

2021 YEAR IN REVIEW

PALESTINIAN UPRISING GENERATES RECORD SOLIDARITY — AND FIERCE BACKLASH

PALESTINE
LEGAL



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EXECUTIVE SUMMARY

As Israel escalated its violence against Palestinians in 2021, people across the United States responded by taking to the streets, making statements on social media, signing petitions, organizing events and academic discussions at high schools and universities, organizing boycott campaigns, and sharing their Palestinian identity and pride. As people rose up in solidarity with Palestinians, Palestine Legal witnessed an intensification of repression strategies by Israel and its allies in the United States as they attempted to thwart a shift in public opinion in favor of Palestinian rights.

Palestine Legal responded to 280 incidents of suppression of U.S.-based Palestine advocacy in 2021. This represents a 31 percent increase of incidents responded to from 2020, and a 13 percent increase from pre-pandemic numbers in 2019. Additionally, we responded to 67 legal questions from activists who were concerned their rights were threatened.

In eight years, from January 1, 2014, through December 31, 2021, Palestine Legal responded to a total of 1,987 incidents. This data reflects only what was reported directly to Palestine Legal and is therefore not an exhaustive account of the suppression.

Fifty-eight percent of incidents Palestine Legal responded to in 2021 targeted students and scholars at 81 campuses across the country. Forty-two percent of incidents Palestine Legal responded to were not school or university related. This number represents a marked increase in the percentage of non-campus incidents compared to previous years, when non-campus incidents constituted an average of 20 percent of Palestine Legal's case work. This increase suggests that the wave of support for Palestinian rights—and the backlash it encountered—was less focused on campuses but came from many different sectors speaking out in solidarity with Palestinians during the Unity Uprising.

State and federal lawmakers introduced at least 34 legislative measures in 2021 aimed at silencing, condemning, or punishing advocacy for Palestinian rights. These included bills targeting boycott, divestment, and sanctions (BDS) as well as those adopting a distorted definition of antisemitism in an effort to shield Israel from criticism. Several of the measures were introduced directly in response to Palestine solidarity actions in the spring and summer.

The trends Palestine Legal witnessed in 2021 include censorship and discrimination at schools, universities, and on social media, smear campaigns targeting the livelihoods of Palestine activists, and efforts by Israel advocacy groups to pressure U.S. courts, policymakers, and law enforcement agents to block the growing tide of grassroots solidarity with Palestine.

UNPRECEDENTED WAVE OF SOLIDARITY WITH PALESTINIANS, PREDICTABLE BACKLASH

As people of conscience around the world reacted to Israel's intense military violence against Palestinians throughout historic Palestine in the spring of 2021, voices rang out from new corners in support of the Palestinian uprising. The wave of solidarity reverberated in universities and grade schools, in teachers' unions, at tech companies, in the streets, and on social media in unprecedented ways. Palestine Legal witnessed a significant uptick in the amount and severity of backlash against Palestine advocates by Israel and its allies in the United States.

While some individuals faced difficult challenges after raising their voices against injustice, the resistance to the backlash—through public solidarity with targeted individuals, legal interventions, and other means—has played a critical role in making it clear that these attacks were often baseless and targeted individuals solely because of their expressions of solidarity with Palestinians.



CREDIT: NUHA MAHAROOF / IG @SRI.LANKAN

SMEAR CAMPAIGNS TARGET EMPLOYMENT

As employees in a range of sectors raised their voices in solidarity with Palestinians at work and on social media in unprecedented numbers, Israel advocacy groups in the United States focused attention on getting workers fired from their jobs. Palestine Legal received reports of 22 incidents of adverse employment actions against Palestinians and their allies, up from three in 2020. Though many efforts to oust activists from their jobs failed after public solidarity campaigns and legal interventions, they still caused harm not only to those directly targeted for speaking out on Palestine but also to others who felt the chilling impact of the backlash.

In May, Michael Washburn, a head farmer at the luxury resort Blackberry Farms in Knoxville, Tennessee, posted a picture of a Palestinian poetry book on his personal Instagram account. His caption asked when we will demand human rights for Palestinians, urged followers to “Please help bring peace to

Palestine,” and included the hashtags #endtheoccupation and #endZionism. After management received complaints about his post, Washburn was fired from his position of seven years.

That same month, StopAntisemitism.org launched a campaign against Muayad Shahin, a researcher at Cleveland Clinic. The campaign made false claims against Shahin and implied that he was a threat to Jewish patients. Cleveland Clinic responded by suspending Shahin for over a week while it investigated claims against him. Shahin was ultimately cleared and reinstated.

