BY THEME

BOYCOTTS AS A TOOL FOR SOCIAL CHANGE

Boycott campaigns have long served as a **key tool for civil resistance**, both globally and in the US. Inspired by Mahatma Gandhi's nonviolent non-cooperation movement, among others, American civil rights leaders like Martin Luther King Jr. and Rosa Parks employed boycotts to fight for racial justice and equality — most notably in the Montgomery bus boycotts of 1955-56, which led to a Supreme Court ruling that segregated buses are unconstitutional. These boycotts in turn served as inspiration in 1965 for the Delano grape strike and boycott, winning a collective bargaining agreement for over 10,000 farmworkers — one of the most influential labor victories in modern US history.

In 1982, a decade after merchants in Port Gibson, Mississippi had sued the National Association for the Advancement of Colored People (NAACP) for organizing a boycott of white-owned businesses to protest racial segregation and discrimination, the US Supreme Court issued a unanimous, **landmark ruling** affirming the constitutional right to organize boycotts. The court held that the boycotters' exercise of their rights rested “on the highest rung of the hierarchy of First Amendment values.”

Boycott and divestment campaigns were also a major part of the global struggle against the South African Apartheid regime, starting in the 1960s. In response to a call by the African National Congress, activists around the world began calling for boycotts of Apartheid South Africa. By the late 1970s, the United Nations had imposed an arms embargo and passed a resolution supporting a boycott of the country. With the US government unwilling to cut its ties with the South African regime, a student-led divestment movement gained momentum in the mid-80s, leading hundreds of colleges and companies to divest from the country until the fall of Apartheid in 1994. The anti-Apartheid movement has since served as inspiration for other political campaigns including the Palestinian Boycott, Divestment, Sanctions movement and the international fossil fuels divestment movement.

In recent years, boycotts have served as a common tool for protest by groups representing a spectrum of political viewpoints. This has included a boycott of Russia over its 2022 invasion of Ukraine; boycott campaigns against the Chinese government over human rights violations in Tibet and Xinjiang; and a worldwide movement calling for divestment from fossil fuels. The US also witnessed a nationwide boycott campaign against South Carolina over its anti-transgender legislation, consumer boycotts of the National Football League (NFL) in response to players “taking a knee” in protest of police violence and many more.



- 01 What do you think the effect or impact of a sustained boycott might be? Are there cases where boycotts may be more effective than others? Consider the case of Palestine and others you may be familiar with.
- 02 Boycotts, like strikes and demonstrations, are a form of collective political action. What makes boycotts unique as a tactic? Are there circumstances in which boycotts may be more practical or effective than others?
- 03 Have you ever chosen not to purchase a product or brand, or shop at a specific store, because you disagreed with their values or practices? If so, what did you hope to achieve? If not, what circumstances might have you consider such actions?

THE PLAINTIFFS

Alan Leveritt, an Arkansas news publisher and tomato farmer, has never engaged in a boycott related to Israel-Palestine. His newspaper, the *Arkansas Times*, reports on local news rather than foreign affairs. Bahia Amawi, a Palestinian-American speech therapist in Pflugerville, Texas, has family living under Israeli occupation in the West Bank and avoids purchasing Israeli products. Mikkel Jordahl, an Arizona attorney, decided to boycott certain American and international companies that are directly complicit in the Israeli occupation and apartheid. All three were required by their respective states to sign a pledge that they do not boycott Israel as a condition for receiving a contract with the state. All three put their jobs on the line by refusing to sign the pledge, and they each launched legal battles to defend their First Amendment rights and the rights of all Americans.

Several other plaintiffs around the country have challenged anti-boycott legislation. In 2017, Esther Koontz sued the state of Kansas after she lost a job as a teacher trainer due to her refusal to sign the anti-boycott pledge. Koontz is a member of the Mennonite Church USA, which had called on its members to avoid purchasing products made in illegal Israeli settlements located in the Occupied West Bank — a resolution Koontz supports. Other plaintiffs include John Pluecker, George Hale, Obinna Dennar, and Zachary Abdelhadi (whose cases were combined with Bahia Amawi's in Texas) Palestinian-American civil engineer Rasmy Hassouna of A&R Engineering and Testing in Texas, Former Maryland State Delegate, Saqib Ali, Dr. Hatem Bazian in Arizona and journalist Abby Martin in Georgia.

