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AGENCY DOCKET NO. C18-23

STEPHANIE SIEGEL,

Complainant.

v.

SAHAR AZIZ,

Respondent.

BEFORE THE

SCHOOL ETHICS COMMISSION

OF NEW JERSEY

AMENDED ETHICS COMPLAINT

Complainant hereby requests the School Ethics Commission to consider this Amended Complaint against the above-named respondent in accordance with the authority of the School Ethics Commission to entertain such complaints under N.J.S.A. 18A:12-21 *et seq.* This Amended Complaint replaces the Complaint submitted on February 6, 2023.

RELEVANT BACKGROUND INFORMATION

Introduction

The basis for this Complaint is the prohibition on board members' taking private action that compromises the Board,¹ and the School Ethics Commission's duty to treat board members verbally (or in writing) attacking Jews, people of Israeli nationality, and Zionists just as it has

¹ N.J.S.A. 18A:12-24.1(e).

treated board members attacking other minority groups, including Muslims.

In this tribunal's decision in *In the Matter of Daniel Leonard*, Toms River Regional Board of Education, Ocean County, OAL Docket No. EEC-01230-20, SEC Docket Nos. C-56-19 and C57-19 (Consolidated) (November 23, 2021),² the Commission assessed remarks made by a school board member who, on his own *private* Facebook page, criticized two Muslim members of Congress—Rashida Tlaib and Ilhan Omar and called them “terrorists.” The Commission found these statements violative of Section 18A:12-24.1(e), concluding that the school board member's conduct in making such comments

constitutes conduct that undermined the public's trust in the Board and compromised the Board's ability to engage with the public. As ALJ Pelios discussed, “Respondent's post had the potential to discourage members of the public, namely members of the Muslim community” to engage with the Board “given what may seem to be an apparent bias.”

In *Leonard*, a violation of the law was established by the mere “potential” that the post might “discourage members of the public, namely members of the Muslim community,” to be able to fully and freely “engage with the Board ‘given what *may* seem to be an *apparent* bias.’” *Id.* (*emphasis added*).

Under the standard adopted by this tribunal in *Leonard*, Westfield Board of Education vice president Sahar Aziz's numerous racist, anti-Israel, antisemitic and anti-Zionist statements described below are clear violations of New Jersey and Westfield law.

As the Obama Administration's Department of Education explained in 2010, discrimination against Jews constitutes ethnic discrimination when it is

based on the group's actual or perceived shared ancestry or ethnic characteristics, rather than solely on its members' religious practices. A school also has responsibilities under Title VI when its students are harassed based on their actual or perceived citizenship or residency in a country whose residents share a dominant

² Available at <https://www.nj.gov/education/legal/ethics/2021/docs/C56-19%20and%20C57-19.pdf>.

religion or a distinct religious identity.

Letter from Russlynn Ali, Assistant Secretary for Civil Rights, Office for Civil Rights, U.S. Dept. of Education (October 26, 2010).³

Aziz's public statements violated these proscriptions repeatedly and intentionally—her enemies are the Jewish State of Israel, *as a Jewish state and because it is a Jewish state*, and those Jewish people who hold a religious commitment to Zion. Over and over again, this board of education member has spoken publicly—*not* on her private Facebook page, but using her bully pulpit while a New Jersey education official—to attack the Jewish people, advancing vituperation utilizing Nazi terminology, invoking the Jewish commitment to Zion as proof that Jews believe themselves to be the “master race.” Her denunciation of the existence of the State of Israel as a “settler colonial state” is an explicit denial that the Jewish people have any connection to the land of Israel. As such it is a denial of Jewish religious belief; of Jewish ethnic identity; and of Israeli nationality. Discrimination against people on the basis of either their religious, ethnic or national identity is, separately, explicitly barred by federal law. Thus the Jewish students in Westfield are protected; and so are the Israeli, and Israeli-American, students who attend Westfield schools.

Aziz has used her public twitter account to attack the right of the Jewish people to self-determination in their historic homeland of Israel, and to discriminate explicitly against the officially Jewish state of Israel and therefore against Israelis and Israeli-Americans on the basis of their nationality. In addition, Aziz has used her position while serving in a public position as a New Jersey educational official to attack the widely-held Jewish religious commitment to Zion, and to the return of the Jewish people to their homeland, which is and has for thousands of years been a fundamental building block of Jewish identity, Jewish belief and Jewish practice.

³ Available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>.

Finally, respondent Aziz has publicly committed to having these views determine how she acts *as an educator* and in her role as school board member to assist in determining what goes on “in the classroom.”⁴ Aziz’s attacks on Israel, on Zionism, and claims that the Jews believe themselves to be the “master race” are not merely Aziz’s private political opinions; instead, Aziz has publicly announced that she intends to “center” these opinions in all of her work as an educator—including as an officer of the Westfield Board of Education.