Days after the Israeli military bombed the Associated Press (AP) headquarters in Gaza, Stanford College Republicans, joined by Senator Tom Cotton and right-wing provocateur Ben Shapiro, launched a smear campaign against Emily Wilder, a recent Stanford graduate who had just started a job as an AP reporter. The campaign targeted Wilder over her participation in Jewish Voice for Peace and Students for Justice in Palestine as an undergraduate. Despite initially assuring Wilder that it would not take action against her for her past activism and social media activity, AP summarily fired Wilder in late May, sparking widespread

outrage. Despite the outpouring of support for Wilder, AP refused to reverse course.

In June, Phoenix-based pediatric radiologist Fidaa Wishah was targeted by an online mob for posting on social media about the Israeli government's efforts to suppress coverage of its attacks on Palestinians. Within two days of a smear campaign headed by StopAntisemitism.org, Phoenix Children's Hospital claimed that they had done a "thorough review of the facts related to this matter" and announced that Dr. Wishah was no longer providing care at the hospital. The Arizona chapter of the Council on American-Islamic Relations (CAIR) and several private law firms are representing Dr. Wishah in a wrongful termination case against the hospital.



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**While the last few days have been overwhelming,
*I will not be intimidated into silence.***

– EMILY WILDER

”

CENSORSHIP ON SOCIAL MEDIA

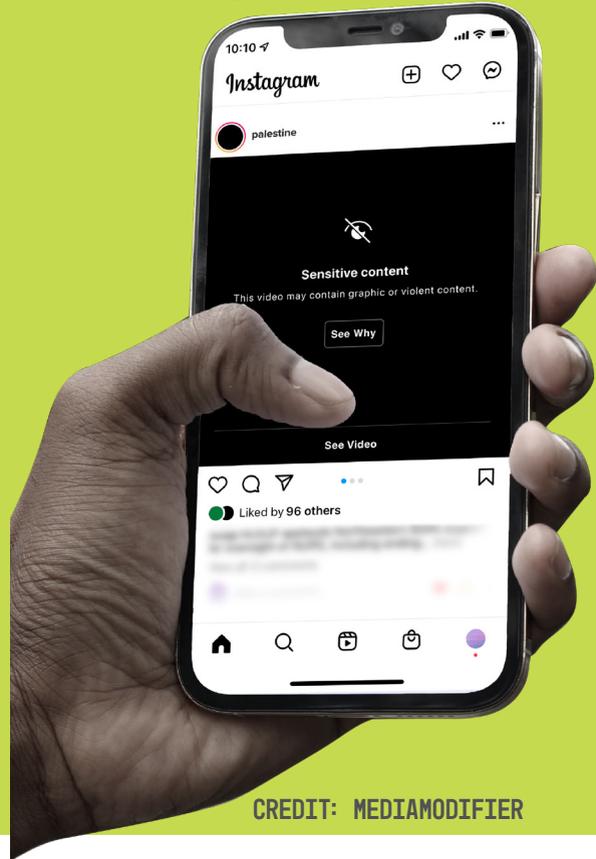
In May, as Israel's repression and the Palestinian uprising peaked, 7amleh and Access Now documented hundreds of people around the world experiencing censorship by social media companies including Facebook, Instagram, and TikTok. Incidents included blanket removal of content about ethnic cleansing in the Sheikh Jarrah neighborhood of Jerusalem, removing archived content from Instagram stories, account suspensions, and shadow bans.

Palestinian poet Mohammed El-Kurd, whose on the ground reporting was followed by hundreds of thousands of people around the world, reported in June that for months every video or picture showing Israeli military brutality had been censored or completely removed from his Instagram account.

In May, dozens of civil society organizations from around the world wrote to Facebook expressing urgent concern over its censorship of Palestinian voices and its collusion with the Israeli government. The groups noted

that many of the posts censored by the company were ultimately restored after undergoing review because they had not violated Facebook policies in the first place.

Leaks of internal documents from Facebook revealed in October that employees were aware of Facebook's censorship of posts by Palestinians, including El-Kurd, and actively discussed the matter as the censorship continued.



CREDIT: MEDIAMODIFIER

CENS

CENSORSHIP IN JOURNALS AND CULTURAL SPACES

Palestine Legal responded to 41 incidents of censorship of content expressing solidarity with Palestinians in 2021, more than double the number in 2020.

