



Anti-Palestinian Racism: Naming, Framing and Manifestations

COMMUNITY CONSULTATIONS AND REFLECTIONS

ARAB CANADIAN LAWYERS ASSOCIATION
PREPARED BY DANIA MAJID
4-25-2022

WHAT IS ANTI-PALESTINIAN RACISM?

Anti-Palestinian racism is a form of anti-Arab racism that silences, excludes, erases, stereotypes, defames or dehumanizes Palestinians or their narratives. Anti-Palestinian racism takes various forms including: denying the Nakba and justifying violence against Palestinians; failing to acknowledge Palestinians as an Indigenous people with a collective identity, belonging and rights in relation to occupied and historic Palestine; erasing the human rights and equal dignity and worth of Palestinians; excluding or pressuring others to exclude Palestinian perspectives, Palestinians and their allies; defaming Palestinians and their allies with slander such as being inherently antisemitic, a terrorist threat/sympathizer or opposed to democratic values.

Acknowledgements

ACLA would like to thank all those who generously shared their time and expertise to assist in the preparation of this report especially survey respondents, peer-reviewers, advisors and the Palestinian community. Special thanks to Jerry Jareer Khouri, Ardi Imseis, Yasmeen Abu-Laban, Abigail B. Bakan, Chandni Desai, Azeezah Kanji, Anver Emon and ACLA's advisors. Report design by Sama Al-Zanoon.

Contents

Introduction	1
Recent Anti-Palestinian Racism Examples	2
The Canadian Broadcasting Corporation	3
The University of Toronto, Faculty of Law International Human Rights Program	4
Toronto District School Board	5
Green Party of Canada Leadership Crisis	6
Naming Anti-Palestinian Racism	6
Methodology	7
Framing versus Defining Anti-Palestinian Racism	7
Research and Drafting	9
Consultation and Survey	10
Revising the First Working Draft Description of Anti-Palestinian Racism	11
What We Heard: Survey Feedback	11
Naming Anti-Palestinian Racism Version 2 (April 2022)	14
Commentary on the APR Framework	14
Palestinians Experience a Distinct Form of Racism	14
Anti-Palestinian Racism Impacts Palestinians and Non-Palestinians	15
Naming Anti-Palestinian Racism Addresses the Erasure and Exclusion of Palestinians	17
Anti-Palestinian Racism Description is Not Exhaustive	18
Naming and Framing Anti-Palestinian Racism as an Anti-Oppression Tool	20
Anti-Palestinian Racism Framework is Not a Weapon	20
The Problem with Conflating Anti-Palestinian Racism and Islamophobia	20
The Importance of Addressing the Harms from Anti-Palestinian Racism	22
Harms of Anti-Palestinian Racism on Campus	24
Conclusion	26
Next Steps	26
Appendix 1: Summary of Survey Questions	28
Endnotes	31
Resources Index	43

INTRODUCTION

Since its formation in 2005, the Arab Canadian Lawyers Association (ACLA) has been immersed in anti-racism advocacy with the Arab community in Canada, and in equity discourse within the legal profession. While Arabs in Canada, and elsewhere in the west, have always experienced both systemic and overt forms of racism, the post-9/11 context made more explicit, a malicious and deeply politicized form of racism targeting Arabs and Muslims.¹ Palestinians, however, also face a unique and distinct form of racism that specifically targets Palestinians and those who advocate for Palestinian human rights (hereinafter referred to as “advocates”). This is commonly referred to as anti-Palestinian racism (“APR”).

Whether through ACLA or in our personal capacities, during our collective decades as Palestinian human rights defenders we have directly experienced or witnessed hostility or prejudice when we or others expressed our positions on Palestine or are known for our views on Palestine. ACLA is also continuously consulted on complaints related to Palestine arising from incidents on campuses, government rhetoric and political stances, negative media depictions or omissions, or discrimination within the legal profession and other workplaces.

“Without doubt, Indigenous and Black movements have had a profound impact on the Palestinian solidarity movement...”

As legal professionals, academics and activists the responses to such complaints usually involved well-reasoned submissions outlining the position on Palestine. The arguments made were grounded in domestic and international laws and legal principles to demonstrate the validity and justness of the arguments made in respect to Palestine. Despite the energy, resources and good faith efforts poured into these responses, too often the Palestinian narrative is ignored, denied or dismissed by the recipients.

In more recent times, the silencing, defaming and wilful exclusion of Palestinians and advocates has escalated and become more punitive.² When a Palestinian or advocate is targeted, these incidents are more likely to play out publicly – shared on social media and progressive media, and occasionally reported in the mainstream media. ACLA follows these cases, social media engagements and publications and has noticed a shift in how Palestinians and advocates are responding to disinformation on Palestine or the maligning of Palestinians or advocates. Responses increasingly name racism and situate the issues within settler-colonialism.

The past few years have seen a transformative societal and institutional shift around the understanding of anti-Black racism and settler-colonialism. North American Indigenous liberation movements,³ along with the Black Lives Matter movement have led to a collective reckoning on racism and settler-colonialism on an individual, organizational and societal level. These movements have prompted society-wide reflections, conversations, responses and actions to confront the historic and present-day harms of anti-Black racism and settler-colonialism on Black and Indigenous communities.

Without doubt, Indigenous and Black movements have had a profound impact on the Palestinian solidarity movement,⁴ and Palestinians from North America to Palestine have supported and been engaged in these movements from near and afar.⁵ The exchange of knowledge, strategies, demands and lessons between movements has strengthened social justice activism on all fronts.⁶ Palestinians, particularly the newer generation of activists, well-versed in theories of anti-racism and settler-colonialism have shifted their approaches for confronting racism against Palestinians and their narratives. They are naming racism against Palestinians; contextualizing their experiences within an anti-racism and settler-colonial framework; and accordingly, they are demanding accountability and redress for these acts.⁷

The events of May 2021 played a pivotal and transformative role in the understanding and engagement of Palestinian solidarity. The ethnic cleansing of Palestinians in Jerusalem, the unity uprising against police brutality and racism faced by Palestinian citizens of Israel and the Israeli missile strikes on Gaza were broadcasted unfiltered, in real time, on social media platforms by activists on the ground. Scenes from Palestine that played on screens across the globe resonated with the earlier scenes from American and Canadian streets – mass protests for Black Lives Matter and for Indigenous rights, and the acts of the violence that sparked these protests.

What was striking about May 2021 timeframe was not only the sheer number of people who were sharing and engaging with the content of Palestinian activists; but the number of people and organizations who for the first time expressed publicly their solidarity with Palestinians, and doing so by rooting their Palestinian solidarity within the broader anti-racism and anti-settler-colonialism movements. It is no surprise that many of the examples of APR described below are connected to this period of time.

The Palestinian community and its allies are no longer solely engaging in political or legal debates to justify their existence and perspectives. While legal and political responses still play a vital role, Palestinians and advocates are also confronting offensive behaviour when it appears and calling it what it really is – racism.

RECENT ANTI-PALESTINIAN RACISM EXAMPLES

In the west, along with the United Kingdom, France, Germany and the United States, Canada is also regarded as an especially hostile place for Palestinian advocacy.⁸ In the past two years, several scandals related to Palestine emerged in the public sphere and garnered international attention and condemnation. These high-profile controversies have a few things in common: they obstructed freedom of expression on Palestine; they did so in a public way; they galvanized the Palestinian solidarity community; and they were viewed by the community as anti-Palestinian racism.

Another commonality is that these examples did not involve Palestinians as the primary target of APR – rather it was non-Palestinians who expressed support of Palestinian human rights. As discussed later in the report, Palestinians still consider incidents involving non-Palestinians as APR because it still harms Palestinians and the silencing serves to uphold the settler-colonialization of Palestine.

While the examples below all occurred within public institutions, ACLA also recognizes that APR transpires in the private sector. There currently is no reporting mechanism or formal data collection for APR in Canada. However, anecdotally and through our own

“Most people do not report these incidents because of a fear of reprisal in their workplace or their profession...”

experiences, ACLA is aware of situations, for example, where job candidates or employees are questioned about their views on Palestine; have been denied opportunities or declined opportunities because of their views; are subjected to micro-aggressions and negative comments about their Palestinian identity; or their workplaces hosted or sponsored anti-Palestinian events.⁹ Most people do not report these incidents because of a fear of reprisal in their workplace or their profession; there is no trusted internal or external mechanism for reporting; legal challenges are too onerous, and most believe prospects of success for a complaint is very low.¹⁰

The Canadian Broadcasting Corporation

On August 2020, CBC Radio program The Current deleted the word “Palestine” from the online record and later broadcasts of the episode where the guest host used the word “Palestine” in his interview with graphic journalist Joe Sacco.¹¹ The following day, the program also issued an on-air apology for using the word “Palestine” in reference to Palestinian territory. Palestinians and solidarity groups disturbed by the program’s actions filed complaints with the CBC and its Ombudsman,¹² and undertook direct actions at CBC’s building in Ottawa and hosted online email campaigns.