Aziz’s repeated, intentional expression of overt hatred against people of Israeli nationality, the Jewish state, and Jewish belief “constitutes conduct that undermine[s] the public’s trust in the Board and compromise[s] the Board’s ability to engage with the public.” Far beyond the single, private, Facebook post at issue in *Leonard*, Aziz’s numerous public “post[s] ha[ve] the potential to discourage members of the public, namely members of the [Jewish] community” to engage with the Board “given what may seem to be an apparent bias.”

Board Members Must Avoid Showing Bias Against Community Members

This tribunal has been clear in stating that the right of school board members to speak publicly must be tempered by their obligation not to create even the risk, much less the reality, that the member will be perceived as biased against members of the community. The Commission’s decision in *In re Leonard* makes that duty clear, and enforces it even when the public statements are made by the school board member on the member’s own, private Facebook page, and even when the statements are not addressed to classes of people—such as Jews, Israelis or Zionists—but are restricted to statements about one or two individual people.

Thus the Commission has held that, although “board members do not surrender the rights that they have as citizens such as freedom of speech when they become members of a school

⁴ Available at <https://palestineandpraxis.weebly.com/>.

board,” some expressions of that freedom may clash with the duties and obligations incumbent upon school board members. *Leonard* holds it essential that a school board maintain public trust in its decisions.⁵ Where a board member’s speech jeopardizes that trust, sanctions are required and the sanctionable conduct must cease.

The actions set forth below demonstrate that respondent has openly hostile attitudes toward Israelis, Jews, and/or people who support the existence of the world’s only Jewish state, *i.e.*, Zionists. Both Israelis and non-Israeli Jews attend Westfield public schools. At best, the actions of board member Aziz give the appearance of bias against all these groups. At worst, they show respondent is in fact prejudiced against them. Any one of these biases is sufficient to compromise the Board, but they also reinforce each other.

Failure to Include a Disclaimer

Aside from the substantive content of Aziz’s media posts and other public statements violating her board obligations, her “failure to include a disclaimer can lead to the belief that the statements made by a school official, even if attempted to be made in their personal/private capacity, can be viewed as those of the Board” and thus give rise to a separate basis for finding an ethics violation. *In the Matter of Christopher T. Treston*, Randolph Township Board of Education, Morris County, OAL Docket No. EEC-09014-19, SEC Docket No. C71-18, slip op. at 8 (April 27, 2021) (*citing Highlands Borough Board of Education*, Monmouth County, Commission Docket No. C64-18 (C64-18)).⁶

Westfield School District counsel Derlys Gutierrez publicly advised the Board (including

⁵ New Jersey School Boards Association, *Social Media Posts Are Not Necessarily Protected by First Amendment*, SCHOOL BOARD NOTES, Vol. XLII No. 38 (April 30, 2019), available at <https://www.njsba.org/news-publications/school-board-notes/april-30-2019-vol-xlii-no-38/social-media-posts-are-not-necessarily-protected-by-first-amendment/>.

⁶ Available at <https://www.nj.gov/education/legal/ethics/2021/docs/C71-18%20.pdf>.

respondent, who was present at the meeting) that, if a board member were to publish an opinion statement, including a statement of political opinion, the board member should include a disclaimer⁷ explaining that the statement was only their own personal opinion and does not represent the position of the School District or Board. Moreover, Gutierrez advised that the disclaimer must be on every single post. *See Ethics Presentation by Westfield Board counsel Derlys Gutierrez, Westfield Board of Education meeting, Westfield, New Jersey Public Schools (January 18, 2022).*⁸ Gutierrez further cautioned board members, “just because you put in a disclaimer, doesn’t mean that you can go in and say whatever you want.” Respondent’s offensive social media posts lacked disclaimers.

Antisemitism Is a Serious Problem in Westfield Schools

Aziz’s actions are not occurring in a vacuum. In recent years, there has been a spike in anti-Jewish incidents in Westfield schools,⁹ and in New Jersey generally.¹⁰ Furthermore, hostility

⁷ The disclaimer language Gutierrez recommended was: “The following statements are made in my capacity as a private citizen and not in my capacity as a board member. These statements are also not representative of the board or its individual members, and solely represent my own personal opinions.”

⁸ Available at https://www.youtube.com/watch?v=31PqQYX4_EY&t=2870s.