In June, a group of health care workers published an article in *Scientific American* titled, “As Health Care Workers, We Stand in Solidarity with Palestine,” and pledged support for boycotts for Palestinian freedom, in response to Israel’s violent repression of protests against its colonial policies and its bombing of Gaza. Following a pressure campaign by Israel advocacy groups, the journal removed the article two weeks later, changing the title to “Health Care Workers Call for Support for Palestinians” and replacing the text with a note that it “fell out of scope.” The authors of the article—whose names continued to be listed on the site after their statement was removed—faced a

wave of online harassment. This censorship echoed *The Lancet* medical journal’s 2020 removal of a statement warning about COVID risks in Gaza after Israel advocacy groups and pro-Israel doctors complained.

In July, the Free Library of Philadelphia removed content its librarians had posted about Palestine, including a recorded talk on the children’s book “Baba What Does My Name Mean?” by Palestinian-American author Rifk Ebeid. The library, which took down the posts after Israel advocacy organizations complained, issued a statement implying that recognizing the experiences of Palestinians and highlighting books about Palestine were against the library’s values. Comments on the post called out the library for its hypocrisy in claiming that it opposes censorship while engaging in censorship of both the public posts and internal staff forums.

SORSHIP

CENSORSHIP & HARASSMENT FOR ACADEMIC SOLIDARITY WITH PALESTINE

As students, staff, and faculty across the country and around the world organized to express solidarity with Palestinians under attack—including over 350 academic departments, programs, centers, unions, and societies worldwide—anti-Palestinian organizations pressured university administrators to establish a “Palestine exception” to social justice.

According to the Palestinian Campaign for the Academic & Cultural Boycott of Israel (PACBI), nearly 24,000 individual scholars, researchers, students, and university staff worldwide signed on to statements in support of Palestinian rights in the spring in an “unprecedented wave of solidarity.” At least 20 student governments across the country passed resolutions and issued statements in support of Palestinian rights in 2021. After months of pressure over the school’s failure to protect

a Palestinian student activist from targeted harassment, the interim dean of City University of New York (CUNY) Law School issued a statement of support for Palestinian activism in June, the first statement of its kind from a university administration in the United States.

Israel advocacy groups tried to block these solidarity efforts, issuing legal threats, filing complaints, and reportedly sending a demand to nearly 3,000 university officials that they engage in censorship and

**NERDEEN
KISWANI
SPEAKS AT
A RALLY.**

**CREDIT:
IG @PROTESTPHOTOG**



create new restrictions on academic freedom in an effort to prevent departments and student governments from signing on to solidarity statements.

CUNY and Pomona College both issued condemnations after student governments at their respective schools passed resolutions voicing support for Palestinian rights. The CUNY chancellor's statement erroneously claimed that New York's anti-boycott executive order, which has no bearing on university policies, prohibits

CUNY from supporting boycotts for Palestinian rights.

The African American Studies department at Penn State University took down a statement in solidarity with Palestine after complaints from Israel advocacy groups and pressure from administrators. The department reissued their statement in June, noting that the statement had "been subject to a different level of administrative scrutiny, unprecedented for our department."

IN JUNE, CUNY LAW RELEASED A STATEMENT AFFIRMING THE:

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Law School's support for all our students who champion these principles. In particular, the Law School supports the free speech rights of Nerdeen Kiswani, other Palestinian students, and their Jewish and non-Jewish allies, who have been vilified for their activism.

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At a large public university, two professors received complaints after their program signed onto a student-led Palestine solidarity statement that used the word “genocide” to describe Israel’s actions. The complaints, from pro-Israel colleagues in their department, included false accusations of antisemitism.

In May at a private university in Chicago, a staff member who acknowledged the genocidal tactics Israel has used against Palestinians was falsely accused of racism by a member of the faculty. After a disciplinary investigation, the staff member was cleared of wrongdoing.

Also in May, a dean at a public university on the East Coast ordered students not to make social media posts supporting “one side.” The dean later apologized, after students pushed back on First Amendment grounds, claiming that she had been worried about their job prospects.

In November, the Israel advocacy group StandWithUs filed a complaint with the U.S. Department of Education demanding an investigation into City University of New York Silberman School of Social Work at Hunter College, over a solidarity action by students and

faculty in May. During a Zoom session on May 20, a group of students attending a course on oppression changed their backgrounds to the Palestinian flag and their usernames to “Free Palestine: Decolonize” and spoke out against Israeli oppression. The complaint described these acts as antisemitic and blamed faculty and administrators for failing to silence the students during the protest and refusing to condemn it afterward.

The University of California launched a review of its system wide policies on departmental statements in response to complaints against the Palestine solidarity statements signed by a total of 17 departments, centers, and programs across eight of its 10 campuses. Alongside its recommendations, the University Committee on Academic Freedom linked to statements on other issues, such as Afghanistan, anti-Asian violence, and the Black Lives Matter movement, which did not face the same backlash as the Palestine solidarity statements. Initial recommendations included a requirement that members who disagree with positions adopted by departments be given the “opportunity to express their views on the same platform as the departmental statement.”