This was neither the first or last conflict regarding the CBC's reporting on Palestine. A few months later in April 2021, the CBC came under harsh criticism over its refusal to cover Human Rights Watch's ground-breaking report "A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution."¹³

Weeks later in May 2021, CBC found itself embroiled in another controversy over its coverage of Palestine. In an unprecedented move, hundreds of Canadian journalists signed an open letter to Canadian newsrooms calling for fair, nuanced and contextual reporting on Palestine and for the inclusion of Palestinian voices.¹⁴ The signatories drew parallels with the tough conversations happening in newsrooms around Black Lives Matter and Indigenous experiences. CBC journalists who signed the letter later reported the CBC had barred them from working on stories related to Palestine-Israel.¹⁵ Leaked emails from CBC management to all staff asked them to refrain from using "Palestine" even in casual conversations.¹⁶

The University of Toronto, Faculty of Law International Human Rights Program

In September 2020, an international scandal erupted at the University of Toronto (U of T), Faculty of Law over their hiring of a new Director for the International Human Rights Program (IHRP). The faculty rescinded a job offer to Dr. Valentina Azarova after Justice David Spiro, a sitting Canadian judge and former director of the Centre for Israel and Jewish Affairs (CIJA), used his influence as a donor to relay CIJA's concerns over Dr. Azarova's hiring because of her scholarship on Palestine/Israel.¹⁷

The U of T scandal was a watershed event in broadening public discussion and understanding of APR and its patterned manifestations.¹⁸ The fallout reverberated globally, and it mobilized thousands to speak out against the curtailing of academic freedom on Palestine.¹⁹ Most notably, the scandal resulted in the extraordinarily rare move by the Canadian Association of University Teachers (CAUT) to censure the university.²⁰ The censure was amplified by a successful campaign coordinated by Censure U of T, which resulted in dozens of statements of support from individuals, faculties and associations.²¹ It also saw many others turn down speaking engagements at the university and the cancellation of events. In the fall of 2021, the censure was lifted and campaign suspended after the university relented and re-offered Dr. Azarova the position of Director of IHRP.²²

In addition to co-authoring an open letter on academic freedom on Palestine,²³ ACLA, as well as other academics and organizations, filed a complaint with the Canadian Judicial Council (CJC) regarding the conduct of Justice Spiro.²⁴ ACLA also prepared a submission to the Cromwell Review into the U of T IHRP hiring that outlined the manifestation and harms of APR,²⁵ and ensured that the Palestinian narrative was centred in media coverage on the

scandal.²⁶ ACLA joined the other complainants in a judicial review of the CJC's decision not to discipline Justice Spiro, which was heard in April 2022.²⁷

It should also be noted in May 2021, the Faculty of Medicine also faced its own scandal related to Palestine after an eminent doctor and social justice and anti-oppression educator in the faculty, Dr. Ritika Goel, posted a message of support for Palestinians on social media. Dr. Goel was then falsely accused of antisemitism in a letter penned by students, residents and educators in the faculty that called for her dismissal.²⁸

Toronto District School Board

In May 2021, the Toronto District School Board (TDSB) suspended Javier Davila, an equity advisor, after he shared resources on Palestinian human rights with TDSB educators to help students understand the events taking place in Palestine at the time.²⁹ His materials were described as antisemitic by a right-wing columnist in a local newspaper, by pro-Israel groups and a TDSB trustee on twitter. In addition, senior elected officials including the Mayor of Toronto and Premier of Ontario also condemned Davila's Palestinian resources as antisemitic.

Thousands rallied behind Davila online, in the media and through petitions directed at the TDSB demanding Davila's reinstatement. After completing their undisclosed investigation, Davila was reinstated.³⁰

In September 2021, TDSB retained anti-Black racism activist and journalist Desmond Cole to provide several talks on racism to TDSB staff. In the course of his first two presentations, Cole raised Davila's mistreatment by TDSB and drew parallels between those who oppose the calls of "Free Palestine" and "Black Lives Matter."³¹ The predictable backlash ensued.³² During his last two presentations, when Cole said "Free Palestine" several TDSB executives and superintendents repeatedly interrupted him to interrogate his use of "Free Palestine", and even went as far as to interpret the phrase as meaning the destruction of Israel.³³ After Cole's presentation, TDSB director Colleen Russell-Rawlins released an internal statement to staff apologizing for the "harm" that may have been caused by Cole's presentations.³⁴

Along with other public school boards, TDSB has a long history of silencing Palestinian students and educators³⁵ and even hosts anti-Palestinian content on their website.³⁶ The Board has stated they are committed to addressing Islamophobia and antisemitism at the TDSB, and have retained the National Council of Canadian Muslims and CIJA to create educational resources. However, when it comes to APR, TDSB trustees rejected the report by the Integrity Commissioner, which found that a trustee's tweet equating Davila's pro-Palestinian materials with antisemitism and terrorism may perpetuate dangerous and

harmful stereotypes against Palestinians and Muslims; and this was discriminatory within the meaning of the Ontario Human Rights Code and TDSB policies.³⁷

Palestinian students at the TDSB, and their families have started mobilizing around APR, and the students at Marc Garneau Collegiate staged a walk-out in November 2021 to call for an end of anti-Palestinian racism at TDSB.³⁸

Green Party of Canada Leadership Crisis

Despite the Green Party of Canada's relatively measured policy stance on Palestine³⁹, anti-Palestinian racism played a role in the party's internal conflicts and poor showing in the 2021 federal elections. In May 2021, Noah Zatzman, a senior advisor to then leader Annamie Paul, used his social media to accuse a range of political figures of antisemitism for supporting Palestinian rights and condemning Israeli air strikes on Gaza. This included MPs from the Green Party, who he vowed to help defeat in the upcoming elections.⁴⁰ Despite the Green party's federal council passing a motion calling on Paul to repudiate Zatzman for his attacks on Green MPs, Paul refused to condemn Zatzman for his comments or even acknowledge the controversy when asked about it on the campaign trail.⁴¹

Paul's stance caused deep divisions in her party and among its members. Jenica Atwin, a Green MP targeted in Zatzman's post, crossed the floor and joined the Liberals.⁴² David Suzuki, Canada's most renowned environmentalist, expressed concern over Paul's handling of the controversy.⁴³ After a poor federal election showing, Paul eventually resigned in 2021.⁴⁴

NAMING ANTI-PALESTINIAN RACISM

In the resulting fall-out from these scandals, ACLA noticed increasingly that more Palestinians and advocates were using the phrase 'anti-Palestinian racism' and the lens of racism to describe these incidents and the accompanying harms - ACLA included. Anti-Palestinian racism was the basis of the ACLA complaint to the CJC and was further developed for the Cromwell Review into the U of T IHRP hiring scandal.

Drafting the Cromwell Review submissions started ACLA on this path to explore the need and role of naming APR. This scandal indeed involved unethical donor interference and a serious infringement of academic freedom, however, it was imperative that the root of the scandal – the exclusion, smearing and punitive measures against an academic who upheld Palestinian human rights in her work – was not erased, downplayed or swept aside.

The consensus was if Dr. Azarova had written about any human rights crisis other than Palestine/Israel, she would be the current director of the IHRP at the Faculty of Law. The basis of this scandal was her legal position on Palestine/Israel, which was uncontroversial in mainstream academic discourse on the subject, yet still led to her de-hiring.

For ACLA, the underlying motives behind the reprisals against Dr. Azarova, as well as those of our colleagues in academia, law, the arts and activism, is a form of racism that is specific to the Palestinian experience. Like other forms of racism it sets out to silence, dehumanize and “other” its targets; and it results in similar harms and trauma to those who experience it. It has also resulted in the

“Like other forms of racism it sets out to silence, dehumanize and ‘other’ its targets; and it results in similar harms and trauma to those who experience it.”

loss of employment, opportunities, income and defamation of character and reputational damage. As such, in ACLA’s many responses to the scandal, ACLA characterized the events of Dr. Azarova’s de-hiring as anti-Palestinian racism because racism against Palestinians provoked a backlash against her even though she is not Palestinian.

After using the term ‘anti-Palestinian racism’ in our responses to the scandal, ACLA embarked on a process to better understand the term and its use.

METHODOLOGY

ACLA’s February 2021 written submission for the Cromwell Review into the U of T scandal centred anti-Palestinian racism in academia and the legal profession and provided an analysis of the de-hiring of Dr. Azarova from an APR lens. The joint submission between the ACLA and Independent Jewish Voices Canada (IJV) included a working draft definition of APR that was drafted by ACLA and its advisors, and reviewed by other legal academics who provided constructive feedback on the submission.

This working draft definition was then the basis of a community consultation on anti-Palestinian racism. The following outlines the consultation process for the naming of APR and a description of an APR framework.

Framing versus Defining Anti-Palestinian Racism

The process for this report began with an attempt to create a definition of APR for ACLA’s submissions to the Cromwell Review. As legal professionals and scholars we instinctively relied on the customary approach for legal analysis - the submission first named APR and

then provided a draft definition of APR, which was then used to analyse the de-hiring of Dr. Azarova. After our submissions were sent in, ACLA then began the work to critically understand the role of definitions in anti-racism discourse, and community perspectives on APR and the usefulness of a definition in their work.

While it is beyond the scope of this report to fully weigh in on the debate around definitions, the following shares some insights gained during ACLA's consultations and research. Ultimately, users of this report can determine how they wish to use the report's contents to support their work in their contexts or engage in APR discussions.

There is broad agreement among those consulted for the need to name anti-Palestinian racism as a distinct form of oppression faced by Palestinians and those advocating for Palestinian rights.⁴⁵ Naming APR provides the community with the ability to situate their experience within racism, discrimination and settler-colonialism frameworks. It validates their experience as a collective one unique to Palestinians and provides an impetus to confront APR.⁴⁶

"Racism is mutable and opportunistic. It is the output of past and present colonial ambitions."

The debate then becomes: if APR is named and accompanied by a framework, is a formal definition necessary? The debate stems from growing controversies and push-back around the redefinition of antisemitism to capture political critiques of the Israeli state, as well as the redefinition of discrimination to halt critical race theory in education.⁴⁷ Recently, the University of Toronto decided against relying on any of the available definitions of antisemitism for their antisemitism working group.⁴⁸ Further, a critical race theory analysis highlighted how definitions can be manipulated in a harmful manner when they are treated as definitive and restrictive by their interpreters.⁴⁹

In light of this context and insights on the construct of racism and its dismantling, many conclude that formalized definitions are not needed by movements to fight oppression and much of this work is done without relying on one.⁵⁰ Instead, anti-oppression movements are centred on challenging varied and complex intersections of power. They name and describe lived experience and illustrate the violence enacted through particular systems, structures, events, activities and decision-making.

Racism is mutable and opportunistic. It is the output of past and present colonial ambitions.⁵¹ By focusing on naming and framing APR as a form of racism and understanding it through the lens settler-colonialism, instead of creating a formal definition, the APR framework remains fluid, contextual and adaptable to various and diverse circumstances. This approach is more inclusive, comprehensive, and responsive to

different contexts and communities – a need highlighted in the survey responses. It also ensures the focus remains on understanding the systems and structures of oppression faced by Palestinians and other racialized and Indigenous communities. It also avoids the definition distracting from this work or limiting our experiences.

There are instances where members of the Palestinian community have approached ACLA looking for a definition of APR. The requests were mostly prompted by their work with school boards, campuses and

governments who were updating their anti-racism policies, and they wanted APR to be included in these documents along with other definitions.⁵²

“The description of APR is a starting point to help identify, understand, analyze and challenge APR.”

While other prevalent forms of racism are well-established and widely accepted, APR and its discourse is still relatively

unknown, ignored or denied by most institutions. ACLA observed that institutions typically fail to recognize APR; address APR under Islamophobia; or improperly characterize APR (ie as a political issue).

When needed, the description of the APR framework (hereinafter referred to as the “description”) included in this report may be used, altered or contextualized where a definition of APR is sought. The analysis required for such a task is strengthened when it comes from those directly affected. The description of APR is a starting point to help identify, understand, analyze and challenge APR.