*See the Timeline of Legal Opposition to Anti-Boycott Laws on pp. 22-28.

- 01** *Boycott's* protagonists — Alan, Bahia, and Mik — come from different backgrounds, and their views on Israel-Palestine vary. What are the different reasons they present for their refusal to sign anti-boycott pledges? What reasons do they have in common? Can you think of other motivations for refusing to sign such pledges?
- 02** What risks did the plaintiffs face when they decided not to sign the pledge and took their respective states to court? Did anything surprise you about their decision to challenge the anti-boycott laws in court?
- 03** Is there any cause for which you would be willing to take such risks? If so, what would the cause be? How would you explain your choice to your friends, family and colleagues? If not, why not?



Boycott protagonists at SXSW. Courtesy of Kelly West.

WHO IS DRAFTING, ORGANIZING AND LOBBYING FOR ANTI-BOYCOTT LEGISLATION?

Boycott reveals several groups that have been involved in drafting and lobbying for anti-boycott bills related to Israel. One particularly influential group behind the spread of these laws has been the corporate-backed lobbying group, the American Legislative Exchange Council (ALEC). ALEC is a pay-to-play operation where state legislators and corporate lobbyists meet behind closed doors to write and vote on model legislation that pushes a right-wing, pro-corporate, and most often, pro-Republican agenda. ALEC was involved in drafting and lobbying for "Stand Your Ground" bills, "Critical Infrastructure" bills criminalizing protests against oil pipelines, and strict Voter-ID bills that have been criticized for discriminating against people of color and low-income populations. It has also coached its legislative members on how to campaign for the reversal of *Roe v. Wade*, supported former President Trump's efforts to protect confederate monuments and opposes any teaching of US history in public schools that emphasizes slavery and discrimination.

The Israeli government has also played a role in passing and enforcing anti-boycott laws in the US. Aware of the obstacles posed by the US government's Foreign Agents Registration Act (FARA), the Israeli Ministry of Strategic Affairs founded Concert (previously named Solomon's Sling), a non-profit organization designed to discreetly allot funds to organizations advancing its interests abroad. As seen in *Boycott*, some of the groups that received money from Concert, like Christians United for Israel (CUFI) and the Israel Allies Foundation, work closely with Israeli leadership and have been involved in the passing of anti-boycott laws in the US, successfully lobbying for them in dozens of states.

As highlighted in the film, many legislators, like Arkansas's Bart Hester, state that they are motivated to promote and pass these laws because of their adherence to an Evangelical Christianity rooted in biblical literalism. Those subscribing to this particular interpretation of Christianity consider the migration of Jewish people to Biblical Israel as a necessary precursor for Armageddon, the return of Jesus Christ and eternal heaven for his believers. Hester claims that at least half of the 35 self-identifying Christians in the Arkansas state legislature are evangelical and motivated by such beliefs.

Once anti-boycott bills were enacted in states throughout the US, Israeli government officials began publicly pressuring state governments to enforce these laws against American companies. For example, after Ben & Jerry's announced plans to withdraw their products from the Occupied West Bank in the summer of 2021, [Israeli officials called on the governors of dozens of US states to punish the company](#). Several states obliged, including New York, Colorado, Texas, Arizona and Florida.

- 01 How does closed-door lobbying influence US legislation and people's ability to participate in politics? Do you believe anything can and should be done to put restraints on the role of lobbying groups?
- 02 Why do you think anti-boycott bills spread so quickly across the US in recent years? Why might state legislators be motivated to support them?
- 03 What role, if any, should a legislator's religious beliefs play in their political activities or policy-making?

