

They Disagree on Everything but Israel

The U.S. legislators voting to gut the U.S. Constitution to promote “free speech” for Israel may be trying to help Israel, but some believe they’re committing treason.

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There is currently considerable agitation in Congress over what is loosely being referred to as “free speech.” The crux of the matter appears to be that many self-identified conservatives appear to believe that rules put in place by many college and university administrations unfairly discriminate against them, establishing restrictions on speakers whose opinions might be viewed as offensive to liberals and minority constituencies. This has lately led to the blocking of attempts by notable conservative lecturers to speak on campus and in other public fora lest they cause a breakdown in public order. It is interesting to note that the campaign against conservatives is never packaged quite as an actual free speech issue. It is generally expressed as a desire to sustain community values and to avoid violent confrontations.

Many of the groups engaging in agitprop seeking to redefine the First Amendment at the college level are inevitably Jewish, many of them politically liberal, seeking to eliminate hurtful commentary or actions that involve criticism of Israel. A common complaint is that demonstrations or speakers on campus make Jews feel uncomfortable and therefore should be banned. Ironically, the political conservatives, who believe themselves to be victims of a suppression of free speech, often hypocritically support the Jewish students’ drive to curtail the same commodity because they are strong supporters of Israel. That reality demonstrates that the complaints from both parties are more ideologically driven than based on any perception of the need to maintain basic constitutional rights.

More curious still are the actions of some Jewish legislators in Congress. The debate over free speech on campus to allow conservative voices is much in the media, but the desire of many of America’s normally liberal Jews to curtail any and all criticism of Israel is hardly mentioned at all, even though it is in many respects far more serious an attack against the First Amendment, as support of the Boycott, Divestment, and Sanctions (BDS) movement would be enshrined in federal legislation with draconian penalties attached.

Two leading Jewish senators, Ben Cardin of Maryland and Chuck Schumer of New York, are the driving forces behind the so-called Israel Anti-Boycott Act, which is continuing to make its way through Congress. It was introduced by Cardin and quickly attracted a number of co-sponsors and supporters, many of whom were predictably Republicans. The irony inherent in the bill comes from the fact that both Cardin and Schumer are solidly liberal in their voting records, to include support of issues generally regarded as protective of constitutional rights and liberties.

Theirs might reasonably be considered reliable votes whenever the Bill of Rights is challenged, but when it comes to Israel they are quite willing to flip 180 degrees.

Schumer might be considered Israel's senator in Congress now that Frank Lautenberg (D-N.J.) has finally disappeared from the scene. Schumer has referred to himself as Israel's "shomer" or protector, a derivation of his own name. If he is challenged at all in that status it would be by Cardin, who votes a straight pro-Israel line when called upon to do so and who is the product of Maryland's largely Jewish dominated Democratic Party machine. Both are, not coincidentally, major recipients of campaign contributions coming from the Israel lobby. Two years ago both Schumer and Cardin opposed President Barack Obama's agreement to the plan adopted to monitor Iran's nuclear program, placing them in line with Israeli Prime Minister Benjamin Netanyahu in opposition to their own party's president.

So here is the problem. Many American Jews in politics support Israel right or wrong without any regard for the impact on the rest of their constituents. This is obviously wrong, but they do it shamelessly because they believe that they will never be held to account. Unfortunately for them, attitudes toward Israel and its criminal regime are shifting, particularly in the liberal wing of the Democratic Party.

Cardin has indeed faced some problems with his promotion of the Israel Anti-Boycott Act. The generally Israel-friendly American Civil Liberties Union objected strongly both to the obvious unconstitutionality of the bill as well as the punitive measures that it mandated, which included in the original version civil fines up to \$250,000, criminal fines of up to \$1 million, as well as a possible 20 years in prison. Two elements of the bill are particularly appalling. One criminalizes anyone even making inquiries about BDS and the other specifies that Israel includes by definition "settlements in the Palestinian occupied territories." That means that the settlements, which all the world including the United States considers illegal, cannot be criticized under penalty of law.

These draconian features, which essentially criminalize a broad range of any criticism of Israel if implemented, were recently watered down but have not been completely eliminated from the current version of the bill. To be sure, a number of liberal Jewish organizations have come out against the bill but have been unable to make much progress, as the well-funded and much more numerous organizations that constitute the lobby have better access to both politicians and the mainstream media.

Against those who find the bill a bridge too far, even in defense of the Jewish state, one indeed finds an array of Jewish oligarchs who support Israel reflexively as well as the formidable power of the American Israel Public Affairs Committee (AIPAC) with its hundreds of employees and \$100 million annual budget. AIPAC is America's most powerful foreign policy lobby. In terms of getting out the votes in Congress it is comparable to the gun lobby for the GOP. It is committed to the Cardin bill and considers it its top priority because it, echoing the repeated warnings issued by Netanyahu, believes that BDS is the greatest internal threat to Israel. Netanyahu is, of course, not rational on threats to Israel. He has long promoted attacking a militarily inferior Iran because it is an alleged threat and his judgment on BDS is similarly 90% scaremongering.

So here we have it again. Two prominent Jewish senators are working to destroy the First Amendment to the Constitution of the United States and they are doing it to "help" Israel. Some might call it treason.

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