As a start, APR should be recognized along with other prevalent forms of racism and covered by existing laws, policies and guidelines set out to fight hate, racism and oppression; and those that promote diversity, inclusion and freedom of expression. It should also help foster understandings and co-solidarities with other anti-racism and settler-colonialism struggles.

Research and Drafting

In preparing the initial description of the APR framework for our Cromwell Review submission (February 2021), ACLA started by researching references of APR in the media and academic articles. While ACLA and others were using this term in our work or writings, our research at that time did not reveal any resources that explained the term itself or analysed its framework.⁵³ The few articles we located referenced the term ‘anti-Palestinian racism’ to describe incidents and experiences but did not provide the analytical rubric we sought for the submissions.⁵⁴

Consequently, for the purposes of our submission, ACLA authored a working draft definition of APR based on the experiences that have come to us from academia, employment, human rights discourse, government policies, the arts sector and ACLA's 2018 survey of the Arab community in Ontario. ACLA also reviewed the glossary descriptions for other forms of racism and discrimination.⁵⁵

In formulating our first working draft description of APR, ACLA aimed to create a description that was representative of the experiences faced by Palestinians and non-Palestinian advocates. ACLA also wanted it to be easily understood by all potential users (activists, students, educators, workers etc). The U of T scandal itself was a useful guide as it possessed many of the hallmarks of APR.

ACLA's submission also analysed the conduct of Justice Spiro and the university from an APR lens and provided additional commentary about the pervasiveness of APR in academia, the importance of defending academic freedom on Palestine on campuses and the harms that result when an academic institution fails to do so.

Consultation and Survey

Unlike our CJC complaint, ACLA and IJV did not post our Cromwell Review submission publicly in February 2021. The reason being was that ACLA did not want to unilaterally impose a definition or framing of APR on the community, and the tight timeline to make submissions for the Cromwell Review did not afford us an opportunity to workshop the working draft with members of the Palestinian solidarity community.

Before making this document public, even as a working draft, ACLA wanted to first determine a few key questions including: Does the Palestinian and solidary community want a definition of APR? Is a definition helpful to the community? Could it be harmful or undermine solidarity work? Is this working draft description accessible? Is it comprehensive? Are there significant omissions or concerns? Is there a definition or framework that already exists in another jurisdiction?

In the spring of 2021, ACLA prepared a short online survey to seek responses to these questions from a cross-section of respondents (see Appendix 1).⁵⁶ Respondents were only provided the working draft APR description (see box below) without any accompanying commentary to ensure that ACLA did not influence any responses and that the survey captured respondents' authentic first impressions.

Approximately 60 individuals and organizations received the survey link - a mixture of organizations and stakeholders including activists, youth groups, scholars on Palestine, legal academics and legal professionals. They were both Palestinian and non-Palestinians and located in Canada, the US, Europe and Palestine. ACLA decided to consult with those

outside of Canada to ensure we were not duplicating or undermining efforts elsewhere and to better understand the experiences of APR in other jurisdictions.

Approximately half responded to the survey, others sent emails or scheduled calls. Almost all the respondents were supportive of the creation of an APR definition, and thought the working draft proposed was “good” or “a good start” (see Appendix 1).

Working Draft Anti-Palestinian Racism Description (Version 1, February 2021)

Anti-Palestinian racism involves attacking, smearing, silencing or stereotyping of Palestinians. This racism can be implicit, overt, or systemic and can be perpetrated against Palestinians and non-Palestinians. Anti-Palestinian racism takes various forms, including: violence or the justification of violence against Palestinian lands, property or persons; failing to acknowledge Palestinians as a people with a collective identity, belonging and rights in relation to occupied and historic Palestine; excluding or pressuring organizations, governments or individuals to exclude Palestinians or Palestinian perspectives; denying or causing to be denied the human rights and equal dignity and worth of Palestinians; and smearing Palestinians with tropes such as being antisemitic, terrorist sympathizers, or opposed to shared national/democratic values.

Revising the First Working Draft Description of Anti-Palestinian Racism

Based on the constructive feedback received through the survey, ACLA felt confident to continue its work on naming and framing APR. ACLA incorporated the feedback received on the working draft into a revised version of the description of the APR framework, and wrote an accompanying commentary that addressed the feedback shared by respondents along with added context and explanations for the revised description.

While ACLA tried to capture all the comments received on the revised APR description, we appreciate differences may still remain. As ACLA proceeded to finalize this report, we aimed to balance both the community’s timely need for a clear framing of APR with the need for meaningful consultation with community. ACLA also welcomes the valuable contributions of others to the discussion on APR and recognizes that terms, descriptions, manifestations will evolve over time. Ultimately, the use and usefulness of this description of the APR framework will be determined by the users.

WHAT WE HEARD: SURVEY FEEDBACK

ACLA received responses from a range of individuals and representatives of organizations on the working draft of the description. In addition, ACLA had numerous discussions with legal experts, scholars, organizers and artists about APR. Note that the APR description was initially called a “definition” in the survey so for consistency the term “definition” will be used in this section to describe the respondents’ feedback.

Approximately 90% of the respondents said an APR definition would be useful to their work, and that the definition was “good” or a “good start.” Approximately half of the respondents provided additional substantive comments regarding the definition, which are summarized below.

Several respondents wanted to see an explicit mention of Nakba denial in the description. The Nakba (“catastrophe” in Arabic) refers to the ethnic cleansing of Palestine that led to the creation of the state of Israel in 1948.⁵⁷ The term is also used to describe the ongoing persecution, expulsion and occupation of Palestinians. As an extension of Nakba denial, some respondents also wanted mentioned the denial of the Palestinian right of return to their homes as a form of APR.

Related to the above, a few respondents thought the description should include the denial of Palestinians as an Indigenous people of Palestine, and that as Indigenous people they were ethnically cleansed from their land, they are a people with a collective identity, and a people with a right to self-determination and a right to return.

One respondent wrote of the importance of characterizing APR as a form of dehumanization of Palestinians in addition to silencing, stereotyping and erasure of Palestinians. They also saw political violence as a form of violence perpetrated against Palestinians and part of the dehumanization process.

Other respondents mentioned adding that APR most commonly occurred when Palestinians speak or write about the Palestinian struggle in the public sphere. A few others noted the Orientalization of Palestinians, which they described as Palestinians seen to be inferior or biased, and institutions and governments making unsolicited decisions on behalf of Palestinians without consulting them or allowing Palestinians to speak for themselves. Others built upon this premise by highlighting the erasure of Palestinians who are not invited by institutions or the media to speak on issues related to Palestine; or the media’s tendency to invite Israelis to speak on the issue and regard them to be the only authoritative or objective party on the subject. Biased reporting in media was also raised by several respondents.

Several respondents commented on the opening line of the working draft of the definition. They suggested it needed to state clearly what APR *is* before setting out what it involves.

Similarly, others thought that an introduction was needed before describing the manifestations of APR. Another respondent thought the opening was too general and could describe any racialized group.

A couple of respondents wanted clarification on elements of the working definition including: the inclusion of non-Palestinians; the meaning of national/democratic values; specifying the territory of occupied and historic Palestine and stating the definition applies to Palestinians in Palestine and here; explaining implicit, systemic, overt; explaining what is meant by “attacking”, “violence” and “excluding”; expanding on the “terrorism sympathizers” reference.

A few respondents recommended that examples accompany the definition. They also suggested adding that the examples are “not limited to” to ensure people knew the definition is non-exhaustive. Suggestions of examples included the six Palestinian human rights organizations listed as terrorist organizations by Israel; and examples of Palestinians being denied opportunities in the public sphere i.e. in employment or academia.

In addition to the supportive feedback and constructive suggestions for improvement, the survey elicited two critiques from respondents outside of Canada about the creation and use of an APR definition. To summarize, the first commentary thought that the efforts to create an APR definition was mirroring the controversial International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism and would instrumentalize identity politics in the same way the pro-Israel lobby has done with the IHRA definition. They also cautioned that positions set out in the definition could also be political judgments that may be motivated by factors other than racism. The second respondent on behalf of a group of organizations also assumed that the development of the working draft APR definition was a response to the IHRA definition and stated they preferred an approach of building allies across anti-racism movements rather than relying on a definition of APR.

These comments are helpful reflections for those who use this report or other definitions and it should be emphasized that an APR description is not to be weaponized to shut down bona fide political or academic discourse. To further clarify, by proceeding with this report ACLA is neither minimizing nor disregarding these critiques, which in fact helped inform our move towards a naming and framing approach for APR.

In working through the feedback received on the text of the draft description, ACLA also considered the respondents’ comments on the ease of understanding, accessibility and length of the description. The majority of the respondents thought the definition was comprehensible and accessible, however a couple respondents preferred a shorter definition.

Using the feedback provided, ACLA made revisions to the working draft APR description and prepared an accompanying commentary in response to the comments received to provide the clarifications specified by the respondents.

NAMING ANTI-PALESTINIAN RACISM VERSION 2 (APRIL 2022)

Anti-Palestinian Racism Description (Version 2, April 2022)

Anti-Palestinian racism is a form of anti-Arab racism that silences, excludes, erases, stereotypes, defames or dehumanizes Palestinians or their narratives. Anti-Palestinian racism takes various forms including: denying the Nakba and justifying violence against Palestinians; failing to acknowledge Palestinians as an Indigenous people with a collective identity, belonging and rights in relation to occupied and historic Palestine; erasing the human rights and equal dignity and worth of Palestinians; excluding or pressuring others to exclude Palestinian perspectives, Palestinians and their allies; defaming Palestinians and their allies with slander such as being inherently antisemitic, a terrorist threat/sympathizer or opposed to democratic values.

COMMENTARY ON THE APR FRAMEWORK

The following commentary on anti-Palestinian racism is for informational and contextual purposes to help users better understand the description of APR framework.