FROM PALESTINIAN RIGHTS TO ENVIRONMENTAL JUSTICE TO GUN SAFETY

A number of individuals featured in *Boycott* warn that anti-boycott bills targeting advocates for Palestinian rights are setting a precedent for further attacks on free speech. Their concerns proved to be true, as state legislatures began introducing bills that use language copy-pasted from Israel anti-boycott laws to target boycotts and divestments from the fossil fuels and firearms industries, among others. The one major difference between these new laws and those focused on Israel is that the latter were largely bi-partisan, whereas the former came almost exclusively via Republican lawmakers. Some lobbyists and legislators supporting fossil fuel and firearms anti-boycott bills have **made it clear** that they are based on the template established with Israel anti-boycott bills.

As of mid-2023, at least nine states have passed laws punishing boycotts of the fossil fuels and/or firearms industries. Dozens of other states have introduced similar bills. Anti-boycott legislation targeting those advocating for gender-affirming care, reproductive rights and workplace equity have also spread rapidly, introduced in at least seven states in the first half of 2023 alone. Still others aim to protect the mining, agricultural, and lumber industries from boycotts.

01 Anti-boycott bills targeting environmental sustainability and gun safety have been backed almost exclusively by Republican lawmakers. However, the Israel anti-boycott bills have garnered bi-partisan support in many state legislatures. Why do you think that is?

02 If there is a boycott movement on an issue you do not support, how would you feel about the right of others to engage in such a boycott? Would you consider the boycott as political speech that is protected from persecution by the state? Or would you consider laws penalizing the boycott legitimate?

03 What other issue areas do you think might be affected by anti-boycott legislation and why? Whose rights may be threatened? Who in your life do you think should be informed about these threats?

Texas House Bill 793 (2019)

A governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

- (1) does not boycott **Israel**; and
- (2) will not boycott **Israel** during the term of the contract.

Texas Senate Bill 13 (2021)

A governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

- (1) does not boycott **energy companies**; and
- (2) will not boycott **energy companies** during the term of the contract.

Israel Anti-Boycott Bill

vs

Fossil Fuels Anti-Boycott Bill

OTHER EFFORTS TO SILENCE ADVOCATES FOR PALESTINIAN RIGHTS

Anti-boycott laws are just one way that Palestinian rights advocates have been targeted in the US. Other tactics used by those aiming to silence dissent on Israel-Palestine include pressuring governments and institutions to adopt the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism, which conflates criticism of the Israeli state with antisemitism, and filing Strategic Lawsuits Against Public Participation (SLAPPs) against those advocating for boycotts of Israel.

Palestinian rights advocates also face organized intimidation and smear campaigns, including false and inflammatory accusations of antisemitism and/or support for terrorism, with many being placed on blacklists on anonymously-run websites. Several journalists, professors and other professionals have lost their jobs in recent years for voicing support for Palestinian rights, often after targeted campaigns calling for their removal. Many students have seen their activism condemned and at times suppressed by college administrations. Since 2014, legal advocacy group [Palestine Legal](#) has documented over 1,700 cases where speech supportive of Palestinian rights were suppressed, targeted and censored in the US, with many more cases likely going unreported.

- 01** How, if at all, do you think speech on campuses should be moderated? How do we consider the differences between hate speech, offensive speech and other forms of speech, and how should we deal with cases when they come up?
- 02** Why do you think groups and governments are investing in efforts to restrict the speech of Palestinian rights advocates?
- 03** What do you think might be the impact of efforts to silence those concerned with Israel's human rights record? Do you think these efforts are effective in achieving their goals?

Imagine
if I
weren't
here.

WHO IS ORGANIZING AND SPEAKING OUT AGAINST ANTI-BOYCOTT LAWS?

Since anti-boycott bills were first introduced in the US, there have been community organizers, Palestinian rights activists, civil rights defenders, faith leaders and other groups working together to defend the right to boycott.



American Civil Liberties Union (ACLU) has long defended the right to boycott and has represented a number of the plaintiffs who challenged their states' anti-boycott laws in court, including *Boycott* protagonists Mik Jordahl and Alan Leveritt. The ACLU takes no position on boycotts of Israel, but maintains that “anti-BDS laws are not designed to prevent discrimination,” but rather “to discriminate against disfavored political expression.”



The Council on American-Islamic Relations (CAIR) works to protect civil rights, promote justice and empower American Muslims. CAIR represented a number of the plaintiffs who challenged their states' anti-boycott laws in court, including *Boycott* protagonist Bahia Amawi.