⁹ Matt Kadosh, *Hate in Westfield — A Timeline of Incidents, Response in Recent Years*, TAPintoWestfield (December 17, 2021), available at <https://www.tapinto.net/towns/westfield/sections/police-and-fire/articles/hate-in-westfield-a-timeline-of-incidents-response-in-recent-years>; Samantha Mercado, *Westfield Officials Investigate Several Hate Incidents At WHS: Swastikas and a racial slur were found carved into a bathroom stall at Westfield High School*, PATCH (December 10, 2021), available at <https://patch.com/new-jersey/westfield/westfield-officials-investigate-several-hate-incidents-whs>.

¹⁰ NJ Spotlight News, *Antisemitic incidents at all-time high in NJ in 2021, ADL reports*, WHYY PBS (April 28, 2022), available at <https://www.pbs.org/wnet/exploring-hate/2022/04/28/antisemitic-incidents-at-all-time-high-in-nj-in-2021-adl-reports/>; NJ Spotlight News, *‘Crisis of antisemitism’ is focus of House committee hearing held in NJ*, WHYY PBS (October 4, 2022), available at <https://www.pbs.org/wnet/exploring-hate/2022/10/04/antisemitism-is-focus-of-house-committee-hearing-in-nj/>. Some of the more prominent incidents during the past twelve months include: a Molotov cocktail was thrown at Temple Ner Tamid in Bloomington in late January 2023; an eighteen-year old Sayreville high school student threatened to attack synagogues in November 2022; and carjacking/stabbing attacks on Jews in Lakewood in April 2022. *See* NJ Spotlight News, *Molotov Cocktail Thrown at New Jersey Synagogue*, WHYY PBS (January 30, 2023), available at <https://www.pbs.org/wnet/exploring-hate/2023/01/30/molotov-cocktail-thrown-at-synagogue-in-bloomfield/>; Press Release, *Middlesex County Man Charged with Communicating Threat to Attack Synagogue*, U.S. DEPARTMENT OF JUSTICE - DNJ (Nov 10, 2022), available at <https://www.justice.gov/usao-nj/pr/middlesex-county-man-charged-communicating-threat-attack-synagogue>; NJ Spotlight News, *Lakewood’s Jewish community traumatized by Friday attacks*, WHYY PBS (April 12, 2022), available at <https://www.pbs.org/wnet/exploring-hate/2022/04/12/lakewoods-jewish-community-traumatized-by-friday-attacks/>.

against Israel has been shown to correlate to antisemitic violence and to non-violent incidents targeting Jews. For example, in a 2019 report, *The Harassment of Jewish Students on U.S. Campuses: How Eliminationist Anti-Zionism and Academic BDS Incite Campus Antisemitism*, AMCHA Initiative documented that university faculty hostility against Israel fuels bias incidents targeting Jews on the college campus.¹¹ Hate crimes targeting Jews in the United States spiked dramatically during Israel's 2021 military actions to protect its civilians from attacks by the Hamas terror¹² organization.¹³

The open anti-Israel advocacy and hostility of Westfield's Board vice president may be expected to fuel bias incidents against Jews in the Westfield schools.

Westfield Has Adopted the IHRA Working Definition of Antisemitism

On September 14, 2021, the Town Council of the Town of Westfield adopted the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism.¹⁴

¹¹ Press Release, *NEW REPORT: Anti-Israel Anti-Semitism Exceeds Classic Anti-Semitism on Campus, 70% Spike*, AMCHA INITIATIVE (September 17, 2019), available at <https://amchainitiative.org/new-report-eliminationist-anti-zionism-9-17-19pr/>; *The Harassment of Jewish Students on U.S. Campuses: How Eliminationist Anti-Zionism and Academic BDS Incite Campus Antisemitism*, AMCHA INITIATIVE (September 2019), available at <https://amchainitiative.org/wp-content/uploads/2019/09/Eliminationist-Anti-Zionism-and-Academic-BDS-on-Campus-Report.pdf>; Press Release, *New Study: Faculty-Driven BDS is Fueling Campus Antisemitism*, AMCHA INITIATIVE (March 16, 2022), available at <https://amchainitiative.org/faculty-bds-driving-antisemitism-3-16-22pr/>; *Faculty Academic Boycotters: Ground Zero for Campus Antisemitism*, AMCHA INITIATIVE (March 2022), available at <https://amchainitiative.org/wp-content/uploads/2022/03/Faculty-Academic-Boycotters-Antisemitism-Report.pdf>.

¹² The United States has recognized Hamas as a terror organization since October 8, 1997. List of *Designated Foreign Terrorist Organizations*, U.S. DEPARTMENT OF STATE, available at <https://www.state.gov/foreign-terrorist-organizations/>.