Palestinians Experience a Distinct Form of Racism

Anti-Palestinian racism, which is an extension of Orientalism, anti-Arab racism and Islamophobia, is a distinct and pervasive form of racism that persists in a range of institutions both in Canada and internationally and permeates their culture. APR presents as a form of respectable racism that is commonly perpetrated by those in positions of privilege and power.⁵⁸ This racism can be implicit, overt, institutional or systemic.⁵⁹

The term “anti-Palestinian racism” is the most commonly term used by Palestinians to describe discriminatory and racist acts against Palestinians and advocates.⁶⁰ Its use likely evolved from the Palestinian solidarity movement being founded on the principles of anti-racism,⁶¹ and the connections between the Palestinian solidarity movement and other anti-racism and anti-settler-colonial movements.⁶²

Racism is an appropriate construct for describing the experiences of Palestinians. Israel's treatment of Palestinians – both in the occupied territory and in Israel – is widely accepted as apartheid, which at its essence is predicated on the superiority and dominance of one group of people over another.⁶³ This dominance and supremacy is racism – it is ideological and it permeates the Israeli state, its institutions, its society and individual adherents – and the preservation of this superiority is used to justify discriminatory and violent practices.⁶⁴

This racism is not restricted to Palestine/Israel. Abroad, defenders of the state of Israel uphold and justify Israel's treatment of Palestinians by targeting its detractors. Over time, the efficacy of this defence of Israel has resulted in the othering, racialization⁶⁵, stereotyping, dehumanization and discrimination of Palestinians and advocates in Canada and elsewhere. It also has led to the "Palestine Exception", where rights upheld for other individuals and groups are routinely denied to Palestinians and advocates i.e. freedom of expression or freedom of association.⁶⁶

Making APR difficult to name and confront is the ever-expanding characterization of Palestinian critiques of Israel as antisemitism. The highly controversial IHRA working definition of antisemitism, which describes criticisms of Israel as antisemitic, has been weaponized to suppress the speech and activities of Palestinians and advocates across North America and Europe.⁶⁷ False charges of antisemitism both prioritizes Jewish suffering in the discussion and debases Palestinian narratives by labelling the person or group as disseminators of hate against the Jewish people.⁶⁸ As gatekeepers contort themselves to create an illusion of 'fair and balanced' discourse, they ignore the fact that Palestinians are routinely bullied for speaking for their rights.

Efforts to address antisemitism should not be used to perpetuate and further entrench anti-Palestinian racism. This institutional failure puts both communities at risk to experience more hate and discrimination. Moreover, as discussed below, APR should not be conflated with Islamophobia, and cannot be addressed through the provision of anti-Islamophobic education. Unless APR is specifically named, discussed and addressed, the conflation of Palestinians and Muslims further perpetuates Arab and Muslim stereotypes and mischaracterizes the roots of the conflict as a religious struggle, instead of a struggle against settler-colonialism.

Anti-Palestinian Racism Impacts Palestinians and Non-Palestinians

APR is experienced by: Palestinians; those perceived to be Palestinians or inherently pro-Palestinian; and non-Palestinians who express support for Palestinian rights. APR usually targets those who publicly speak in support of Palestinian rights or share Palestinian narratives or openly criticize the state of Israel for their treatment of Palestinians.

It is undisputed that when the target of APR is Palestinian the harms to them are far greater and longer-lasting – and in many cases life altering.⁶⁹ For example, Professor Steven Salaita was de-hired and his academic career ended due to the pressures of the pro-Israel lobby; and Palestinian feminist organizer Rasma Odeh was deported by the United States.⁷⁰ Palestinians cannot escape APR even if they conceal their identity. The APR Palestinians experience is life-long and it impacts their dignity and self-worth. Palestinians live with an ever-present fear or readiness for backlash as the Palestinian in the room. APR not only impacts the individual but also their community who see one of their own being targeted.

“The stereotypes faced by a racialized person, coupled with APR, can intensify their experience of targeting as well as the harms.”

There was overall consensus among Palestinians that non-Palestinians can experience APR, although the experiences and outcomes may differ. Palestinians are still impacted whenever their identity and their narratives are maligned, and they also experience the resulting harm including silencing, fear, exclusion and dehumanization. Moreover, the targeting or silencing of non-Palestinian advocates is in service to upholding settler-colonialism in Palestine and the oppression of Palestinians. Furthermore, for many Palestinians the solidarity movement is their community and when one member is targeted, irrespective of their ethnicity, the community feels targeted – as witnessed in the examples above.

It is important to note that racialized advocates, especially racialized women, bear the brunt of the targeting of advocates.⁷¹ Racialized advocates can experience an intersectional form of APR, which also leverages other forms of racism or discrimination against its target. For instance, Brown and Black communities are subjected to similar stereotypes as Palestinians such as being more prone to violence or antisemitism, which may be used to discredit or smear them. The stereotypes faced by a racialized person, coupled with APR, can intensify their experience of targeting as well as the harms. The precarious nature of the positions of employments held by racialized advocates are exploited to instil fear over their job security or advancement. This leaves them feeling further isolated, vulnerable and unsupported. For more senior racialized advocates they deal with harassment, complaints and scrutiny of their work.

In some instances, racialized advocates may be targeted in order to deter anti-racist solidarities from forming between Palestinians and other groups such as Black communities. For example, Black Lives Matter and prominent Black civil rights advocates including Angela Davis, Marc Lamont Hill and Cornel West have been labelled antisemitic

and have had awards rescinded, positions terminated and tenure denied over their public advocacy on Palestine.⁷² In Canada, TDSB's alarm over Cole's presentation came after he connected Black and Palestinian experiences.⁷³

Naming Anti-Palestinian Racism Addresses the Erasure and Exclusion of Palestinians

Palestinians experience a form of racism that is not only unacknowledged but also widely condoned. Often when Palestinians try to raise their concerns or provide their perspective their issues are deemed "controversial", "political" or "complicated" and dismissed. APR arises repeatedly for many Palestinians, from their time in school, and through the course of their education and careers. In addition, Palestinians are collectively exposed to APR through mainstream and social media, culture and political rhetoric.

Until recently, Palestinians and advocates experiencing or witnessing anti-Palestinian acts did not have a commonly accepted term to describe the vilifying or exceptionalizing of Palestinians and its related harms. While legal principles are useful, they alone cannot provide the redress sought for the dehumanizing aspect of anti-Palestinian incidents, which takes a mental and physical toll on individuals and their communities.⁷⁴

"The frequency and predictability of this backlash against those speaking on Palestinian rights results in a chilling effect on the open discourse on Palestine, and fear to participate in or openly support Palestinian initiatives."

With deepening solidarity between anti-racist movements and greater understanding of the interplay between various forms of oppression, Palestinians and advocates have increasingly expressed a need for a framework to describe the mistreatment they experience when sharing Palestinian narratives. By naming APR and placing it within an anti-racism structure Palestinians may be better placed to address the harms of racism on them and their communities.

At its core, APR aims to censor and erase Palestinians and their narratives from the public sphere either directly through punitive measures or indirectly by eliciting fear of punitive measures to deter anyone from sharing Palestinian narratives. Tactics take many forms depending on the context and often involve, but not limited to: defaming a person's character and reputation; falsely accusing them of promoting hate, violence or antisemitism; denying or threatening to deny a person opportunities or advancement;

dehumanizing Palestinians and negating their experiences; and/or portraying Palestinians as inferior people.

The frequency and predictability of this backlash against those speaking on Palestinian rights results in a chilling effect on the open discourse on Palestine, and fear to participate in or openly support Palestinian initiatives. APR, or fear of APR, deters or shuts down engagement on Palestine or only permits a narrow acceptable form of engagement (i.e. normalization). For example, potential hosts, speakers, and even venues, are reluctant to participate in Palestinian events; speakers or events centring Palestinian narratives face calls for their cancellation or censorship or disruption; and allies are fearful of attending events, signing open letters or posting messages of support on their social media; or funding or publication proposals for works related to Palestine are denied.

Another impact of APR is racialized harm and trauma, which is experienced by those who are directly targeted by APR, as well as their family, networks and community (i.e. vicarious trauma).⁷⁵ As intended, APR deepens the fear and anxiety of Palestinians of openly identifying as Palestinian or participating in Palestinian related activities, and has a chilling impact on allies as well. This anxiety results in some Palestinians concealing their identity to avoid being targeted for attack – however doing so can trigger other harmful effects including depression and feeling demoralized and isolated.

Anti-Palestinian Racism Description is Not Exhaustive

While the APR description and commentary aims to capture the most prevalent experiences and manifestations of anti-Palestinian racism, it cannot capture every expression that may arise in different contexts. As such this description must be attuned to the complexity of APR. The diversity of Palestinian people means their experiences with APR are diverse as well. As such, the above description establishes a starting position for inquiry. Intersectionality of identities, and the varying contexts where APR manifests may require a broader application of the definition. For example – women and queer Palestinians or advocates may experience APR that is also misogynistic or homophobic in nature. The description of APR is not exclusive or exhaustive and therefore those with differing or expanded views than what is included in the description must also be considered.

The forms of APR described here reflect some of the most predominant expressions of APR observed through ACLA's work in community, survey respondents and reports. The following elaborates on how APR is expressed and perpetuated.

NAKBA DENIAL includes: claims that there are no such people called Palestinians or no state of Palestine exists; that Palestinians do not originate from a land called Palestine; denial that Palestinians were ethnically cleansed (along with accompanying crimes) to

create the state of Israel; rejecting the inalienable rights of Palestinian refugees including the right of return; appropriation of Palestinian history and culture without recognizing their origins; erasure of Palestinians' connections to the land (i.e. emotional, historical, ancestral, cultural, economic).

JUSTIFICATION OF VIOLENCE includes: equating the oppressed with the oppressors or blaming the oppressed for the actions of the oppressor or rationalizing the use of violence against Palestinians. The violence can be against Palestinians in Palestine or Israel or in the diaspora and can be committed against Palestinian lands (i.e. seizing lands, damaging natural resources), property (i.e. vandalizing or demolishing homes, businesses, religious centres), and persons (i.e. physical and psychological harms).

FAILING TO ACKNOWLEDGE PALESTINIANS AS AN INDIGENOUS PEOPLE includes: denying the existence of Palestine and Palestinians as a people; denying the settler-colonialization of Palestine; appropriating the culture, architecture, language, traditions, clothing, cuisine, music, arts etc. of Palestinians without acknowledgement of its origins; erasing Palestinian ancestral and present-day ties to their land and communities and denying their right to return; benefiting from, or complicity with, the removal of Palestinians from their lands; blocking redress of Palestinians in pursuit of their rights.

ERASING HUMAN DIGNITY OF PALESTINIANS includes: devaluing Palestinian life and well-being; denying Palestinian agency to advocate for their rights; interfering or demonizing Palestinians for pursuing their rights; characterizing Palestinians as a people that are inhumane or lack value for human life or basic human emotions; excluding or smearing those who support or participate in Palestinian movements (i.e. BDS movement); upholding a Palestine exception to fundamental rights (i.e. support free speech rights but deny Palestinians from expressing their views); threatening physical or sexual violence.