Palestine Legal is a leading advocate against anti-boycott laws. The organization provides support to grassroots activists and organizers, and monitors lawfare targeting those who take a stand for Palestinian rights, including anti-boycott laws, the silencing of students on college campuses and more.



The Foundation for Middle East Peace (FMEP) produces analysis of political events in Israel-Palestine and related legislation in the US. FMEP was one of the first groups to warn that laws punishing those boycotting Israel may serve as a template for a wider attack on free speech.



The Center for Constitutional Rights (CCR) has worked to expose and resist the destructive influence of the American Legislative Exchange Council and similar corporate lobbying over American democracy at large, and the rights of immigrants, people of color, and other targeted groups in particular.

These are just a few examples. There are many other national and local groups throughout the US organizing across issue areas and banding together to defend the right to boycott and voice dissent. In multiple states, grassroots organizers have succeeded in blocking or narrowing down proposed anti-boycott bills. In dozens of other states, groups have raised public awareness to the dangers posed by anti-boycott laws, and continue pushing back.

GET INVOLVED

Has watching *Boycott* moved you to take action? Is there anything you think you could — or should — do about anti-boycott laws? Here are a few options:

01

LEARN ABOUT ANTI-BOYCOTT BILLS IN YOUR STATE:
Visit our [Legislation Tracker](#).

02

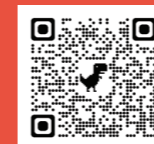
EDUCATE YOUR COMMUNITY:
Organize a screening of *Boycott* with your network. Email events@justvision.org to get started.

03

ENGAGE LEADERSHIP:
Ensure your political and community leaders are aware of the far reaching implications of anti-boycott laws, from Israel-Palestine, climate change and gun control to racial justice, LGBTQ rights and beyond.

04

STAY CONNECTED:
[Sign up to our newsletter](#) or follow us online, and help spread the word about the latest developments.



SIGN UP TO
OUR NEWSLETTER



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theboycottfilm.com

FAQ

FREQUENTLY ASKED QUESTIONS



This guide was made possible thanks to the generous input of a range of educators and experts, including David Armiak, Nada Elia, Marya Hannun and Carinne Luck. We are grateful for their time and attention. We also value your feedback and would love to hear any questions, suggestions or stories from the field as you use this resource. You can reach us at: info@justvision.org.

WHAT IS JUST VISION?

We are a team of filmmakers, journalists, storytellers and human rights advocates who fill a media gap on Israel-Palestine through independent storytelling and strategic audience engagement. We envision a pluralistic, just and rights-respecting future in the region. Just Vision is a nonpartisan and religiously unaffiliated 501(c)3 organization.

WHEN WAS JUST VISION FORMED? WHAT DO YOU DO?

Just Vision was founded in 2003, with a team based in Israel-Palestine and the U.S. As noted above, we strive to fill a media gap on Israel-Palestine, recognizing that accurate, nuanced storytelling is essential for shaping public norms, challenging the divisions that dominate the political landscape and creating greater understanding. Through documentary film and journalism coupled with strategic outreach, our team reaches tens of thousands of people through direct engagements and screenings, moving fluidly from refugee camps and villages to top tier film festivals and high-level talks with global decisionmakers. We touch millions more through television broadcasts, digital distribution and international press coverage. Just Vision is nonpartisan and religiously unaffiliated.

We have created five award-winning documentaries (*Encounter Point*, *Budrus*, *My Neighbourhood*, *Naila and the Uprising* and *Boycott*) that shed light on previously undocumented stories around issues like Palestinian-led civil resistance movements, the role of women during the First Intifada, the pressures caused by Israeli settlement expansion in Jerusalem, community responses to the building of the separation wall in the West Bank and growing attempts to silence voices of dissent – in Israel, Palestine, the US and beyond.

