

To the AMS Ombudsperson and AMS Council Members,

January 24, 2017

I am writing to express my concern with the following question being circulated for signatures by the SPHR student group: **Do you support your student union (AMS) in boycotting products and divesting from companies that support Israeli war crimes, illegal occupation and the oppression of Palestinians.**

As the Vice President of the UBC fraternity Alpha Epsilon Pi, prominent member of Hillel BC and supporter of the Jewish Student Association, Israel on Campus Club and Chabad UBC this letter not only expresses my own personal objections with the question at hand, but also voices the concerns of my peers.

The Israel/Palestine conflict is one of many enduring issues taking place around the world today. Many students on our campus are directly affected by events that take place in that region. However, like all conflicts and situations there are more than *two-sides*. The Israel/Palestine conflict is composed of many different narratives, personal traumas and opinions. By allowing this referendum to take place, the AMS is placing one narrative over the others and marginalizing Jews of all political stripes, as well as non-Jewish allies on campus. The AMS has within its power to stop the referendum from occurring, and I implore you to do so. For the following reasons, I believe this anti-Israel referendum should be stopped from coming to this campus, or at the very least put to student court to create a clear and unambiguous referendum question.

### **Responsibility of the AMS**

The main objectives of the AMS can be found in the AMS Mission Statement. The AMS aims “to improve the quality of the educational, social, and personal lives of the students of UBC.” Allowing this one-sided political narrative to take hold of our campus does not embody that Mission Statement and instead creates a divisive, toxic environment on our campus (as it has done here in the past, as well as on other campuses across North America).

Furthermore, the Mission Statement clearly highlights that one of the most important objectives of the AMS: is to “cultivate unity and goodwill among its members.” And that it “will also encourage free and open debate, as well as respect for differing views.” Finally, “it will solve problems constructively.”

Allowing a referendum that singles out a particular nationality for boycott, divestment, and sanctions does the absolute opposite of cultivating unity and goodwill amongst students of different backgrounds and viewpoints. In addition, allowing a boycott to take place on our campus will not encourage free and open debate or respect for differing views. Rather, it will make people defensive and shut down students’ openness to respectful dialogue by endorsing one narrative above all others. Respect for differing views means allowing for multiple opinions on a particular subject, and allowing them to be openly and freely debated. If AMS Council allows this resolution to go forward, then how can my friends, many of whom are Jewish and Israeli, feel safe expressing their beliefs and opinions on this campus when the AMS has endorsed a particular narrative?

It would be much more constructive to pose a referendum that directly and effectively helps the Palestinian people, without demonizing Israel, its supporters or Jewish/Israeli students at UBC. For example, a resolution calling on the AMS to purchase Palestinian products or to create a scholarship fund to help send Palestinian students to UBC accomplishes the desire to support the Palestinian people and their economy without demonizing other groups on campus. A constructive solution builds something, while this anti-Israel referendum intimidates students and denigrates alternative narratives while doing nothing for the Palestinians it claims to support.

### **Toxic Environment on Campus**

The anti-Israel referendum makes Jewish and Israeli students feel unsafe on campus. A quick search on YouTube highlights just how divisive such referendums are. While 2 years ago UBC was spared much of the violence that other campuses experienced (see UCLA, UC Berkeley, NYU, U of T, York University and so on), the BDS referendum still divided our campus. Swastikas appeared on campus, students reported their lack of safety on campus to the Ombudsperson, and campus security and the RCMP were on high alert. We have still not healed. Jewish students

fear outwardly identifying themselves as being Jewish to their peers and Israeli students think twice before telling fellow students where they are from. This is not the type of campus we pay to attend nor the kind that should be supported by AMS fees. No one should be made to feel unsafe or uncomfortable on their university campus.

### **The Question is Ambiguous and Unclear**

According to Bylaw 4 (2) a referendum question "shall be drafted to ensure that the question is capable of being answered 'yes' or 'no' and if in the opinion of Council a petition for a referendum does not meet this requirement, Council shall forthwith refer the referendum to the Court to prepare a clear and unambiguous question." This question cannot be answered yes or no because it is incredibly leading. The question begins "Do you support your student union (AMS) in boycotting..." - making it seem as if the AMS is already in support of the question. To better reflect the situation, the question should read "Do you *direct* your student union..." or "Do you *want* your student union..." in order to illustrate that the AMS has not taken a stance (as of yet) in this scenario. Furthermore, the phrasing of the question makes it impossible to say *no*, when statements like "war crimes" and "oppression" are used. Israel has never been convicted of war crimes in any international court of law, and a referendum question based on a lie should be disqualified. The term "oppression" is also troubling - how is this being defined? This is a subjective term and should be explained to voters.

The Bylaws are informed by Code and there is a section (IX A, Article 4, 2c) that states "in cases where the proposed question would break a contract, the intent to break the contract must be specifically stated and the penalty for breaking the contract must be included as part of the question." If the referendum does pass, there will undoubtedly be contracts that must be broken and products the AMS must cease to use and sell. SPHR hands out flyers calling for boycotts against MasterCard (which AMS outlets accept for payment), Intel (which is used in AMS computers), Caterpillar (which was used to build the Nest), Android, Motorola and Apple (whose devices are used by the AMS), among many others. Nowhere does this question explain that contracts will be broken or that certain companies will not be usable by the AMS (or list the companies). Nor does the question list the penalties the AMS will face when these contracts are broken and the impact boycotting these companies will have on AMS functions and businesses. The question at hand clearly does not adhere to Code, let alone the Bylaw. The question must explicitly state the consequences of adopting the resolution. Otherwise students cannot make an informed choice.

Lastly, what does "support" mean? Which companies "support War Crimes"? How does one determine that? Does a company with an office in Tel Aviv working on issues relating to Social Justice, pushing for societal change, constitute a company that supports "War Crimes"? According to the question being circulated, any company that has any sort of tie to Israel, should be boycotted, divested from, or sanctioned, which leads to an inexhaustible list of companies to target.

In conclusion, this question is simply too ambiguous and toxic to be left unchecked. I urge you to either terminate this referendum thereby preventing it from tearing our campus apart, or send it to student court for further examination.

My hope, and the hopes of those I am speaking for is that the AMS will help establish a campus that both fervently supports the Palestinian people and does not demonizes Jews, Israelis or others who believe that Israel has the right to exist.

Sincerely,

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