EXCLUDING PALESTINIANS AND ALLIES includes: barring the hiring or appointment of Palestinians or others who support Palestinian human rights and movements; denying funding or sponsorship for projects that include Palestinian narratives; denying proposals or submissions for projects or works related to Palestine; erasing mention of Palestine or Palestinian narratives in mainstream media; excluding Palestinians from speaking opportunities on topics related to Palestine; onerous requirements for hosting Palestinian events; omitting references to Palestinian identity or cultural contributions.

DEFAMING PALESTINIANS AND ALLIES includes: dehumanizing stereotypes that aims to "other" Palestinians in mainstream Western or Canadian society; depicting Palestinians as inherently hateful, violent, antisemitic, as terrorists, uncivilized, unintelligent, backwards, homophobic, misogynistic, Islamic extremists, anti-democracy, untrustworthy, biased; and claiming Palestinian movements are motivated by hate or antisemitism. Advocates are

either discredited or smeared by these anti-Palestinian stereotypes (i.e. they are a terrorist sympathizer or antisemitic for holding pro-Palestine views).

Naming and Framing Anti-Palestinian Racism as an Anti-Oppression Tool

Naming anti-Palestinian racism, as a specific form of racism, can serve as a resource for Palestinians and advocates. It provides a framework to identify, articulate and address negative, hostile or discriminatory conduct experienced when they identify as Palestinians, as their allies, or engage in Palestinian narratives. Consultations on the description of APR revealed overwhelming support for the creation of a framework to name APR to serve this purpose. Naming APR will allow those who experience APR to give their experience a name, validate that their APR experience is real and provide a starting point to address APR directly and challenge this prevalent form of racism when and where it arises. This framework is not static, and it is expected to evolve and adapt to address different circumstances.

Anti-Palestinian Racism Framework is Not a Weapon

Naming APR is not to be weaponized or be used to impede good faith discussions on Palestine/Israel. It is recognized that racialized communities ultimately bear the brunt of censorship. Developed through a consultative process, the adoption of the term and its framework aims to capture the lived experiences of Palestinians and advocates and provide them with an anti-racism framework they can use to address incidents of APR. A suspected incident of APR still requires further inquiry to determine whether the incident is in fact motivated by racism.

To further clarify, an APR framework does not protect or absolve an individual supportive of Palestinian rights who expresses their views in a manner that is antisemitic or discriminatory (i.e. predicating ones views on stereotypes). Such views are unwelcome and should be addressed because they are harmful to both communities and counter-productive to anti-racism and solidarity actions.

THE PROBLEM WITH CONFLATING ANTI-PALESTINIAN RACISM AND ISLAMOPHOBIA

Many incorrectly view Palestine-Israel as a religious conflict – Muslims versus Jews. As a result, Muslims may experience APR over their perceived support for Palestine. Palestinians may experience Islamophobia, irrespective of their religion. While there may be intersections between the two, APR and Islamophobia are distinct conceptual categories. Failure to differentiate them raises problems of over-inclusiveness and under-

inclusiveness; perpetuates stereotypes of Palestinians, Arabs and Muslims; and denies Palestinians redress.

Scholars and activists have rightly pointed out the problematic nature of conflating APR with Islamophobia.⁷⁶ First, it ignores the fact that Palestinians are not all Muslim, and erases the identity of Christian Palestinians.⁷⁷ Second, the conflation reduces a settler-colonial conflict to a matter of mere religious belief. Reducing the conflict, and the experience of APR, to a religious war between Judaism and Islam perpetuates stereotypes and a falsehood against Muslims, Arabs, Palestinians and Jews - namely that these groups are committed to a preordained belief system that programs them to hate one another, and therefore makes peace between them impossible.

It is widely accepted that Palestine-Israel is fundamentally a settler-colonial struggle where Palestinian lands are seized and occupied by Israel in accordance with their political ideology of Zionism.⁷⁸ The implementation of this ideology targets Palestinians, their land, their culture and identity in order to maintain Jewish supremacy and accompanying narrative across Palestine. Palestinians in effect are being erased from the landscape.

Falsely depicting the oppression of Palestinians as a religious conflict hinders the decolonization and liberation efforts of Palestinians, and restricts their ability to resist and testify against their injustices. Significantly and erroneously, this false reduction prohibits the possibility that Palestinian self-determination and Jewish self-determination are not mutually exclusive.

Increasingly, ACLA has noticed a tendency for institutions to conflate APR with Islamophobia when faced with an APR-related complaint and avoid addressing the APR issue. Tragically, due to a spike in violent hate crimes against Muslims in Canada, combatting Islamophobia has, relatively speaking, gained mainstream institutional acceptance. Recently, ACLA has observed that several responses to APR complaints outlined the respondent's interactions or consultations with Muslim groups or their organization's anti-Islamophobia policies and initiatives, but were silent on the APR concerns raised. While such commitments are commendable, ACLA is concerned that elected officials, academic administrators, equity offices, media and the broader policy community are relying on anti-Islamophobia commitments to avoid addressing APR. This

"...ACLA is concerned that elected officials, academic administrators, equity offices, media and the broader policy community are relying on anti-Islamophobia commitments to avoid addressing APR."

serves to ignore and downplay the specificity of APR and incorrectly conflates APR with Islamophobia.

For example, TDSB's response to complaints of APR relating to their scandals involving Davila and Cole and the Garneau student protest was to commit to providing resources and raising awareness on Islamophobia. The Tax Court of Canada's response to Justice Spiro's role in the Azarova hiring scandal, was to (inappropriately) bar him from hearing cases involving Muslim parties. Similarly, the CJC's decision found Justice Spiro had good ties with the Muslim community so there was no concern for an apprehension of bias against Muslims, Arabs and Palestinians - without addressing the specific concerns of bias against Palestinians raised in the complaints.⁷⁹

These examples, among others, present a worrying trend that whenever Palestinians and advocates raise APR, rather than investigating these complaints and taking accountability for their actions, institutions are obfuscating and avoiding APR entirely by instead pledging to take action on Islamophobia. The effect, once again, is to silence Palestinians and disregard their experiences, discourage Palestinians from reporting APR incidents, signal that this form of racism is acceptable, and enable APR and its accompanying harms to continue to be perpetuated against Palestinians and advocates.

THE IMPORTANCE OF ADDRESSING THE HARMS FROM ANTI-PALESTINIAN RACISM

Whether the Palestinian community explicitly names APR or uses this description of APR, the impacts of APR need to be addressed by institutions and workplaces. This is especially true in educational and academic settings where many reports of APR arise, and for the most part, these institutions continue to fail to protect their students and educators.⁸⁰

For many from Palestinian and Arab communities, the recent examples of APR described in the introduction strongly resonated with their own experiences of fear, exclusion, anxiety or targeting because of their identity or views. These examples confirmed what many Palestinians already suspected – that Palestinians and advocates are being silenced for testifying to the atrocities being committed against Palestinians at a time when these testimonies are needed most.⁸¹

The harms from APR can manifest itself in a range of negative and cumulative experiences such as: being subjected to negative stereotypes or witnessing violence against Palestinians in the media or public sphere; dealing with microaggressions at school or workplaces; not being believed or supported when smeared or falsely accused of promoting hate; facing criticisms, discipline or scrutiny or being denied sought-after opportunities or

advancements because of a Palestinian identity or supportive views on Palestine; or being treated, as controversial, divisive, primitive or inferior and dismissed because of work on Palestine.

This kind of targeting of Palestinian identity and narratives, the loss of opportunities and negative treatment can trigger racial trauma for Palestinians and some advocates.⁸² Racial-trauma is similar to post-traumatic stress disorder and can take a serious toll on Palestinians and advocates' mental health, self-esteem and physical health. Those who experience APR report feelings of fear, anxiety, self-doubt, depression, low self-esteem, hypervigilance, insecurity and isolation among other negative emotions.⁸³ These symptoms may also present physically (i.e. insomnia, headaches, body pain, loss of appetite etc.).

This trauma may be exacerbated for Palestinians who may also experience inter-generational trauma passed down to them from parents or grandparents. In addition, Palestinians or advocates might experience vicarious trauma as a result of systemic APR around them or bearing witness to the APR experienced by members of their community.

As a result of trauma or fear of retaliation, many Palestinian students, educators and professionals feel the need to hide their identities or views in order to advance in their education or

“As a result of trauma or fear of retaliation, many Palestinian students, educators and professionals feel the need to hide their identities or views in order to advance in their education or careers – this too can take a toll on a person’s self-worth.”

careers – this too can take a toll on a person’s self-worth.⁸⁴ Many are dissuaded from pursuing research or work in Palestinian fields or getting involved with their community because they are concerned that this will bar them from future opportunities or subject them or their work to criticisms. Many have reported having to take health-related leaves from school or employment as a result of APR. Furthermore, many of those who experience APR are reluctant or discouraged from seeking redress through formal channels because they worry they will face reprisals, they will be blamed for the situation or their complaints will be ignored.

The harms of APR are felt by both Palestinians and advocates, particularly those that are racialized. The intensity of an APR experience and subsequent impacts can vary based on a person’s identity(ies) and the positions they hold. For example, those in senior or high profile positions may face public condemnations, intense internal pressures or formal investigations. Advocates from racialized or other equity-seeking communities may

experience APR that is reinforced with other forms of hate such as anti-Black racism, anti-Asian racism, Islamophobia, homophobia, misogyny etc. The vulnerability of Palestinians and racialized advocates exposes to them to greater harms because of job precarity or their lack of deep networks or supports.

The experience of being the target of a smear campaign over their critique of the IHRA working definition of antisemitism was described in an article by a racialized professor at Osgoode Hall Law School.⁸⁵ After his comments were taken out of context, he became the basis of a petition by a pro-Israel organization to stop him from teaching human rights courses at the law school. This campaign triggered a flurry of racist messages directed at him. The failed petition was followed by a complaint to the Law Society of Ontario, which was dismissed. The experience was made worse because he did not receive public support from his university and faced this harassment and reputational harm largely on his own.⁸⁶

Harms of Anti-Palestinian Racism on Campus

While there are many documented incidents of APR in the public and private sector, a significant number of the reports of APR ACLA received and observed are related to incidences on campuses – in Canada and abroad. This is likely due to discussions on Palestine/Israel happening more frequently in academic settings and subjected to more targeting, and educators and students are increasingly more aware of APR and willing to speak out against such treatment.