¹³ U.S. Commission on Civil Rights, *The U.S. Commission on Civil Rights Expresses Concern Over Spike in Anti-Semitism in the United States Surrounding the Outbreak of Violence Between Israel and Hamas in May 2021*, July 23, 2021, available at <https://www.usccr.gov/files/2021/07-23-Anti-Semitism-Statement-2021.pdf>; Emily Shapiro, *Antisemitism surged across US during Gaza conflict, part of multi-year rise: Advocates antisemitic incidents more than doubled during the Hamas conflict*, ABC NEWS (June 10, 2021), available at <https://abcnews.go.com/US/antisemitism-surged-us-gaza-conflict-part-multi-year/story?id=78092408>; Hayley Smith, Richard Winton, Lila Seidman, *L.A. sushi restaurant attack is being investigated as an antisemitic hate crime*, LOS ANGELES TIMES (May 19, 2021), available at <https://www.latimes.com/california/story/2021-05-19/l-a-sushi-restaurant-attack-is-being-investigated-as-an-antisemitic-hate-crime>.

¹⁴ A Resolution Recognizing the Growing Problem of Antisemitism in America and Calling for the Adoption of Educational Tools to Address It, Town of Westfield, New Jersey (September 14, 2021), available at www.westfieldnj.gov/AgendaCenter/ViewFile/Agenda/_09142021-547#page=36.

That definition, which has also been adopted by the U.S. State Department¹⁵ and many other governments, recognizes that today hatred of Jews is often expressed as hatred of the world's sole Jewish state, *i.e.*, the state of Israel.¹⁶ IHRA definition examples of antisemitic statements include:

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions...
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.

¹⁵ *Defining Antisemitism*, U.S. DEPARTMENT OF STATE website (“The Department of State has used a working definition, along with examples, of antisemitism since 2010. On May 26, 2016, the 31 member states of the International Holocaust Remembrance Alliance (IHRA), of which the United States is a member, adopted a non-legally binding “working definition” of antisemitism at its plenary in Bucharest. This definition is consistent with and builds upon the information contained in the 2010 State Department definition. As a member of IHRA, the United States now uses this working definition and has encouraged other governments and international organizations to use it as well.”), available at <https://www.state.gov/defining-antisemitism/>; Statement by Ned Price, Department Spokesperson, *The International Holocaust Remembrance Alliance Working Definition of Antisemitism*, U.S. DEPARTMENT OF STATE (November 4, 2022) (“The United States unequivocally condemns antisemitism and views the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism as integral to the fight to eliminate this scourge. It is widely accepted and used throughout the world by governments, international organizations, religious and sports entities, and other civil society organizations, which sends a powerful message of solidarity against antisemitism.”), available at <https://www.state.gov/the-international-holocaust-remembrance-alliance-working-definition-of-antisemitism/>.

¹⁶ This is not the first time Jew-hatred has been “modernized”. For example, the sort of race-hatred espoused by the Nazis began in the late nineteenth century, popularized by Wilhelm Marr. Gervase Phillips, *Antisemitism: how the origins of history's oldest hatred still hold sway today*, THE CONVERSATION (February 27, 2018), available at <https://theconversation.com/antisemitism-how-the-origins-of-historys-oldest-hatred-still-hold-sway-today-87878>; *Wilhelm Marr (1819-1904)* profile, JEWISH VIRTUAL LIBRARY, available at <https://www.jewishvirtuallibrary.org/wilhelm-marr>. For nearly two thousand years before that, hatred of Jews was primarily expressed as religious hatred.

- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

Westfield's adoption of the IHRA definition clarifies that anti-"Israel" and anti-"Zionist" messages of the type respondent sent and promoted are correctly understood as expressions of Jew-hatred. It also clarifies that the Westfield community repudiates this type of messaging, which therefore should be understood as compromising the Board within the meaning of N.J.S.A. 18A:12-24.1(e).

At an absolute minimum, Aziz's expressions of hostility have discouraged or are likely to discourage members of the public, especially Israeli nationals, Jews, and Zionists, to engage with the Board given the apparent or actual bias of the Board's own vice president. This conduct is likely to cause members of the Board to lose the confidence and respect of the people, and create the impression that their trust has been violated. Respondent's actions as described below constitute private action that has the potential to compromise the Board and, therefore, violate N.J.S.A. 18A:12-24.1(e).

