

TESTIMONY OF BRENDAN MCQUADE

Ought Not to Pass—LD 1351 An Act to Require Antisemitism to Be Considered as Motivation When Determining a Violation of a Criminal or Civil Law

Submitted to the Judiciary Committee
April 7, 2025

Senator Carney, Representative Kuhn, and members of the Judiciary Committee,
Thank you for the opportunity to share public comment today.

My name is Brendan McQuade. I am an associate professor and chair of the sociology and criminology departments at the University of Southern Maine. I do not speak on behalf of my institution, but I do speak from my position as an educator committed to secular humanism, the values embedded in liberal arts education.

I submit this testimony in unequivocal opposition to LD 1351.

This bill, which proposes to adopt the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism as part of state law, is a dangerous step in the wrong direction. It is not simply about condemning antisemitism—something every person of conscience should do—it is about expanding the definition of antisemitism in a way that equates criticism of the state of Israel with hatred of Jewish people. This bill would suppress protected speech and dissent at precisely the moment when we need more debate, more transparency, and more courage in public life—not less.

In my June 2024 *Portland Press Herald* op-ed, I described a direct action I participated in to disrupt the operations of a General Dynamics factory in Saco that produces bombs that are being dropped in Gaza—on hospitals, refugee camps, homes and schools. The values that motivated those actions were the same that are implicit in my work as an educator at a liberal arts university. As I wrote in the op-ed:

There is a value orientation to liberal arts education. It's secular humanism: a belief in reason and science, a search for truth, a concern for material life, a commitment to justice and fairness, and belief that a better world is possible. While some equivocate – “it's complicated” – the matter seems quite clear to me: It's time to put our bodies on the line to resist the normalization of mass death.

I stand by those words today. As we speak, a genocide is *still* unfolding in real time, with U.S.-made bombs raining destruction and death on defenseless people of Gaza. And yet, in the face of this brutality, it is those who dare to speak up who are being accused of hate.

Let us be clear: to oppose apartheid is not antisemitic. To demand an end to occupation is not antisemitic. To protest ethnic cleansing and to call for Palestinian freedom is not antisemitic.

What this bill threatens to do is enshrine into Maine law a definition that has been used across the country and around the world to silence criticism, shut down public debate, and punish those who stand in solidarity with the Palestinian people. It has been used to discipline students, fire professors, censor journalists, and blacklist artists. If this bill passes, it will give state sanction to that very same project of repression here in Maine. And let's not pretend this is about protecting Jewish people. Many Jews—my colleagues, my students, my comrades in the streets—oppose the IHRA definition precisely because it puts Jews in more danger by eroding the distinction between a people and a state, and using Jewish identity as a shield for violence.

Adopting this definition would not make Maine safer. It would make Maine less free. I teach my students that academic freedom, press freedom, and the right to protest are not abstract ideals—they are the air democracy breathes. I teach them to speak truth to power, to follow evidence wherever it leads, and to name injustice when they see it. LD 1351 threatens that work. It creates a chilling effect on classrooms, on campuses, in the press, and in the public square. It would cast a shadow over everyone who dares to ask uncomfortable questions about U.S. foreign policy, about state violence, or about what real justice demands.

This is not about civility. This is about power.

This bill is part of a broader effort to shut down the growing movement—here in Maine and across the country—demanding freedom for Palestinians and accountability for Israel. This is an effort to isolate, demoralize, and marginalize that movement by mislabeling it as hate. The IHRA definition has already been rejected by hundreds of civil rights organizations, Jewish advocacy groups, and scholars of antisemitism. Even its original drafter, Ken Stern, has warned against its misuse, stating it is a “blunt instrument to label anyone an antisemite.” So why are we considering making it law in Maine?

Instead of passing LD 1351, I urge this committee to reject this bill and, if it is truly committed to fighting antisemitism, adopt the Jerusalem Declaration on Antisemitism—a rigorous and principled alternative that affirms the fight against antisemitism without trampling on the right to critique states and movements.