Academics, educators and students have reported to ACLA that they feel stressed in their classrooms because they sense that they are being monitored and scrutinized over their identity, the content of their lectures or discussions, their scholarship, their participation in events or their social media comments. Some educators reported they were subjected to internal or human rights complaints from students or faculty who opposed their views on Palestine/Israel. In addition, many increasingly reported that students were making “accommodation” requests to be transferred out of their class or tutorial because of discomfort with the instructor’s identity or views on Palestine/Israel. Students and educators have been doxed or blacklisted on the Canary Mission website.⁸⁷

Scholars that are not tenured feel particularly vulnerable because of their work on Palestine, especially racialized scholars. As described above, educators reported experiences or concerns associated with the denial of opportunities including hirings, tenure reviews, contract renewals, appointments, project funding and publication submissions.

Educators also felt that administration did not protect them against false allegations of hate. They also felt administration prolonged investigations into vexatious allegations or

over-scrutinized their work or conduct. This caused serious stress to targeted educators and left them feeling stigmatized and their reputations tarnished among their peers.

Many student organizers also felt targeted and harassed by internal and external pro-Israel groups and by university administration. Organizers experienced threats, accusations of being antisemitic or supporting terrorism, intimidation, harassment and disruption of their events.⁸⁸

“Diversity initiatives tend to neutralize anti-racism work to protect the status quo, thus harming those it claims to support.”

Palestinian solidarity groups were also subjected to their university’s threats to deny their organization funding because of their organizing work.⁸⁹ In addition, Palestine-related events were frequently labelled as “controversial” by administration and subjected to additional inquiries before room bookings were confirmed, and sometimes added costs were required for campus security or police presence. These security costs can be prohibitive, and police or security presence may turn events into intimidating spaces for racialized attendees, and can reinforce the stereotype that Palestinians are dangerous.

Unsurprisingly, students and educators who went to their equity, diversity and inclusion (EDI) offices with their APR experience reported largely negative interactions. Diversity initiatives tend to neutralize anti-racism work to protect the status quo, thus harming those it claims to support.⁹⁰ Complaints regarding EDI offices’ handling of APR matters ranged from treating the concerns as a personal mental health issue; long delays for responses or no acknowledgement received of the complaint; proposing dialogue sessions with perpetrators of APR; referring people to anti-Islamophobia initiatives; and dismissing concerns or suggestions for redress. Even more troubling, some reported that their EDI offices or faculties were disseminating APR by offering antisemitism training that depicted Palestinians, their campaigns, and/or criticism of Israel as antisemitic.

The acts described above are not only meant to intimidate and silence their target but also send a warning to others who speak publicly in favour of Palestinian human rights. Institutions have also faced pressure to adopt the IHRA working definition of antisemitism. If adopted on campuses this type of censorship and harassment would be expected to intensify.⁹¹ It is well documented, including by the definition’s primary author,⁹² that the IHRA working definition has been weaponized to silence Palestinians and their supporters, including Jews who support Palestinian rights.⁹³ By labelling criticism of Israel as antisemitic, the definition is used to exclude those who are critical of Israel from participating in public engagements and partnerships or holding valued positions.⁹⁴ The aim of this chilling effect is to curtail academic freedom on Palestine/Israel and protect

Israel's settler-colonialization of Palestine.⁹⁵ To date, at least 40 faculty associations in Canada have rejected the adoption of the IHRA working definition of antisemitism.⁹⁶

Academic institutions have a duty to uphold academic freedom and protect the ability of academics, educators and students to teach, research, study and debate a range of perspectives on challenging topics. To do so, universities must openly engage in difficult topics as an integral part of the academic and educational process.⁹⁷ Any topic has the potential to make a cohort of students uncomfortable because of their personal beliefs – but discomfort does not equal hate.⁹⁸ If a university restricts academic freedom on Palestine to avoid some students feeling uncomfortable in the classroom, then inevitably the same recourse will be demanded for a range of other subjects.

Universities must resist interference from external groups, donors, or individuals using their privilege to dictate what is studied, taught or researched at universities, regardless of the subject. Otherwise, academic freedom followed by public trust in our academic institutions will irrevocably erode.

CONCLUSION

Whether it is smear campaigns against an individual or attempts to cancel an event, anti-Palestinian racism is not only meant to intimidate and silence its target but also send a warning to others considering engaging in Palestinian human rights. The personal toll on an individual may harm their physical and mental well-being. The collective toll on a community is an acute chill that permeates the culture and deters those from saying Palestine in public spaces. Silence in the face of APR exacerbates the resulting harms, erases Palestinian narratives from public discourse, and shamefully casts them as controversial or hateful. If APR is not acknowledged and addressed it will continue to be seen as an acceptable practice and be perpetrated unabated against Palestinians and advocates. This report aims to start these difficult conversations and empower Palestinians and allies to speak without fear.

NEXT STEPS

Palestinian organizations, advocates and individuals are welcome to rely on the report as they see fit in the course of their work. It may be adapted to address how APR manifests in their particular contexts. It may also be a tool to help understand and validate the experiences of many Palestinians and advocates. It may help them to create a space to

speak about their experiences and know they are not alone. It can also be used to help foster co-solidarities with other communities resisting racism and settler-colonialism.

For administrators in the private or public sector, educators, EDI offices and media, this report is a resource to help better understand APR, their role in perpetuating APR and its impacts on Palestinians and advocates. APR should be understood as part of a broader anti-racism discourse and be a part of their anti-racism work. Freedom of expression on Palestine must be upheld in their settings, and those who choose to speak on Palestine should not be subjected to harassment, defamation, punitive measures or exclusion.

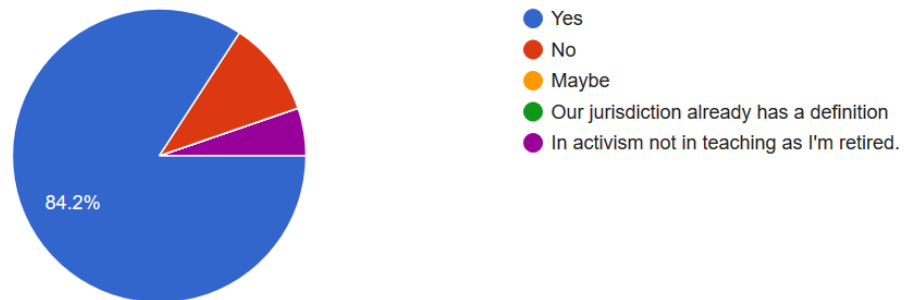
ACLA is developing and hosting an APR/anti-Arab racism self-reporting form on its website (canarablaw.org) that will allow individuals to document their experiences with racism. This quantitative and qualitative data will allow us to track experiences and trends within our communities and raise further awareness on APR.

APPENDIX 1: SUMMARY OF SURVEY QUESTIONS

Note: Not all respondents completed the survey. Some responses were received by email. Those who completed the survey were not required to answer every question. Some respondents provided their feedback in text boxes that followed the questions or did not respond to questions if they provided their views in an earlier question.

Would an APR definition be of assistance in your work?

19 responses



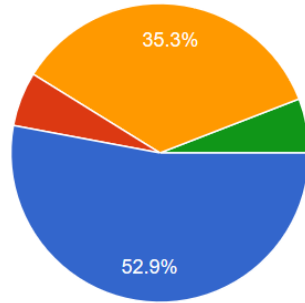
What are initial thoughts on the draft APR definition?

17 responses



Is the APR definition easy to understand for the average person?

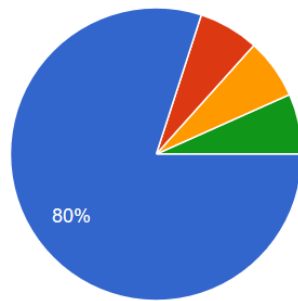
17 responses



- Yes (the average person can read, understand and apply the definition)
- No (only academics and lawyers can understand this definition)
- Somewhat understandable (generally yes but some parts are confusing)
- Yes. I think stereotype in the last sentence would be better than trope.

Is the APR definition written in sufficiently plain language?

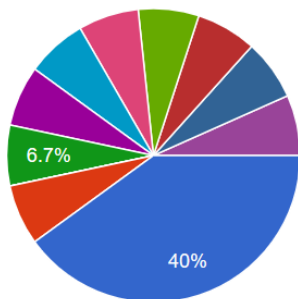
15 responses



- Yes (it is free of jargon and complex terminology)
- No (it has too many legal terms and jargon)
- Somewhat (overall plain language but some jargon present)
- If the definition is to be endorsed at institutional levels then a certain level of Jargon will have to be there, which will certainly have to be deciphered by tho...

Is the APR definition an appropriate length?

15 responses

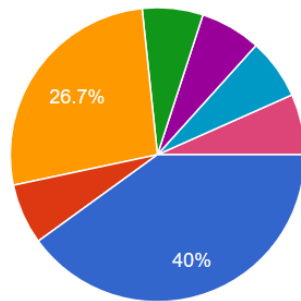


- Yes (good length)
- No (too long)
- No (too short)
- I'm not keen on having a definition of...
- Shorter is better, but I can't think of wh...
- I think it would be OK if it were slightly...
- should prepare a much longer report t...
- just suggesting one more line to begin...

▲ 1/2 ▼

Is the ARP definition comprehensive?

15 responses



- Yes (it captures the manifestations and experiences of APR)
- No (it misses significant elements of APR)
- Somewhat (it captures most elements but others are missing)
- See above
- It's possible we need denials of right o...
- using multiple docs of increasing lengt...
- Best for Palestinians to determine this

ENDNOTES

¹ Reem Bahdi, "No Exit: Racial Profiling and Canada's War against Terrorism." *Osgoode Hall Law Journal* 41.2/3 (2003): 293-317, online: *Osgoode Digital Commons* <http://digitalcommons.osgoode.yorku.ca/ohlj/vol41/iss2/>; Salaita, Steven. *Anti-Arab Racism in the USA: where it comes from and what it means for politics today*, ed (London, UK: Pluto Press, 2006) at chapter 2, online: *JSTOR* <https://www.jstor.org/stable/j.ctt18fsb1b>; S.H. Razack (2007), "'Your Client has a Profile:' Race and National Security in Canada After 9/11", Sarat, A. (Ed.) *Studies in Law, Politics and Society (Studies in Law, Politics, and Society, Vol. 40)*, Emerald Group Publishing Limited, Bingley, pp. 3-40, online: *Emerald Group Publishing* [https://doi.org/10.1016/S1059-4337\(06\)40001-6](https://doi.org/10.1016/S1059-4337(06)40001-6). Canadians for Justice and Peace in the Middle East, "Marginalized and Misunderstood: Survey on Attitudes on Arabs and Anti-Arab Racism in Canada," (28 October 2021), online: *CJPME* <https://www.cjpme.org/survey2021>.