We co-founded and co-publish the Hebrew-language media outlet, *Local Call* (alongside 972 Advancement of Citizen Journalism) – hailed as a “beacon of quality, integrity and uncompromising critique” by one of Israel’s leading journalists – offering unique coverage, fresh analysis and hard-hitting investigative reporting on pressing human and civil rights issues facing diverse communities in Israel-Palestine. Our regular column in the Arabic-language news outlet, *Ma’an*, ensures that vital issues facing Palestinian communities are front-and-center in the public conversation. Finally, our team makes frequent contributions to the global conversation on Israel-Palestine by placing high-level op-eds, analysis pieces and major network media appearances, shifting the conversation on Israel-Palestine in critical ways.

HOW WAS *BOYCOTT* FUNDED?

Boycott was funded through support from dozens of foundations and individuals who believed in us early and supported us at every juncture. We're grateful for the support of film industry leaders including The Bertha Doc Society Journalism Fund, IDA Enterprise Documentary Fund, Sundance Institute, Fork Films, CrossCurrents Foundation, Threshold Foundation, and Perspective Fund. The film was also made possible by longstanding partners who have supported Just Vision's efforts over the years.



WHO MADE *BOYCOTT*? WHAT IS THE CONNECTION OF THE FILMMAKERS TO ISRAEL-PALESTINE?

Boycott was made by Just Vision, a team of filmmakers, storytellers, journalists and human rights advocates. It was directed by filmmaker and Just Vision's Creative Director, Julia Bacha, and produced by Daniel J. Chalfen and Suhad Babaa, who is also Just Vision's Executive Director and President. The film's Director of Photography is Amber Fares with additional footage shot by Kelly West. *Boycott* was edited by Flavia De Souza and Eric Daniel Metzgar.

The filmmakers have a personal relationship to Israel-Palestine, and many of Just Vision's staff and the team behind *Boycott* are either from or have lived in the Middle East for significant periods of time. We are all committed to using independent storytelling and strategic audience engagement to build a pluralistic, just and rights-respecting future in Israel-Palestine.

WHERE DID THE IDEA FOR *BOYCOTT* COME FROM? WHEN DID YOU START FILMING?

As journalists, filmmakers and human rights advocates who care about freedom of expression and the right to protest, we are alarmed by the extent to which tactics to punish criticism of Israel's human rights record are being adopted internationally. When our team learned of the first anti-boycott bills passing in state legislatures in the United States in 2015, we started tracking them, recognizing the dangers they pose to those who support Palestinian rights, and to the right to voice dissent more broadly in the US during a time of democratic backsliding.

We began production in the fall of 2018 after several months of development. We shot from the Arizona desert to a mosque in Texas, the ACLU headquarters in New York City and a family farm in Arkansas.

WHERE HAS *BOYCOTT* BEEN SHOWN?

Boycott premiered at DOC NYC in New York City in November 2021, followed by its international premiere at the Human Rights Watch Film Festival in London and its Middle East Premiere at Palestine Cinema Days in Ramallah, Palestine. We have since screened at top festivals around the world, in colleges across the country and with community organizers globally. The film is [now streaming](#) on Apple TV, Amazon Prime, Google Play and Vimeo on Demand, and will have its global broadcast premiere on Al Jazeera in the fall of 2023.

The community and educational component of *Boycott*'s impact campaign has engaged and informed key strategic audiences, including students, educators, community groups, state lawmakers, houses of worship and cross-movement allies. To date, we have hosted over 180 events, reaching 10,000+ audience members directly in dozens of states across the U.S., as well as nine countries globally.

Some highlights include:

- Festival premieres at packed theaters worldwide including our world premiere at DOC NYC, international premiere at the Human Rights Watch Film Festival in London, SXSW, Big Sky, Sedona International Film Festival, Hot Docs and beyond.
- Screenings across the Occupied Palestinian Territories at colleges, refugee camps and film festivals that gave audiences insight into legal efforts to silence advocacy for Palestinian rights in the U.S.

