

### Aventura should pass an anti-BDS law

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ack in late 2015, Bal Harbour Village passed a law designed to prevent the municipality from doing business with any commercial entity engaged in boycotting Israel. The language didn't single out Israel per se, but it essentially said that companies engaged in boycotts should be boycotted by the city of Bal Harbour Village. It was a reaction to the BDS (Boycott, Divestment, and Sanctions) movement. BDS is the term of art for the campaign to isolate Israel economically.

Like my Mama used to say, boycotts will be boycotts.

At the time, much was made of the Bal Harbour Village being the first municipality in the nation to enact an ordinance of this sort. Well, at least they tried to put that narrative out there, but it didn't seem that a lot of research had been done on the subject.

So almost all the coverage had little phrasal escape hatches built in, just in case they were being fed the wrong information. The *Sun-Sentinel*, for example, called Bal Harbour Village the first municipality "of note" to go this route. Morton Klein issued a statement on behalf of the Zionist Organization of America that this was the first municipality they "were aware of" to put such legislation into place.

## Israel on the Agenda

Written by Jay Beskin, BT Contributor  
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Well, once the novelty of being first was no longer up for sale, the anti-BDS movement in municipal law ground to a halt in these parts (although across the pond, Paris signed on in February 2016). Here, organizers went after bigger fish, and in March 2016, three months after the Bal Harbour Village law, the State of Florida did the same thing. The bill passed the legislature 112-2, and Governor Scott signed it into law within days. So the state as an entity will not do business with companies engaging in BDS, and neither will Bal Harbour Village.

The truth is that when we were younger, there was something called the Arab Boycott. From the inception of the State of Israel, most Arab countries, including supposedly moderate ones like Saudi Arabia, not only refused to do business with Israel, they refused to do business with anyone who did business with Israel.

Furthermore, they refused to do business with anyone who did business with any company which did business with Israel (the Congressional Research Service calls this a “tertiary boycott”).

The result was that a lot of American companies, especially ones engaged in construction and oil work in the Middle East, were actually boycotting Israel. They never said so out loud, of course, but they whispered it into the ears of the Arab states, and they merrily proceeded to build and pump oil in those countries.

The boycott has never officially ended. It is still an official function of the Arab League, and there is a Central Boycott Office based in Damascus. All Arab League members -- Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestinian Authority, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen -- are officially parties to this boycott. This has been in place since 1948, so alongside the celebrations for 70 years of the State of Israel, we can “celebrate” the Arab Boycott attaining the same age.

In 1977, Congress passed a series of laws forbidding any American company from participating in the boycott, and required companies to report any requests by Arab League countries for them to participate. (Some said at the time this was done more to annoy the Carter administration than out of true concern about the issue.) These laws included a very important clause, which forbade companies to provide any information to Arab League countries about the extent of business done with or in the State of Israel.

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In theory, then, the problem is solved. In practice the situation is very different. Companies that openly do business in Israel need not apply for deals with Arab League countries, so the laws only protect companies that conduct limited and below-the-radar transactions with Israel.

The Department of Commerce claims that the tertiary boycott is not being enforced anymore, and we hope that assessment is indeed accurate. It seems more reasonable to accept the judgment of the Congressional Research Service that the boycott is “sporadically applied and ambiguously enforced,” which in plain English means it has learned how to avoid leaving tracks.

Be that as it may, it is no longer fashionable to defend the Arab Boycott. On the international intellectual scene, it has cleverly been replaced by the BDS movement. If a rose by any other name still smells as sweet, a thorn by any other name still hurts, still pierces the skin, still draws blood.

The proponents of BDS have translated their anti-Semitism into an extensive lexicon of euphemisms. They label the State of Israel as an occupying force, an oppressive imperialistic expansionist neighborhood bully that egregiously violates the human rights of Palestinians and others.

Instead of focusing on how wrong this is, let us use our remaining lines to describe the miraculous modern State of Israel. After 70 years, this country stands out as a jewel of democracy, a Western island in the Eastern world. There are open elections for all 120 Knesset seats, and Arab citizens of Israel have voting rights in the Jewish State. Among Arab League members, the closest you get to democracy are Algeria and Lebanon, and that should tell you all you need to know.

As an economy, Israel thrives by any standard. Israel has been at the forefront of technology, especially in the medical field, and if you had an MRI or a CAT scan lately, chances are the machine was manufactured in Israel. The amount of venture capital for all manner of new enterprise that emerges from Israel is astonishing; indeed some charts list this small country as No. 1 in the world in that category.

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The idea that a nation that maintained an ethnic and religious character in a diaspora over two millennia could return to a homeland and make it work this well -- and this fairly -- should be a source of astonishment, even awe, to any thinking, feeling person.

The City of Aventura put the subject of BDS on its agenda lately, and I definitely endorse the notion of passing a law similar to the one pioneered by Bal Harbour Village. The State of Israel is a loyal ally of the United States, as well as being the beneficiary of material assistance from this country, virtually since its founding. This is not a Democrat or Republican issue, or should not be. America stands with Israel, and so should Aventura.

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