REPRESSION IN THE STREETS

As hundreds of thousands of people around the world took to the streets to demonstrate in solidarity with Palestinians, some activists encountered rape and death threats from pro-Israel counterprotestors and even faced physical assaults. Altercations that ensued as a result of these actions, particularly in Los Angeles and New York, were misrepresented as incidents of antisemitism, claims that have been amplified without context in national media.

In Vancouver, New York/New Jersey, Detroit, Houston, Indianapolis, Los Angeles, and Seattle/Tacoma, community members mobilized #BlocktheBoat actions in response to calls from Palestinian trade unions in Gaza asking

workers across the world to refuse to handle Israeli goods, deal with Israeli businesses, or handle Israeli cargo.

In Oakland, protestors successfully blocked the Israeli-operated Zim Volans cargo ship from unloading its cargo, and in Seattle, the Palestinian feminist collective Falastiniyat and other organizers delayed the Israeli-operated cargo ship Zim San Diego from docking at the city's port for nearly two weeks. The ship was only offloaded after a violent police crackdown and the arrest of 11 protestors.



TEACHERS' UNIONS STAND WITH PALESTINIANS

Several labor unions—particularly teachers' unions—took resolute action in support of Palestinians.

In May, United Educators of San Francisco became the first teachers' union in the United States to support the movement to boycott, divest, and sanction (BDS) the state of Israel, passing a resolution that also called for an end to the bombardment of Gaza, displacement in Sheikh Jarrah, and U.S. aid to Israel. Efforts to derail the resolution failed.

Also in May, chapter chairs of United Teachers Los Angeles (UTLA), the nation's second largest teachers' union, voted in favor of a similar resolution. The resolution was scheduled to be raised for a full vote at the September meeting of the UTLA House of Representatives, but was indefinitely postponed. Though the resolution was supported by a diverse range of LA teachers, Soni Lloyd, a Black teacher at Venice High School, was singled out for personal attack in right-wing publications.

The Seattle teachers' union endorsed BDS and called to end exchanges between U.S. police and the Israeli military by a 90 percent margin. The statewide teachers' union in Vermont also endorsed boycotts for Palestinian freedom.

TECH WORKERS JOIN SOLIDARITY CAMPAIGNS

In 2021, Big Tech workers took unprecedented action to demand that Google, Apple, and Amazon respect Palestinian rights.

In a series of letters released in May, over 1,500 employees of Google, Apple, and Amazon wrote to their management demanding concrete action in the midst of Israel's attacks. The letters called on the companies to issue statements addressing Palestinian suffering, to resist efforts to conflate criticism of Israel with antisemitism, and to sever contracts with the Israeli military and other entities that violate international law.

That same month Amazon Web Services and Google Cloud executives signed a \$1.22 billion contract to provide cloud technology to the Israeli government and military, prompting over a thousand employees at Amazon and Google to join forces in October to push back against this contract. The #NoTechForApartheid campaign was also launched by MPower Change and Jewish Voice for Peace to support these workers. Palestine Legal has provided legal support to workers concerned about backlash to their advocacy.



LAW ENFORCEMENT BULLY PALESTINE ACTIVISTS

In 2021, activists continued to be questioned by the FBI and local police amid the popular uprising for Palestinian rights. Palestine Legal received several reports of people being questioned by the FBI and other law enforcement for their activism on social media. Authorities claimed that they were simply following up on complaints. Reports from activists show a pattern of smear campaigns launched by individuals or Israel advocacy groups, who then filed complaints to enlist law enforcement as tool to monitor and intimidate activists.

After StopAntisemitism.org launched a smear campaign against University of Southern California student Yasmeen Mashayekh exposing her to racist abuse and censorship online and on campus, FBI agents visited her parents' home to question her about her social media posts. Anti-war activist Ryan Wentz was similarly visited by the California Highway Patrol, who sought to question Wentz about his posts criticizing comments by Rep. Alexandria Ocasio-Cortez about Israel.



PALESTINE STILL AN EXCEPTION AT UNIVERSITIES

Throughout the year, and even amid Israel's violent repression of Palestinian protests in Jerusalem and its horrific assault on Gaza in the spring, universities in the U.S. ignored the needs of Palestinian students and their allies, and in line with the pattern of a "Palestine exception," often actively worked against them.