The facts upon which this Amended Complaint is based are as follows:

Claim #1

Statement of facts: Respondent Sahar Aziz, Vice President of the Westfield Board of Education, signed a document called *Palestine & Praxis: Scholars for Palestinian Freedom*.¹⁷ The document is undated, as is Aziz's signature on it. The opening paragraph of this document describes the Jewish state as if it has no connection to the land of Israel, and then announces that **"[Israel's] policies constitute apartheid, bolstered by a brute force that enshrines territorial theft and the racial supremacy of Jewish-Zionist nationals."**

¹⁷ Available at <https://palestineandpraxis.weebly.com>.

In the document, Aziz and other signers commit themselves to anti-Israel activism *in the classroom*. In particular, the letter states:

- In the classroom and on campus, we commit to
 - Pressuring our academic institutions and organizations to respect the Palestinian call for Boycott, Divestment and Sanctions of Israel by instating measures that remove complicity and partnership with military, academic, and legal institutions involved in entrenching Israel’s policies.
 - Supporting student activism on campus, including, but not limited to sponsoring joint events and holding our universities’ accountable for violations of academic freedom.
 - Highlighting Palestinian scholarship on Palestine in syllabi, our writing, and through invitation of Palestinian scholars and community members to speak at departmental and university events.
 - Extending the above approach to any and all indigenous scholars within the university, and any Indigenous communities within the vicinity.
 - Centering Indigenous analyses in teaching and drawing links to intersectional oppression and transnational liberation movements.

Date of occurrence: Document is undated. Complainant learned of it on or about March 6, 2023. Given that the document remains posted online, and that pursuant to its terms signers commit to taking action at the time of signing and to continue doing so, it constitutes an ongoing violation.

Complainant asserts this to be a violation of: N.J.S.A. 18A:12-24.1(e), for the following reason(s): Respondent’s action fits squarely within the IHRA definition of antisemitism in signing a document claiming Israel is a racist (*i.e.*, “apartheid”) endeavor, rejecting its legitimacy (by dismissing it as a “settler colonial state”), requiring behavior of it not expected or demanded of any other democratic nation (by repeatedly characterizing Israel as militarily aggressive while completely ignoring the violence–terror attacks including rocket attacks on civilians–to which Israeli actions were responding), and comparing Israeli policy to that of Nazis (by characterizing it as “racial supremac[ist]”).

The document, which Aziz signed, glibly accuses Israeli nationals, Jews, and Zionists of being racial supremacists practicing apartheid, characterizes the State of Israel as militarily aggressive because it insists on defending its right to exist, while completely ignoring all of the violence to which Israeli actions respond. This is a “mendacious, dehumanizing, demonizing” mischaracterization of the type IHRA defines as antisemitic. All of these claims are among those Aziz “commits” will animate her work as a member and officer of the Westfield School Board.

Respondent’s commitment to “Praxis”, including pushing anti-Israel BDS ideology in the classroom, is especially compromising to the Board. By signing this document, Aziz publicly announced that, given her role as having responsibility for what transpires “In the classroom” at Westfield, she “commit[s]” herself to, among other things, “pressuring” the Westfield school district as well as the New Jersey university which employs her to amplify the “Palestinian call for Boycott, Divestment and Sanctions of Israel by instating measures that remove complicity and partnership with military, academic, and legal institutions involved in entrenching Israel’s policies.”

The State of New Jersey frowns on the anti-Israel boycott movement.¹⁸ It has passed legislation barring state pension funds and annuities from investing with companies boycotting Israel. This is further evidence of the disconnect between respondent’s prejudice and the community’s values.

Respondent’s action in signing the document demonstrates hatred and prejudice against

¹⁸ *Act concerning the investment of State pension and annuity funds in companies that boycott Israel or Israeli businesses and supplementing P.L.1950 (S-1923)*, signed into law August 16, 2016, available at <https://legiscan.com/NJ/text/S1923/id/1428962>. See also *Christie signs NJ bill prohibiting state’s investment in pro-BDS companies*, JTA (August 16, 2016), available at <https://www.jta.org/2016/08/16/politics/christie-signs-nj-bill-prohibiting-states-investment-in-pro-bds-companies>; Lisa Fickenscher, *NJ yanks Unilever investments over Ben & Jerry’s Israel flap*, NEW YORK POST (September 17, 2021), available at <https://nypost.com/2021/09/17/nj-yanks-unilever-investments-over-ben-jerrys-israel-flap/>.

Israelis, Jews, and people supportive of the existence of the Jewish state (*i.e.*, Zionists). It is also likely to undermine public confidence in the Board’s ability and perhaps even its desire to stop anti-Jewish attacks; and thus to cause members of the Board to lose the confidence and respect of the people, and create the impression that their trust has been violated.