- Screenings with legal experts and civil rights groups like the American Civil Liberties Union (ACLU), the Council on American-Islamic Relations (CAIR), the Knight First Amendment Institute and the National Lawyers Guild.
- Screenings with communities working on environmental, racial and immigration justice as well as reproductive, indigenous and LGBTQ+ rights, including convenings with Greenpeace's Action Camp, New York Progressive Action Network, Jews for Racial and Economic Justice and Netroots Nation.
- Targeted screenings and in-depth engagement with local partners in key states where anti-boycott bills have passed or are on the docket, including Arkansas, Arizona, Texas, Minnesota, Nebraska, and New York, and working with teams in countries like the UK and Germany where similar anti-boycott legislation has been considered.
- Screening or co-creating resources with dozens of diverse communities engaged on Israel-Palestine, including Palestine Legal, J Street, US Campaign for Palestinian Rights, T'ruah, Telos Group, Visualizing Palestine, Jewish Voice for Peace and many more.
- Multiple screenings at colleges and universities across the US, including Yale Law School, UC Berkeley, University of Notre Dame, Columbia University, Bard College and many more.

For a full list of our past and upcoming screenings, please visit: www.justvision.org/events. To organize a screening or event in your community or school, please email: screenings@justvision.org.

WHAT KIND OF MEDIA COVERAGE HAS BOYCOTT RECEIVED?

Boycott has garnered high-level press coverage in outlets including *The New York Times*, NPR, *The Guardian*, CNN International, *The Washington Post*, PBS, MSNBC, *The Intercept*, *Editor & Publisher*, *Haaretz* as well as dozens of national and local newspapers, radio shows and more. [Links to a selection of press engagements can be found here.](#)



WHAT IS THE LEGAL PRECEDENT FOR OUR RIGHT TO BOYCOTT IN THE US?

In 1982, the US Supreme Court ruled unanimously in *NAACP v. Claiborne Hardware Co.* that states cannot prohibit peaceful advocacy of a politically-motivated boycott. The decision reversed previous rulings by Mississippi courts, which had held the NAACP liable for damages for having led a boycott of white-owned businesses in Port Gibson, MS as part of a local campaign against racial segregation and discrimination.

Justice John Paul Stevens wrote in his decision that “the boycott was supported by speeches and nonviolent picketing. Participants repeatedly encouraged others to join in its cause. Each of these elements of the boycott is a form of speech or conduct that is ordinarily entitled to protection under the First and Fourteenth Amendments. As we so recently acknowledged...‘the practice of persons sharing common views banding together to achieve a common end is deeply embedded in the American political process.’” The Justice added that the “right of the states to regulate commercial activity could not justify a complete prohibition against a nonviolent, politically motivated boycott designed to force governmental and economic change.”

In recent years, several individuals and companies have sued their states over the Israel-focused anti-boycott laws, on the grounds that the laws violate their First Amendment rights. Plaintiffs have cited *NAACP v. Claiborne Hardware Co.* as a legal precedent. Most federal courts sided with the plaintiffs, forcing states to amend their respective laws.

Despite these rulings, the Eighth Circuit Federal Court of Appeals broke legal precedent in June 2022 by ruling in plaintiff Alan Leveritt's case that boycotts are simply economic activity without expressive qualities. The Supreme Court, after the ACLU appealed the Eight Circuit's ruling, announced in February 2023 that it will not hear Alan's case.

WHAT ARE THE ANTI-BOYCOTT LAWS?

Please refer to “[Background on the Anti-boycott Laws](#)” on page 10.

WHAT IS THE BOYCOTT, DIVESTMENT AND SANCTIONS (BDS) MOVEMENT?

Please refer to “[What Does it Mean to Boycott for Palestinian Rights](#)” on page 14.

ARE THERE ANTI-BOYCOTT LAWS IN OTHER COUNTRIES OUTSIDE THE US?

These are the laws that have been proposed or passed globally as of the date of this guide's publication:

Israel's own 2011 anti-boycott law was the first law targeting those boycotting Israel or its settlements. The law considers a public call for a boycott of an Israeli person or an entity affiliated with the State of Israel to be a civil offense. The law explicitly covers boycotts of Israel's illegal settlements. Israel's 2017 amendment to the "Entry into Israel Law" expands the state's anti-boycott purview by prohibiting foreigners who support a boycott of Israel from entering the country.