DISCRIMINATION AGAINST PALESTINIANS AND ALLIES

In February, Fordham University once again disbanded the school's Students for Justice in Palestine club (SJP) after a New York appeals court erroneously ruled against students in December 2021. According to the court, because the legal battle for recognition of Fordham SJP had dragged on so long that the founding members of the group had all graduated, current students no longer had standing to challenge the school's ban on SJP. Fordham SJP had operated as an official campus club without incident for two semesters, after a lower court ordered Fordham to recognize the club in 2019. Fordham SJP had organized reading groups, movie nights, museum outings, and other events to create space for discussions about Palestinian liberation on campus. In May, New York's highest court refused to hear the students' appeal. Students continue to organize on campus for Palestinian rights, and for recognition of their club.

Palestine Legal heard from students at several universities

DIS —

in 2021 who reported that administrators had imposed unfair barriers to withhold recognition of Students for Justice in Palestine clubs at their schools and to discourage them from organizing on campus in support of Palestinian rights.

In March, the SJP club at Middlebury College in Vermont launched a campaign against Israeli apartheid. The group's anti-apartheid posters were vandalized, its Palestinian co-president received veiled threats, and its Jewish co-president was pressured by the college to delete language critical of Zionism from SJP's website. Despite multiple requests by students to take action to protect them from further threats and attacks and Palestine Legal's intervention, Middlebury refused to apologize to the students, to publicly condemn anti-Palestinian bias, or to publicly recognize SJP's right to exist as a club on campus. The Israel

advocacy group StandWithUs also wrote the college demanding it “take action” against SJP, which it falsely accused of having links to Hamas, Islamic Jihad and the Popular Front for the Liberation of Palestine (PFLP) and “spread[ing] hate.” Middlebury did not act on these demands.

In April, Palestine Legal filed the first-ever civil rights complaint over anti-Palestinian racism in the higher education context with the U.S. Department of Education’s Office for Civil Rights demanding an immediate investigation into Florida State University (FSU). The complaint was filed on behalf of FSU student leader Ahmad Daraldik, who has been the target of rampant anti-Palestinian racism, which his school has not only tolerated but amplified. In June 2020, Ahmad had been elected as the first Palestinian

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Muslim student senate president at FSU. Almost immediately, he faced a cruel harassment campaign attempting to shame him for sharing his experiences as a Palestinian. Not only did the university stand by while Ahmad faced harassment on campus, FSU took actions of its own to reinforce implicit and explicit forms of anti-Palestinian racism. As of February 2022, the complaint was still pending.

-CRIMIN-

In May, St. John's University in New York censored a Palestinian doctoral student, preventing her from celebrating her Palestinian identity and Palestine-related scholarship during the school's virtual commencement ceremony. The university removed "Free Free Palestine" from Dr. Laila Shikaki's graduation presentation slide, outrageously claiming that her slide violated campus guidelines forbidding content considered "defamatory, libelous, obscene, immoral, or fraudulent to St. John's University." Following her persistent demands, Dr. Shikaki's personal message was ultimately reinstated on the school's website, but this occurred long after the ceremony was over. Her slide remains unchanged on the video of the ceremony.

In June, Nada Elbasha, a Palestinian employee in George Washington University's Office of Advocacy and Support (OAS), sought to hold a virtual processing space for Palestinians impacted by Israel's forced expulsion of Palestinians in Jerusalem and its killing of hundreds in the Gaza Strip. OAS, which is tasked with providing support for members of the university community experiencing trauma, had provided similar services when other communities were impacted by violence. Within 24 hours

of advertising the processing space on Instagram, high-level administrators held an emergency meeting with OAS and directed the office to cancel the event and remove the post. Administrators ordered OAS to publish an apology stating that the previous post "did not create a safe space for all members of our community." In November, Palestine Legal and co-counsel Ben Douglas filed a complaint against the school with the District of Columbia's Office for Human Rights. As of February 2022, the complaint was still pending.



FSU STUDENT LEADER AHMAD DARALDIK
CREDIT: AHMAD DARALDIK



PALESTINE ACTIVISTS CENSORED ON CAMPUS

In March, Butler University in Indiana abruptly canceled a talk by the preeminent activist and scholar Angela Davis without warning or discussion, just three days before the event was scheduled to take place. The cancellation occurred after complaints about Davis's vocal support for Palestinian freedom. But the university blamed the censorship on the student government, which it claimed canceled the event because "established processes weren't followed." Palestinian students and their allies launched a public campaign criticizing the university for its censorship. Under mounting pressure from students, community groups, and Palestine Legal, the university quickly reinstated the event. Davis spoke to Butler students on April 20, three weeks after she was initially scheduled to appear.