Claim #2

Statement of facts: Aziz used her professional twitter account—@saharazizlaw—to retweet—without any disclaimer of her connection to the School Board¹⁹—a social media post using Nazi ideology to express hatred of Israelis and Jews. Specifically, on March 15, 2023, Aziz retweeted a post by Gudrun Assmann. It states:

Israeli protesters take to streets to safeguard master-race democracy
“The protesters seek to beautify an Israel that has always been nothing more than a predatory settler-colony that grants racial privileges to Jewish colonists”
Joseph Massad

Retweet from account of Sahar Aziz (@saharazizlaw), sent March 14, 2023.²⁰ A .png of the retweeted post is inserted below:

¹⁹The Westfield School District’s Board of Directors has been directed by its counsel that, if they publish any kind of statement of political opinion, they must include a disclaimer stating that the statement represents only the personal opinion of the Board member and does not represent the position of the School District or the Board. *See infra*, discussion regarding Ethics Presentation by Westfield Board counsel Derlys Gutierrez, Westfield Board of Education meeting, Westfield, New Jersey Public Schools (January 18, 2022), available at https://www.youtube.com/watch?v=31PqQYX4_EY&t=2870s.

²⁰ Available at <https://twitter.com/saharazizlaw/status/1635901261710073863>, archived at <https://web.archive.org/web/20230315175542/https://twitter.com/saharazizlaw/status/1635901261710073863>.

← Tweet

Sahar Aziz Retweeted



Israeli protesters take to streets to safeguard master-race democracy
"The protesters seek to beautify an Israel that has always been nothing more than a predatory settler-colony that grants racial privileges to Jewish colonists"
Joseph Massad



middleeasteye.net
Israeli protesters take to streets to safeguard master-race democracy
The very rights these protesters fear losing are based on the oppression of Palestinians, exposing this movement as one that seeks to preserve racial ...

6:16 PM · Mar 14, 2023 · 146 Views

1 Retweet 1 Like

Date of occurrence: March 15, 2023.

Complainant asserts this to be a violation of: N.J.S.A. 18A:12-24.1(e), for the following reason(s):

The Assmann post retweeted by respondent falls squarely within the IHRA definition of antisemitism in characterizing Israel as a “master-race” democracy, in complaining Israel gives Jews “racial privileges,” in claiming Israel is nothing more than a predatory colony and in referring to Jews as settler-colonists whose state is illegitimate. It demonstrates hatred and prejudice against Israelis and Jews. The concept of a “master race” was advanced by the German Nazi party, and constitutes the claim that one race is intrinsically superior to all others. “According to the Nazis, Aryans were at the top of the racial hierarchy. This is why the Nazis referred to German Aryans

as the “master race.”²¹ Attributing to the Jewish people and the citizens of Israel the belief that “Jewish colonists” are a “master race” is blatantly antisemitic. It is additionally insulting in that it attributes to the Jewish people the crude and genocidal racism of the very movement that, in reliance on exactly this concept, attempted to wipe out the entire Jewish population of the world. Furthermore, it is conduct that is likely to cause members of the Board to lose the confidence and respect of the people, and create the impression that their trust has been violated.

Claim #3

Statement of facts: Aziz resent a social media post—without the required disclaimer of connection to the School Board—expressing hostility if not outright hatred of Israelis and “Zionists.” Specifically, on November 30, 2022, Aziz retweeted a post by Marwa Fatafta.²² It states:

Today, @alhaq_org and a coalition of Palestinian human rights organizations are launching a new landmark report that reclaims the current discourse on Israeli apartheid and examines its reality and origin as an integral part of Israel’s settler-colonial regime.

The Fatafta tweet was itself a retweet of a November 29, 2022, tweet by Rania Muhareb, which states:

Israeli #apartheid is a tool of Zionist settler #colonialism. What does this mean & what are the origins, logic & institutions of Israeli oppression of the Palestinian people as a whole? All of this & more are discussed in our new report for @alhaq_org <https://alhaq.org/advocacy/20931.html> 1/

A .png of the retweeted post is inserted below:

²¹ *Holocaust Encyclopedia*, “Nazi Racism” entry, UNITED STATES HOLOCAUST MEMORIAL MUSEUM, available at <https://encyclopedia.ushmm.org/content/en/article/nazi-racism>.

²² Retweet from account of Sahar Aziz (@saharazizlaw), sent November 30, 2022, <https://twitter.com/saharazizlaw/status/1598503611260375040>, archived at <https://web.archive.org/web/20230310183208/https://twitter.com/saharazizlaw/status/1598503611260375040>.



Date of occurrence: November 30, 2022.