² The perception of escalation may also be a result of the increased use of social media platforms by Palestinians and advocates to highlight discriminatory experiences.

³ For example: Idle No More, Wet'suwet'en land defenders, Six Nations of the Grand River land defenders, Mohawks of Tyendinaga land defenders, Standing Rock Sioux water keepers, Missing and Murdered Indigenous Women rights movement, Residential School Survivors and Truth and Reconciliation calls to action.

⁴ Shree Paradkar, "The Surprising Bonds That Link Palestinian, Black and Indigenous Liberation Movements", (30 May 2021), online: *Toronto Star* <https://www.thestar.com/opinion/2021/05/30/the-surprising-bonds-that-link-palestinian-black-and-indigenous-liberation-movements.html>; Chandni Desai (2021) *Disrupting Settler-Colonial Capitalism: Indigenous Intifadas and Resurgent Solidarity from Turtle Island to Palestine*, *Journal of Palestine Studies*, 50:2, 43-66, online: *JPS* https://www.palestine-studies.org/sites/default/files/attachments/jps-articles/RPAL_A_1909376_O.pdf; "Special Issue: Black-Palestinian Transnational Solidarity," *Journal of Palestine Studies* (2019) 48:4, online: *JPS* https://www.palestine-studies.org/en/journals/explorer?f%5B0%5D=field_special_issue%3A12434; Noura Erakat, "Geographies of Intimacy: Contemporary Renewals of Black-Palestinian Solidarity." *American Quarterly*, vol. 72 no. 2, 2020, p. 471-496, *Project MUSE*, [doi:10.1353/aq.2020.0027](https://doi.org/10.1353/aq.2020.0027); Palestinian BDS National Committee, "We can't breathe until we're free! Palestinians stand in solidarity with Black Americans", (30 May 2020), online: *BDS Movement* <https://bdsmovement.net/news/we-cant-breathe-until-we-are-free-palestinians-stand-solidarity-with-black-americans>; Palestinian BDS National Committee, "From Standing Rock to Occupied Jerusalem: We Resist Desecration of our Burial Sites and Colonizing our Indigenous Lands", (9 September 2016), online: *BDS Movement* <https://bdsmovement.net/news/standing-rock-occupied-jerusalem-we-resist-desecration-our-burial-sites-and-colonizing-our>; Idle No More, "Idle No More Stands in Solidarity with Palestinian people", (May 2021), online: *Idle No More* <https://idlenomore.ca/idle-no-more-stands-in-solidarity-with-palestinian-people/?fbclid=IwAR1gLxfi83FdUUQ6zSSH5zU6C-EEUMGdDCNLIa9EKPqoI4GKLAQf6dwlLpk>; Black Lives Matter. "Black lives Statement of Solidarity with Palestinians", (17 May 2021), online: *Twitter*

<https://twitter.com/Blklivesmatter/status/1394289672101064704>.<https://www.thestar.com/opinion/2021/05/30/the-surprising-bonds-that-link-palestinian-black-and-indigenous-liberation-movements.html>

⁵ It should be noted that the solidarity between movements is not new and were also seen during anti-imperialist struggles of the 1960s. Michael R. Fischbach, *Black Power and Palestine Transnational Countries of Color*, ed (Stanford, CA: Stanford University Press, 2019); Salam Awad, "A Visual History of Black-Palestinian Solidarity", (18 October 2021), online: *Middle East Eye* <https://www.middleeasteye.net/discover/palestine-black-lives-matter-solidarity-pictures>; Desai, *ibid*.

⁶ Paradkar, *supra* note 4.

⁷ This evolving anti-racism response to derogatory or discriminatory treatment of Palestinians was widely witnessed online during the Spring 2021 Palestinian uprising, attack on Gaza and Jerusalem expulsions.

⁸ Larry Haiven, "'Cancel culture' and the pro-Israel lobby", (10 July 2020), online: *Canadian Dimension* <https://canadiandimension.com/articles/view/cancel-culture-and-the-pro-israel-lobby>; Radheyana Simonpillai, "Canadian artists fear backlash for speaking on Israel-Palestine", (9 June 2021), online: *NOW Magazine* <https://nowtoronto.com/culture/canadian-artists-fear-backlash-for-speaking-on-israel-palestine>; Mary-Jo Nadeau & Alan Sears (2010) The Palestine Test: Countering the Silencing Campaign, *Studies in Political Economy*, 85:1, 7-33, DOI: [10.1080/19187033.2010.11675033](https://doi.org/10.1080/19187033.2010.11675033).

⁹ See *infra* note 74 on the mental and physical impacts of racial trauma, which Palestinians in the private sector have reported to us that they experience these symptoms because of workplace incidences.

¹⁰ Reem Bahdi, "'All Arabs Are Liars': Arab and Muslim Stereotypes in Canadian Human Rights Law", *Journal of Law and Social Policy* 31. (2019): 92-123, online: *Osgoode Digital Commons* <https://digitalcommons.osgoode.yorku.ca/jlsp/vol31/iss1/5>.

¹¹ David Kattenburg, "Palestine Deleted", (24 August 2020), online: *Mondoweiss* <https://mondoweiss.net/2020/08/palestine-deleted/>.

¹² Jack Nagler, "An Awkward Apology", *CBC Ombudsman*, (4 March 2021), online: *CBC/Radio Canada* https://cbc.radio-canada.ca/en/ombudsman/reviews/Awkward_Apology.

¹³ Human Rights Watch, "A Threshold Crossed", (27 April 2021), online: *Human Rights Watch* <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>. Andrew Mitrovica, "For CBC, a Dog Story Is More Important than Israel's Apartheid", (16 May 2021), online: *Al Jazeera* <https://www.aljazeera.com/opinions/2021/5/15/for-cbc-a-dog-story-is-more-important-than-israels-apartheid>. The CBC did cover Amnesty International's February 2022 report on Israel's crimes of apartheid. "Amnesty International Report Accuses Israel

of 'Apartheid' against Palestinians", (1 February 2022), online: *CBC/Radio Canada* <https://www.cbc.ca/player/play/1998410819545>.

¹⁴ "An Open Letter to Canadian Newsrooms on Covering Israel-Palestine," (14 May 2021), online: *Google Docs* https://docs.google.com/document/d/1tp0pdwR_s_a1dj27SpiovvwPckApr6awlzRfeVgCD0A/edit?usp=sharing.

¹⁵ Manisha Krishnan, "CBC Journalists Told They Can't Cover Israel-Palestine after Demanding Fairer Coverage", (21 May 2021), online: *VICE* <https://www.vice.com/en/article/5db398/cbc-journalists-told-they-cant-cover-israel-palestine-after-demanding-fairer-coverage>.

¹⁶ Akela Lacy, "Journalists in Australia Censured for Demanding Better Coverage of Israel and Palestine," (27 May 2021), online: *The Intercept* https://theintercept.com/2021/05/27/israel-palestine-australia-journalists/?fbclid=IwAR3fqK7qO-eiw9l0NTZ-a62byVwlcOrXnQgMYpWGG_5Y13onJpTBFZH7A8.

¹⁷ Masha Gessen, "Did a University of Toronto Donor Block the Hiring of a Scholar for Her Writing on Palestine?", (8 May 2021) online: *The New Yorker* <https://www.newyorker.com/news/our-columnists/did-a-university-of-toronto-donor-block-the-hiring-of-a-scholar-for-her-writing-on-palestine>.

¹⁸ Mersiha Gadzo, "'Anti-Palestinian Racism': Appointment Row at Toronto University," (20 September 2020), online: *Al Jazeera* <https://www.aljazeera.com/news/2020/9/20/anti-palestinian-racism-appointment-row-at-toronto-university>.

¹⁹ Azeezah Kanji, David Palumbo-Liu, and Dania Majid, "Repression of Speech and Scholarship on Palestine Needs to End", (1 October 2020), online: *Al Jazeera* <https://www.aljazeera.com/opinions/2020/10/1/repression-of-speech-and-scholarship-on-palestine-needs-to-end>.

²⁰ Canadian Association of University Teachers, "Censure against University of Toronto", (22 April 2021), online: *CAUT* <https://www.caut.ca/content/censure-against-university-toronto>.

²¹ Censure UofT. <https://censureuoft.ca/>.

²² *Supra* note 20 and 21. Dr. Azarova issued a statement, shared by Censure UofT, explaining why she declined the offer.

²³ *Supra* note 19.

²⁴ ACLA, IJV, BCCLA, "Complaint to the Canadian Judicial regarding Justice David Spiro", (10 October 2020), online: *IJV* <https://www.ijvcanada.org/wp-content/uploads/2020/10/CJC-complaint-re-Justice-Spiro-ACLA-IJV-BCCLA.pdf>. The CJC's decision found Justice Spiro made a serious error but the CJC

decided not to sanction him. The complainants filed a Judicial Review of the CJC's decision to be heard April 25 and 26 2022. Jim Bronskill, "Groups Challenge Decision Allowing Judge Involved in U of T Controversy to Keep Job", (24 June 2021), online: *Globe and Mail* <https://www.theglobeandmail.com/canada/article-groups-challenge-decision-allowing-judge-involved-in-u-of-t/>.

²⁵ ACLA and IJV Submission to the Cromwell Review, (9 February 2021), online: *ACLA* www.canarablaw.org

²⁶ Shree Paradkar, "Search for new director of U of T law faculty's International Human Rights Program leads to resignations, allegations of interference", (17 September 2020), online: *Toronto Star* <https://www.thestar.com/news/gta/2020/09/17/search-for-new-director-of-u-of-t-law-facultys-international-human-rights-program-leads-to-resignations-allegations-of-interference.html>.

²⁷ *Supra* note 24.

²⁸ Andrew Mitrovica, "A doctor's oath and occupied Palestine", (30 May 2021), online: *Al Jazeera* <https://www.aljazeera.com/opinions/2021/5/30/a-doctors-oath-and-occupied-palestine>.

²⁹ David Moscrop, "Opinion | A Toronto Educator Is Being Attacked for Standing up for Palestinians", (2 June 2021), online: *The Washington Post* <https://www.washingtonpost.com/opinions/2021/06/01/canada-israel-tdsb-javier-davila-cancel-culture-education-moscrop/>.