Also in March, as people around the world expressed outrage over Israel's medical apartheid and its refusal to provide vaccines to the millions of Palestinians under its military rule, the

University of Illinois Chicago (UIC) School of Public Health partnered with the Jewish United Fund of Metropolitan Chicago, a group with a documented history of funding anti-Muslim hate groups, to host a webinar on Israel's COVID-19 response. Several UIC students who attended the webinar—many of them Palestinian—were ejected after they asked questions about Israel's discriminatory treatment of Palestinians. When students attempted to rejoin the event, they were again removed and the event's chat box was disabled. In a private meeting with the students, UIC acknowledged that it was wrong to remove the students over their political viewpoint, but the school has refused to issue a public apology for silencing and excluding Palestinian voices and failed to even investigate the incident despite multiple complaints by students. Students at UIC have been smeared on blacklisting websites and received death threats and threats of sexual violence.

Despite issuing a new policy on academic freedom in April, Zoom once again censored a campus event on Palestine featuring activist Leila Khaled. Zoom had faced widespread pushback for violating academic freedom when it blocked similar events in 2020. After complaints from both the anti-Palestinian Lawfare Project and right-wing Colorado congressman Doug Lamborn, Zoom canceled the April event, hosted at the University of California, Merced, a day before it was scheduled to take place. Rather than pushing back on Zoom's censorship, the university hastily organized an event on antisemitism to take place at the same time the Palestine event had been scheduled, describing it as "counter programming."



CIVIL RIGHTS ICON ANGELA DAVIS
CREDIT: WIKIMEDIA COMMONS

ATTACKS ON ACADEMIC FREEDOM

At both the University of California, Los Angeles (UCLA) and the University of North Carolina at Chapel Hill (UNC), Israel advocacy groups launched smear campaigns against courses on Palestine based on their objections to the instructors' viewpoints. Loubna Qutami, an assistant professor of Asian American Studies at UCLA, and UNC doctoral candidate Kylie Broderick were publicly attacked for teaching courses titled "Palestine in Comparative Ethnic Studies Frameworks" and "The Conflict Over Israel/Palestine," respectively. Right-wing Zionists combed through and publicized the scholars' affiliations and social media postings in an effort to cast doubt on their expertise and their fitness to teach the courses. In Broderick's case, a member of Congress and an Israeli diplomat met with university officials to pressure them to cancel her course. While the courses were not canceled, neither Qutami's nor Broderick's university publicly defended them against these personal and professional attacks.

CENSORSHIP AT K-12 SCHOOLS

In 2021, Palestine Legal also documented a number of incidents involving censorship at K-12 schools across the country.

In May, a student club at a California high school was blocked from hosting an event on the history of settler-colonialism and apartheid in occupied Palestine. Administrators claimed that a picture of a young person holding a Palestinian flag used in a flyer advertising the event was "inflammatory imagery." Relying on a letter from the ADL, the school also claimed that the language on the flyer, "From the river to the sea, Palestine will be free," "raises fear." The school immediately emailed families apologizing for the event and offering to connect offended students with school counselors. After months of pressure from students and community members, the school's principal stated in September that students would be allowed to reschedule the event.

In June, a Palestinian-American high school student in California was forbidden from wearing a Palestinian stole at her graduation

ceremony. Though the school allowed other students to wear Kente cloth stoles representing their heritage, the school claimed the Palestinian student's stole did not meet the criteria for cultural adornment. School administrators originally told the student she could wear the stole underneath her graduation gown, but on the night of graduation, administrators told her the rules had changed and she would not even be allowed to wear it under her gown.

Last fall, a Palestinian sixth grader at a public school in California was removed from class by a counselor and told that a T-shirt bearing the words "Palestine" (in Arabic) and "Free Palestine" promoted violence and made other students feel unsafe. The T-shirt was a gift from the child's father, who grew up in a Palestinian refugee camp. The district apologized and conducted professional development with all school administrators regarding Palestinian cultural sensitivity, in addition to trainings with the staff involved in the incident. The district also recommitted to develop an ethnic studies curriculum that includes the history and experiences of Palestinian people.

An Illinois high school student of Palestinian descent was similarly censored in the fall when she attempted to raise awareness about the dire humanitarian situation in the Gaza Strip. School administrators refused to approve a poster containing statistics about children's mental health and lack of clean water. On another occasion, the student was scrutinized for her club's poster advertising Palestinian culture and was restricted in the ways she was allowed to put up the posters.

Twenty-six-year-old teen educator Jessie Sander sued the Westchester Reform Temple in Scarsdale, N.Y., after she was fired in July 2021 over a blog post. The post, authored by Sander and a friend months before her employment began, criticized Israel's May 2021 bombardment of Gaza and called Israel an apartheid state. Sander's lawsuit, filed in January 2022, alleged that the temple violated New York labor law and demanded compensatory and other damages, including lost wages.

