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MINNEAPOLIS JEWISH
FEDERATION
we build community

February 25, 2018

Dear ACEC Commissioners,

On behalf of Minnesota Hillel, the Center for Jewish Student Life on campus, we write to express our community's grave concerns regarding a referendum question that is in the process of being placed on the all-campus election ballot.

From our understanding, multiple registered student organizations are sponsoring this effort under the umbrella of "UMN Divest." At present, the referendum question reads: "Should the students of the University of Minnesota demand the Board of Regents divest from companies that are 1) complicit in Israeli violations of Palestinian human rights, 2) maintaining and establishing private prisons and immigrant detention centers, or 3) violating Indigenous sovereignty?"

As submitted, we believe the proposed referendum question is seriously deficient in terms of clarity, adequacy and appropriateness (See Chapter 3, point 3.03, letter "d" of the ACEC Election Rules, which states: "The COMMISSION reserves the right to reject a ballot or refuse a REFERENDUM due to inadequate, unclear, and/or inappropriate language").

The referendum proposal is inadequate, unclear, and inappropriate because it contains a leading question. The wording of the question includes arguments in favor of voting "yes," instead of presenting the issue to voters in a neutral manner.

- The question requires only slight modification to be read as a political argument in favor of voting "yes": "~~Should the~~ Students of the University of Minnesota **should** demand the Board of Regents divest from companies that are 1) complicit in Israeli violations of Palestinian human rights 2) maintain and establish private prisons and immigrant detention centers, or 3) violate indigenous sovereignty;"
- The wording of the question invariably leads students to assume that the University is in fact invested in companies complicit in alleged Israeli violations of Palestinian human rights. The explanatory paragraph provides no cited evidence, presenting solely the perspective of the writers;
- Even if one were to accept as fact that UMN is invested in such companies, the question would still be inadequate because it disregards other implications of divestment (i.e. student jobs and internships, scholarships, or University sponsorships);
- Additionally, it is [well documented](#) that [campaigns](#) like this one, which use inflammatory language and assumes facts that have not been proven [lead to hate speech](#) and [discrimination](#) against students, creating a hostile environment at numerous [campuses](#);
- **It is inadequate and inappropriate to include wording that would influence students to vote "yes," while excluding information that would influence them to vote "no."**

The referendum is inadequate and inappropriate because it contributes to the global Boycott, Divestment, and Sanctions (BDS) Movement. The co-founder of BDS, Omar Barghouti, [stated](#) the movement's purpose, which is to destroy the Jewish State of Israel. The State of Minnesota and many others consider this a form of discrimination. Contributing to BDS would create a hostile and discriminatory environment for many Jewish and Israeli students at the University of Minnesota. The ACEC should recall that: [UMN policy](#) prohibits discrimination and harassment on the basis of religion and national origin, among other protected characteristics.

It concerns our community that Israel, the only nation in the world where the majority of its citizens are Jewish, is the only nation named in this referendum for censure. In effect, this wording inappropriately asks the student body to accept conclusions regarding an incredibly complex conflict, thousands of miles away, without any opportunity for nuanced education or discussion.

Moreover, by targeting only one country in the world, this proposal implies that we are holding Israel to a different standard than any other nation. When the Jewish nation is targeted in this way, it inherently targets the Jewish people and the Jewish community on campus directly.

When individuals in our community reached out to ACEC with questions about the referendum process, as only minimal details were given on the website, the response was unhelpful and appeared to result in only a one sentence change on the website. We are extremely unsettled by the lack of transparency, accountability, and the responsiveness with regards to this proposed referendum and the overall referendum process.

Additionally, this issue of divestment from Israel is a controversial topic and was extensively debated previously on our campus in 2016. That debate resulted in an adopted Minnesota Student Association resolution calling for socially responsible investments with singling out any nation or people.

ACEC's referendum process appears to give zero opportunity for anyone who opposes the proposed referendum question to express their argument and have it meaningfully heard. In effect, this gives a solo microphone to one side of a contentious debate, one that was democratically resolved in 2016 in our student government. Allowing this referendum to be on the all-campus election has reignited a [targeted campaign](#) that, once again, singles out the Jewish state and marginalizes the Jewish community on campus.

Like other campus communities, our Jewish community reserves the right to define bigotry against us. As such, the ACEC should be aware that like the [United States State Department](#) under the leadership of President Barack Obama and Secretary of State Hillary Clinton, we define delegitimization, demonization and application of double standards towards Israel, the national homeland of the Jewish people, as bigotry towards our community. It is therefore unacceptable to place this inadequate, unclear, and/or inappropriate question on the ballot, especially with no opportunity for education or discussion with the student body.

We demand accountability and transparency in this process. Hillel supports the University's socially responsible investment policy, which is in the process of review and implementation. However, given the referendum's misleading, biased wording, and the opaque process of allowing such a controversial referendum to proceed just days before the election with zero public notice, ACEC should adhere to its commitment to "open, fair, and civil elections," and not allow this divisive and deceptive referendum on the ballot.

We ask for the opportunity to meet with ACEC to fully communicate our concerns and to learn what measures the ACEC intends to take to comply with its own election rules governing referendum questions. Given the short timeline of the referendum process and the lack of appropriate notice afforded to us that this hurtful and discriminatory question would be on the upcoming ballot, a prompt response is expected.

Finally, please know that a copy of this complaint has been distributed to the University's Bias Response and Referral Network, the Minnesota Daily, the Office of Equity and Diversity, and the Office of the President.

Sincerely,
Emma Dunn, Minnesota Hillel MSA Student Representative
Leore Levinstein, Minnesota Hillel Student President
Benjie Kaplan, Minnesota Hillel Executive Director
Sami Rahamim, Hillel International Board Member