Complainant asserts this to be a violation of: N.J.S.A. 18A:12-24.1(e), for the following reason(s):

The characterizations in the Fatafta post retweeted by respondent as “Israeli #apartheid” and “Israel’s settler-colonial regime” fit the IHRA definition of “Denying the Jewish people their

right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.” This is also true for the Muhareb tweet, which Fatafta’s tweet was retweeting. Muhareb’s tweet dismissed Israel as “Israeli apartheid” and “Zionist settler #colonialism.”

Furthermore, the November 29 date of the Muharab tweet is a date heavy with symbolism. On that date in 1947, the United Nations voted to partition Palestine into a Jewish and an Arab state. The Palestinian Jews accepted and declared a state roughly six months later; Palestinian Arabs rejected and attacked the new Jewish state, attempting to destroy it and to murder all its Jewish citizens.²³ The date adds additional subtext of opposition to Israel’s very existence, and so demonstrates hatred and prejudice against Israelis, Zionists, and Jews. Furthermore, it is conduct that is likely to cause members of the Board to lose the confidence and respect of the people, and create the impression that their trust has been violated.

Claim #4

Statement of facts: Aziz sent a social media post—without the required disclaimer of connection to the School Board—expressing hostility toward if not outright hatred of Zionists. Specifically, on February 27, 2023, Aziz posted:²⁴

Vilifying #Arab and/or #Muslim women has become the new strategy of #Zionist groups. #Islamophobia and #Orientalism is pervasive. For more, read The #RacialMuslim @BernieSanders @AOC @IlhanMN @RepRashida Quote Tweet

Respondent’s tweet attaches a tweet by Center for Security, Race and Rights, for which Aziz serves as director.²⁵ A .png of the retweeted post is inserted below:

²³ *United Nations Partition Plan 1947 (UN Resolution 181)*, ADL (May 3, 2022), <https://www.adl.org/resources/action-guide/united-nations-partition-plan-1947-un-resolution-181>. Thus, the date of the tweet retweeted by Aziz further underscores Aziz’s hatred for Israel’s very existence.

²⁴ Tweet from account of Sahar Aziz (@saharazizlaw), sent February 27, 2023, 7:56 a.m., <https://twitter.com/saharazizlaw/status/1630190215632396291>, archived at <https://web.archive.org/web/20230315204952/https://twitter.com/saharazizlaw/status/1630190215632396291>.

²⁵ Center for Security, Race and Rights, <https://csrr.rutgers.edu/about/staff/>, archived at



Date of occurrence: February 27, 2023.

Complainant asserts this to be a violation of: N.J.S.A. 18A:12-24.1(e), for the following reason(s): Respondent's February 27, 2023, tweet accusing "#Zionist groups" of "#Islamophobia" for "Vilifying #Arab and/or #Muslim women" expresses prejudice and contempt against people who support the Jewish state, groups well-represented in the Westfield public schools. Furthermore, it is conduct that is likely to cause members of the Board to lose the confidence and respect of the people, and create the impression that their trust has been violated.

Claim #5

Statement of facts: Aziz posted on social media in support of a woman who has openly expressed hatred of Jews, Israelis, and people supportive of Israel's existence—again, without the required disclaimer. Specifically, on August 23, 2022, Aziz posted on Twitter in support of one Natalie Abulhawa, who has openly expressed hatred against Jews and Israelis.²⁶ For example:

- a. On May 20, 2013, Abulhawa tweeted: "'Why were you in the kiln?' -Ella 'Because I'm a jew -Sammy.'"²⁷

<https://web.archive.org/web/20221126125205/https://csrr.rutgers.edu/about/staff/>.

²⁶ Tweet from account of Sahar Aziz (@saharazizlaw), sent August 23, 2022 at 7:00 p.m.,

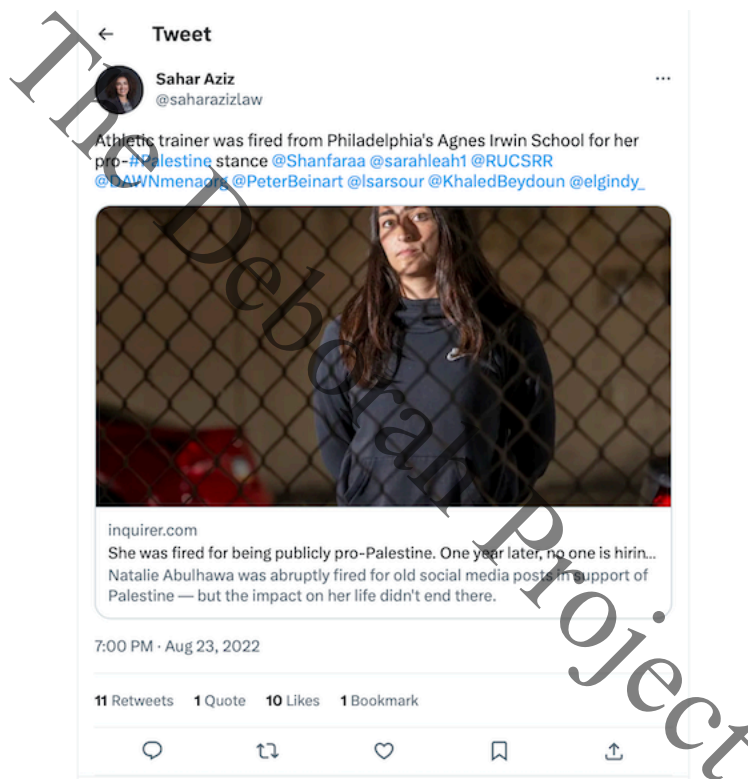
<https://twitter.com/saharazizlaw/status/1562213200963457024>, archived at