ISRAEL HAS MELTDOWN OVER BEN & JERRY'S BOYCOTT



After years of pressure from activists who pointed out the conflict between the company's widely publicized commitment to social justice and its profiting off sales in illegal Jewish-only settlements on Palestinian land, Ben & Jerry's announced in July that the company would end sales of its ice cream in illegal settlements and terminate its licensing agreement in Israel when it expires at the end of 2022. There was immediate backlash from high-level Israeli government officials—including the prime minister, president, and the ambassador to the United Nations—as well as their allies in the United States, who threatened to invoke laws active in over 30 states that target boycott, divestment, and sanctions (BDS) campaigns for Palestinian freedom.

CREDIT: DANA DEVOLK

U.S. LAWMAKERS JOIN THE FRAY

Officials in several states have heeded Israel's demand that states distance themselves from Ben & Jerry's and parent company Unilever on the basis of their anti-boycott laws. Arizona sold off \$93 million in Unilever bonds in September and planned to eventually sell the remaining \$50 million it had invested in the company. Florida invoked its anti-boycott law to halt future investment in Unilever as of October, but the law did not require the state to sell off its \$139 million holdings in the company. Illinois' Policy Investment Board voted in December to block the state's pension funds from investing in Unilever. Maryland announced in August that it would review its contracts to ensure that it was not doing business with Ben & Jerry's or Unilever. New Jersey announced in September that it would pull its \$182 million in investments in Unilever. New York announced in November that it would begin a 90-day review period after which it would sell off its \$110 million in Unilever holdings. Texas Comptroller Glenn Hagar announced in September that Unilever would be added to the state's blacklist of companies ineligible for state contracts or investment. A group of four congressional representatives wrote to the Securities and Exchange Commission (SEC) in November demanding an investigation into Unilever over the Ben & Jerry's announcement. Weeks later, a group of four senators made a similar demand, claiming that Unilever was knowingly flouting Israeli law.

It is unclear whether these actions have had any economic impact on the multi-billion dollar company, but politicians have made it clear that the efforts are intended to send a message to other companies not to follow suit.

TARGETED HARASSMENT OF BEN & JERRY'S CHAIR

Alongside these efforts to punish Ben & Jerry's and parent company Unilever, Israel advocacy groups—and the online trolls that follow them—launched a campaign of racism, misogyny, threats of violence, and other personal attacks against Ben & Jerry's board chair Anuradha Mittal for the board's policy on illegal settlements. Palestine Legal joined seven other civil rights groups in condemning these personal attacks. In December, the blacklisting site [StopAntisemitism.org](https://stopantisemitism.org) underscored their Israel-centered agenda by declaring Mittal their "2021 Antisemite of the Year" because of the Ben & Jerry's announcement.

ANTI- PALESTINIAN LITIGATOR TRIES TO WIELD HUMAN RIGHTS LAW AS A WEAPON

Palestinian Zionist Bassem Eid joined forces with serial litigator David Abrams to argue that Ben & Jerry's decision to end sales in illegal Jewish-only settlements was discriminatory against Palestinians. In the complaint, Eid argued improbably that he planned to eat ice cream at an event in the occupied Palestinian territories in January 2023 and would no longer be able to do so. As of February 2022, it was unclear what, if any, action the New York State Division of Human Rights had taken on the complaint.

LEGISLATORS TARGET PALESTINE ACTIVISM

Both state and federal legislators continued to propose anti-Palestinian legislation in 2021, including a flurry of resolutions in the spring and summer smearing both Palestine solidarity activists and lawmakers who spoke out about Israeli violence in Sheikh Jarrah and its siege on Gaza.



VISIT [LEGISLATION.PALESTINELEGAL.ORG](https://legislation.palestinelegal.org) FOR THE MOST UP TO DATE INFORMATION.

State lawmakers proposed at least 20 bills and four non-binding resolutions targeting the movement for Palestinian rights. A majority of these bills, 13, targeted boycotts for Palestinian rights, while an additional four promoted definitions of antisemitism that seek to classify virtually all criticism of Israel as antisemitic.

Only four of the proposed bills passed, including an anti-boycott law in West Virginia that will go into effect in July. The new law brought the total number of states with anti-Palestinian legislation and executive orders on the books as of February 2022 to 33, with several new bills already introduced in the first months of 2022. Some lawmakers pushed back against this trend, proposing bills in Minnesota and Georgia to repeal those states' anti-boycott laws.

Members of Congress introduced at least 10 additional bills and resolutions at the federal level targeting Palestine solidarity.