Germany's Bundestag failed to pass proposed legislation that would have banned the BDS movement in Germany in 2019. Instead, Germany's governing body passed a non-binding resolution which condemns the BDS movement. Several German cities, including Munich and Frankfurt, have passed or proposed bills that deny city funds or public venues to anyone affiliated with BDS.

In 2023, after years of failed attempts to limit boycotts of Israel or its illegal settlements, the UK government introduced the [Economic Activity of Public Bodies \(Overseas Matters\) Bill](#). The bill aims to limit the ability of public bodies – like government departments, local councils or universities – from making ethical investment or divestment decisions, particularly on territorial grounds. In effect, the bill bans boycotts or divestment by government entities of any country based on moral or political considerations, unless the federal government permits such a boycott. Israel, the Occupied Palestinian Territories and the Occupied Golan Heights are, however, exempt from this clause, making it the only territory singled out for impunity. The bill passed a second reading and sits in committee as of mid-2023.

The Canadian province of Ontario introduced an anti-boycott bill in 2016 which would have forbidden public bodies from contracting with anyone "who supports or participates in the BDS movement." The bill was defeated. The Canadian Parliament did pass a symbolic resolution condemning the BDS movement, as have several other countries around the world.

ABRIDGED DISCUSSION QUESTIONS



BOYCOTTS AS A TOOL FOR SOCIAL CHANGE

- What do you think the effect or impact of a sustained boycott might be? Are there cases where boycotts may be more effective than others? Consider the case of Palestine and others you may be familiar with.
- Boycotts, like strikes and demonstrations, are a form of collective political action. What makes boycotts unique as a tactic? Are there circumstances in which boycotts may be more practical or effective than others?
- Given the political, environmental and social issues facing your community today, can you think of a boycott campaign that might support progress on one of those issues? If you were to choose to boycott, what would you boycott and why? Given examples from history, what would it take to build a local, national or international campaign?

THE PLAINTIFFS

- *Boycott's* protagonists — Alan, Bahia, and Mik — come from different backgrounds, and their views on Israel-Palestine vary. What are the different reasons they present for their refusal to sign anti-boycott pledges? What reasons do they have in common? Can you think of other motivations for refusing to sign such pledges?
- What risks did the plaintiffs face when they decided not to sign the pledge and took their respective states to court? Did anything surprise you about their decision to challenge the anti-boycott laws in court?
- Is there any cause for which you would be willing to take such risks? If so, what would the cause be? How would you explain your choice to your friends, family and colleagues? If not, why not?

WHO IS DRAFTING, ORGANIZING AND LOBBYING FOR ANTI-BOYCOTT LEGISLATION?

- How does closed-door lobbying influence US legislation and people's ability to participate in politics? Do you believe anything can and should be done to put restraints on the role of lobbying groups?

- What role, if any, should a legislator's religious beliefs play in their political activities or policy-making?
- Why do you think anti-boycott bills spread so quickly across the US in recent years? Is there a reason they have received less attention than some of ALEC's other pieces of model legislation, such as the Stand Your Ground laws?





FROM PALESTINIAN RIGHTS TO ENVIRONMENTAL JUSTICE TO GUN SAFETY

- Anti-boycott bills targeting environmental sustainability and gun safety have been backed almost exclusively by Republican lawmakers. However, the Israel anti-boycott bills have garnered bi-partisan support in many state legislatures. Why do you think that is?
- If there is a boycott movement on an issue you do not support, how would you feel about the right of others to engage in such a boycott? Would you consider the boycott as political speech that is protected from persecution by the state? Or would you consider laws penalizing the boycott legitimate?
- What other issue areas do you think might be affected by anti-boycott legislation and why? Whose rights may be threatened? Who in your life do you think should be informed about these threats?

OTHER EFFORTS TO SILENCE ADVOCATES FOR PALESTINIAN RIGHTS

- How, if at all, do you think speech on campuses should be moderated? How should students and professors respond to speech they find offensive?
- Why do you think groups and governments invest in efforts to restrict the speech of advocates for Palestinian rights? Are there any legitimate concerns they may feel they are addressing? If so, how might they address them without infringing on free speech rights?
- What do you think might be the impact of efforts to silence those concerned with Israel's human rights record? Do you think these efforts are effective in achieving their goals?

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