<https://web.archive.org/web/20220823230327/https://twitter.com/saharazizlaw/status/1562213200963457024>.

²⁷ Natalie Abulhawa entry, Canary Mission website,

- b. On August 5, 2016, Abulhawa tweeted: “F**k each and every single Zionist on this planet. I hope they rot in f**king hell. F**king c**ts.”²⁸
- c. On November 19, 2016, Abulhawa tweeted: “Israeli: Welcome to Israel Me: Israel isn’t real, this is Palestine, Me to me: now spit in his face.”²⁹

Aziz’s post whitewashed Abulhawa’s history of expressing hatred against Jews, Israelis, and Zionists, by mischaracterizing her as having been fired simply “for her pro-#Palestine stance.” A .png of the retweeted post is inserted below:



Date of occurrence: August 23, 2022.

https://canarymission.org/individual/Natalie_Abulhawa#lg=1&slide=0.

²⁸ Natalie Abulhawa entry, Canary Mission website,

https://canarymission.org/individual/Natalie_Abulhawa#lg=1&slide=0. The referenced tweet (<https://twitter.com/natitties/status/761678390290251776>) has been deleted from Abulhawa’s account, but is reprinted on the Canary Mission website.

²⁹ Natalie Abulhawa entry, Canary Mission website,

https://canarymission.org/individual/Natalie_Abulhawa#lg=1&slide=0. The referenced tweet (<https://twitter.com/natitties/status/800099840931733504>) has been deleted from Abulhawa’s account.

Complainant asserts this to be a violation of: N.J.S.A. 18A:12-24.1(e), for the following reasons: Respondent's tweet supporting and whitewashing Abulhawa, who has openly expressed hatred against Israel/Israelis and Zionists, as well as Jews, reflects poorly on the Board. Abulhawa's tweets about Israel/Israelis and Zionists are not only hateful toward those groups; they fit the IHRA definition of antisemitism. Aziz's tweet mischaracterizing Abulhawa as simply "pro-#Palestine" and ignoring her hatred toward Jews, Israelis, and Zionists is dishonest and undermines confidence in the Board by Jewish, Israeli, or "Zionist" families in the school district; or by anyone who values honesty, impartiality, historical accuracy and fairness in a board vice-president.

WHEREFORE, on behalf of complainant, the undersigned request that the School Ethics Commission find and determine that the above-named respondent has violated the School Ethics Act and that she be subject to such penalty as provided by the Act.

I hereby certify that copies of this Amended Complaint have been served upon counsel for the respondent in the above-captioned matter, as follows:

Matthew J. Giacobbe, Esquire, Partner
Cleary Giacobbe Alfieri Jacobs, LLC
169 Ramapo Valley Road
Upper Level 105
Oakland, New Jersey 07436
mggiacobbe@cgalaw.com
By email

THE DEBORAH PROJECT

BY: /s/ Johanna E. Markind
Lori Lowenthal Marcus
Jerome M. Marcus
Johanna E. Markind
Attorneys for Complainant

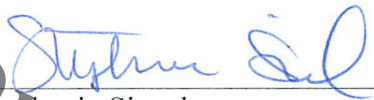
Dated: March 30, 2023

CERTIFICATION UNDER OATH

Stephanie Siegel, of full age, being duly sworn upon his or her oath according to law deposes and says:

1. I am the complainant in this matter.
2. I have read the Amended Complaint and aver that the facts contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint. N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the Amended Complaint is frivolous, I shall have 20 days from receipt of the answer to respond to the allegation.
3. The subject matter of this Amended Complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

I declare under penalty of perjury that the foregoing is true and correct.



Stephanie Siegel

Dated: March 29, 2023

The Deborah Project