There are real and rising threats to democracy and human dignity. But they are not coming from students chanting for a free Palestine. They are coming from those who would silence them.

I urge you: do not bring that silencing into Maine law. Vote no on LD 1351.

Sincerely,
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Portland Press Herald

<https://www.pressherald.com/2024/06/10/opinion-there-should-be-no-equivocating-over-gaza>

Opinion: There should be no equivocating over Gaza

To resist the normalization of mass death, it's time to put our bodies on the line.

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Brendan McQuade

Special to the Press Herald



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In 1964, the arrest of a student who set up an informational table about the Congress of Racial Equality at the University of California, Berkeley, led to the free speech movement, the first mass civil disobedience on college campuses in the 1960s. This moment resonates with today's campus protests against the ongoing genocide in Gaza. Both movements were, among other things, defenses of academic freedom, free speech and assembly, including disruptive protest or direct action.

One of most enduring memories from the free speech movement was Mario Savio's impassioned call for civil disobedience: "There's a time when the operation of the machine becomes so odious, makes you so sick at heart that you can't take part. You can't even passively take part. And you've got to put your bodies upon the gears and upon the wheels, upon the levers, upon all the apparatus, and you've got to make it stop. And you've got to indicate to the people who run it, to the people who own it, that unless you're free, the machine will be prevented from working at all."

ABOUT THE AUTHOR

Brendan McQuade is an associate professor in the

criminology department at the University of Southern Maine and author of "Pacifying the Homeland."

These words have been ringing in my ears for months. They were on mind last week when I locked myself to the makeshift barricades that organizers with ongoing "Stop Arming Genocide" campaign constructed to block entrance to General Dynamics Weapon Systems in Saco. This weapons factory is an odious machine. In 2023, it received a \$16 million contract to make guidance system for the 500-pound MK82 bombs. The Young School, a public elementary school, sits across the street from this death factory.

We picked this site for its obvious symbolism. American children safely attend school beside a weapons factory facilitating genocide. The Israeli invasion of Gaza has killed at least 36,550 people, including more than 15,000 children. The Israel Defense Forces have dropped 5,000 MK82 bombs on Gaza since October 2023 as part of one of the most destructive bombing campaigns in human history.

In part, it feels like a professional obligation. I am the chair of the University of Southern Maine's criminology department, which has a unique critical and international focus. The ongoing genocide in Gaza is a war crime broadcast in real time. While I protested as a private citizen and not a representative of my employer, I am nonetheless moved by the same intellectual and ethical commitments that led me to devote my life to teaching and research. There is a value orientation to liberal arts education. It's secular humanism: a belief in reason and science, a search for truth, a concern for material life, a commitment to justice and fairness, and belief that a better world is possible. While some equivocate – "it's complicated" – the matter seems quite clear to me: It's time to put our bodies on the line to resist the normalization of mass death.


The Gaza genocide is a dark portent of future crimes against humanity. The Institute for Economics and Peace estimates that there could be 1.2 billion climate refugees by midcentury. This could unleash unspeakable violence. In the absence of "de-growth" or even a "green new deal," border security is the U.S. and EU's most coherent policy

response to climate change. If the Gaza genocide proceeds, what precedent will it set?

Here, my reasoning becomes quite personal. What world will my sons will inherit? What does it mean to be human if genocide is socially possible? Will brutality and desolation harden my sons' hearts – and those of their peers? I think about the new Mainers in my life – my children's classmates and my students at USM, many of whom share a refugee experience in common with Palestinians. Solidarity with Gaza feels visceral and immediate.

I'm sick at heart but not numb.

We didn't shut down the factory. The police escorted workers around our blockade. We did prevent deliveries, disrupted the workday and got media coverage. Most importantly, we challenged ourselves – and everyone – to stop the death machine and defend our humanity.

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