Activists continued to challenge anti-boycott laws in court in 2021. In February the Eighth Circuit Court of Appeals found the Arkansas anti-boycott law unconstitutional. In June, Arkansas requested a rehearing

in front of a larger panel of judges. That case was still pending as of February 2022. In May 2021, a federal district court in Georgia rejected the state's efforts to throw out a challenge against the state's anti-boycott law, calling the certification requirements of the Georgia law "unconstitutional compelled speech." In October, the Council on American-Islamic Relations filed its second challenge against Texas anti-boycott laws after the state evaded earlier challenges by amending the law to apply only to contracts over \$100,000. The new lawsuit, filed against the City of Houston on behalf of Russ Hassouna and his firm, A&R Engineering and Testing, argued that after nearly two decades of contracting with the city, Hassouna was unable to renew his firm's contract because the law required him to certify that his firm would not boycott Israel. In January 2022 a federal judge blocked Texas from enforcing the law against Hassouna.

ISRAEL BLACKLISTS PALESTINIAN CIVIL SOCIETY ORGANIZATIONS

In October, Israel declared six prominent Palestinian human rights groups as “terrorist institutions,” subjecting them to harsh sanctions under a draconian Israeli law. The declaration targeted Addameer Prisoner Support and Human Rights Association, Al-Haq, the Bisan Centre for Research and Development, Defense for Children International–Palestine, the Union of Agricultural Work Committees, and the Union of Palestinian Women’s Committees.

Israel’s continued expansion of the so-called “terrorist” designation is based on unfounded accusations and racist propaganda. Israel has long been targeting these organizations because they are doing critical work to expose its constant violations of Palestinian rights.

In November, Shurat HaDin, an organization that works closely

with the Israeli government, issued a legal threat to the Rockefeller Foundation, warning that because of its significant financial donations to two of the six designated organizations, it could face legal action in both Israeli and American courts.

The efforts to censor and deplatform the six organizations make it clear that the designations are simply another escalation of Israel’s longstanding efforts to cut Palestinians off from the international community. The outpouring of support and actions for the six organizations from human rights and civil society groups, legal organizations, and European, Israeli, and other groups and individuals illustrated the extent to which Israel’s designations were seen as a bald-faced political attack intended to isolate and cut off funding for the groups.



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PALESTINE ACTIVISTS DEFEAT HARASSING LAWSUITS

In March, Palestinian activist Suhair Nafal defeated a \$6 million lawsuit filed in a California state court by former Israeli soldier Rebecca Rumshiskaya. Rumshiskaya sued Nafal for posting a photo of her in military fatigues alongside an image of late Palestinian paramedic Razan Al-Najjar, whom Israeli soldiers killed at the age of 21 while she provided medical services to Palestinian protestors during the Great March of Return in 2020. Rumshiskaya claimed that by posting her photo alongside Al-Najjar's, Nafal was accusing her of personally killing the paramedic. The judge dismissed the case, *Rumshiskaya v. Nafal*, and ordered Rumshiskaya to reimburse Nafal nearly \$50,000 in attorney fees and costs. Nafal was represented by attorney Haytham Faraj.

That same month, the US Campaign for Palestinian Rights (USCPR) defeated a harassing lawsuit filed by the Jewish National Fund (JNF), an organization that has displaced Palestinians and planted forests of non-native trees to hide villages from which Palestinians were forcibly removed. The lawsuit, filed in November 2019, made wild allegations that USCPR was liable for alleged damage from burning kites and balloons sent from Gaza during

the Great March of Return. The federal district court characterized JNF's arguments as "not persuasive." JNF has filed an appeal, which was still pending at U.S. Circuit Court for the District of Columbia as of February 2022. USCPR is represented by the Center for Constitutional Rights with cooperating counsel Judith Chomsky, Beth Stephens, and Michael Deutsch.

Also in March, a California state court judge sided with activists who fought back against efforts by a David Abrams, right-wing attorney with ties to the Israeli government, to force UCLA to reveal the list of speakers at the 2018 National Students for Justice in Palestine conference, which had taken place at UCLA. The court ruled that disclosing the names of the activists would not be in the public interest and would violate their rights to freedom of association, anonymous speech, and privacy. The activists were represented by Palestine Legal, Asian Americans Advancing Justice-Asian Law Caucus, and the Law Office of Matthew Strugar.

Palestine Legal received several reports in 2021 of complaints filed with licensing authorities, and threats to file such complaints, in an effort to derail the careers and threaten the livelihoods of medical professionals and attorneys who advocate for Palestinian rights. None of the licensing authorities acted on these complaints and could not have done so legally. The First Amendment prohibits government agencies from discriminating against applicants because of their viewpoints or their political speech.





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