³⁰ Shree Paradkar, "TDSB Reinstates Student Equity Adviser Who Shared Resources on Palestinian Human Rights", (19 July 2021), online: *Toronto Star* <https://www.thestar.com/opinion/star-columnists/2021/07/19/tdsb-reinstates-student-equity-adviser-who-shared-resources-on-palestinian-human-rights.html>.

³¹ Video recording of Desmond Cole's presentation, (24 September 2021), online: *NCCM Twitter* <https://twitter.com/nccm/status/1441449699794423809>; Desmond, Cole, "Under Investigation: Anti-Palestinian racism at the Toronto District School Board", (7 October 2021), online: *Yes, Everything!* <https://www.yeseverything.ca/blog/under-investigation-anti-palestinian-racism-at-the-toronto-district-school-board>.

³² *Ibid.*

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ *Ibid.*; Mark Muhannad Ayyash, "The Toronto District School Board's Real Scandal Is Anti-Palestinian Racism", (6 October 2021), online: *The Breach* <https://breachmedia.ca/the-toronto-district-school-boards-real-scandal-is-anti-palestinian-racism/>.

³⁶ William Paul, "Let's Be Honest: TDSB Stifles Criticism of Israel", (27 October 2021), online: *School Magazine* <https://educationactiontoronto.com/articles/lets-be-honest-tdsb-stifles-criticism-of-israel/>.

³⁷ Toronto District School Board, "TDSB Board Member Code of Conduct Complaint Investigation Report Naming Trustee Alexandra Lulka", (8 December 2021), online: *TDSB* <https://www.tdsb.on.ca/Leadership/Boardroom/Agenda-Minutes>.

³⁸ Joanna Lavoie, "Controversy erupts as Toronto students call for end to anti-Palestinian racism within the TDSB", (17 November 2021), online: *Toronto Star* <https://www.thestar.com/local-toronto-north-york/news/2021/11/17/controversy-erupts-as-toronto-students-call-for-end-to-anti-palestinian-racism-within-the-tdsb.html>. Press release of 'Free Palestine TDSB' students' demands, (15 November 2021), online: *Michael Bueckert Twitter* <https://twitter.com/mbueckert/status/1460365480376610817>

³⁹ Canadians for Peace and Justice in the Middle East, "CJPME's vote 2021 elections guide", (7 September 2021), online: *CJPME* https://www.cjpme.org/elections_guide_2021.

⁴⁰ Christopher Guly, "The man who upended Canada's Green Party", (20 July 2021), online: *The Tye* <https://thetyee.ca/News/2021/07/20/The-Man-Who-Upended-Canadas-Green-Party/>.

⁴¹ *Ibid*; CBC Ontario Today, "Open lines with the parties: Green leader Annamie Paul ", (25 August 2021), online: *CBC/Radio Canada* <https://www.cbc.ca/listen/live-radio/1-45/clip/15862540> at minute 27. CBC/Radio-Canada, "Le Débat des chefs 2021", (8 September 2021), online: *Radio-Canada YouTube Channel* <https://youtu.be/uKpwFP6HACw?t=6601> at minute 110.

⁴² David Cochrane & John Paul Tasker, "Green MP Jenica Atwin crossing the floor to join the liberals", (10 June 2021), online: *CBC News* <https://www.cbc.ca/news/politics/jenica-atwin-joining-the-liberals-1.6060501>.

⁴³ Christopher Guly, "This was supposed to be the Green Party's moment", (2 September 2021), online: *The Tye* <https://thetyee.ca/News/2021/09/02/Supposed-To-Be-Green-Party-Moment/>.

⁴⁴ Elizabeth May, "Elizabeth May: Annamie Paul told me to stay silent. But now I must say something", (3 October 2021), online: *The Toronto Star* <https://www.thestar.com/politics/political-opinion/2021/10/03/annamie-paul-told-me-to-stay-silent-but-now-i-must-say-something.html>.

⁴⁵ Yasmeen Abu-Laban & Abigail B Bakan, "Anti-Palestinian Racism: Analyzing the Unnamed and Suppressed Reality", (21 September 2021), online: *Project on Middle East Political Science* <https://pomeps.org/anti-palestinian-racism-analyzing-the-unnamed-and-suppressed-reality>; Beinart, Peter. "It's Time to Name Anti-Palestinian Bigotry", (16 July 2021), online: *Jewish Currents* <https://jewishcurrents.org/its-time-to-name-anti-palestinian-bigotry>.

⁴⁶ Validation is important for the Palestinian community and its advocates because for so long they have been repeatedly made to feel they are the problem when they speak on Palestine. This results

in self-doubt, self-questioning, self-blame of their experiences of APR. See *infra* note 74 regarding racial trauma. See also Nestle, *infra* note 69.

⁴⁷ American Association of University Professors, "Legislative threats to academic freedom: Redefinitions of antisemitism and racism", (March 2022), online: *AAUP* https://www.aaup.org/report/legislative-threats-academic-freedom-redefinitions-antisemitism-and-racism?link_id=3&can_id=2b0041e853787fc9da748e8e273fc25f&source=email-new-statement-challenges-redefinitions-of-antisemitism-and-racism-2&email_referrer=email_1488521&email_subject=new-statement-challenges-redefinitions-of-antisemitism-and-racism; Palestine Legal. "Distorted definition: Silencing advocacy for Palestinian rights", online: *Palestine Legal* <https://palestinelegal.org/distorted-definition?fbclid=IwAR3nBbryjv1UAtpU7escPvtax5kyJifZmPjgmaEY2G4EjlhJL-x3RXsAJAY>.

⁴⁸ Anti-Semitism Working Group. "Report of the University of Toronto Anti-Semitism Working Group", (December 2021), online: *University of Toronto* <https://people.utoronto.ca/wp-content/uploads/2021/12/Report-of-the-Anti-Semitism-Working-Group.pdf> see Recommendation 3.

⁴⁹ For example, definitions can be interpreted narrowly to exclude, rationalize or excuse racist actions; or racist behaviours are altered so they are not captured by a definition. Joshua Sealy-Harrington, "The Alchemy of Equality Rights", (12 May 2021), online: *Constitutional Forum* <https://ssrn.com/abstract=3846626>.

⁵⁰ Salaita, *supra* note 1 at p. 7 and 11-13; Beinart, *supra* note 45.

⁵¹ Patrick Wolfe, *Traces of History: Elementary Structures of Race*, ed (London, UK: Verso, 2016), see Introduction; Abu-Laban & Bakan, *supra* note 45.

⁵² Both TDSB and PDSB have held consultations and sought feedback from the community on a possible APR definition for their anti-racism policies.

⁵³ Since that time however, articles and resources have been released on APR. For example see *supra* note 45. See also The Anti-Empire Project, "Anti-Palestinian Racism: A Resource", (June 2021), online: *Podur.org* <https://podur.org/wp-content/uploads/2021/06/Anti-Palestinian-Racism-for-online-reading.pdf>; Beisan Zubi & Derik Chica, "Growing Up Palestinian: Anti-Palestinian Racism and Youth", (February 2022), online: *Google Drive* <https://drive.google.com/file/d/1s-YkMc2GvPX7cjCaa7s4tHV5K2GOyZ-l/view>. Arab Australian Federation Inc, "The Sydney Statement on Anti-Palestinianism", (September 2021), online: *AAF* https://content.app-sources.com/s/59315283589963381/uploads/Images/The_Sydney_Statement_on_Anti_Palestinianism-1695486.pdf.

⁵⁴ The following are a selection of articles referencing APR accessed prior to February 2021: Ben White, "'There is no Palestine' - Israeli incitement, rejectionism & anti-Palestinian racism", (7 October 2017), online: *MEMO Publishers* <https://www.memopublishers.com/publications/item/there-is-no-palestine-israeli-incitement-rejectionism-anti-palestinian-racism>; Dalya Al Masri, "Anti-Palestinian

Racism Is Behind IHRA's Antisemitism Definition", (2020), online: *Passage* <https://readpassage.com/anti-palestinian-racism-is-behind-ihras-antisemitism-definition/>; Gadzo, *supra* note 18; Donald Johnson, "Anti-Palestinian tropes", (1 May 2019), online: *Mondoweiss* <https://mondoweiss.net/2019/03/anti-palestinian-tropes/>; "Report: Facebook most common platform for anti-Palestinian racism in Israel", (12 September 2020), online: *Middle East Monitor* <https://www.middleeastmonitor.com/20200912-report-facebook-most-common-platform-for-anti-palestinian-racism-in-israel/>. Rachad Antonius, "A 'Respectable' Racism." April, 2006. Originally published in French in J. Renaud and al. (Eds): *Les relations ethniques en question*, PUM, 2002 (article summary): https://www.cjpme.org/fs_064). Shree Paradkar, "Controversies at U of T Law, York University highlight escalating suppression of moderate voices criticizing Israel", (25 October 2020), online: *Toronto Star* <https://www.thestar.com/opinion/star-columnists/2020/10/25/controversies-at-u-of-t-law-york-university-highlight-escalating-suppression-of-moderate-voices-criticizing-israel.html>.

⁵⁵ Canadian Heritage, "Building a Foundation for Change: Canada's Anti-Racism Strategy 2019–2022", (2019), online: *Government of Canada* <https://www.canada.ca/en/canadian-heritage/campaigns/anti-racism-engagement/anti-racism-strategy.html>; Anti-Racism Directorate, "Ontario's anti-racism strategic plan", online: *Government of Ontario* <https://www.ontario.ca/page/ontarios-anti-racism-strategic-plan>; Canadian Race Relations Foundation, "CRRF Glossary of Terms", online: *CRRF* <https://www.crrf-fcrr.ca/en/resources/glossary-a-terms-en-gb-1?cc=p>.

⁵⁶ Arab Canadian Lawyers Association, "Anti-Palestinian racism definition survey", (2021), online: *Google Docs* <https://forms.gle/3eFns3byp5TSAVZx7>.

⁵⁷ Decolonize Palestine, "Introduction to Palestine :2: The mandate years and the Nakba", online: *Decolonize Palestine* <https://decolonizepalestine.com/intro/the-mandate-years-and-the-nakba/>; Ilan Pappé, *The ethnic cleansing of Palestine*, ed (Oxford, UK: Oneworld, 2015).

⁵⁸ Antonius, *supra* note 54.

⁵⁹ This is in keeping with basic human rights principles. See *Quebec (Commission des droits de la personne et des droits de la jeunesse) v. Bombardier Inc. (Bombardier Aerospace Training Center)*, 2015 SCC 39 (CanLII), [2015] 2 SCR 789, <https://canlii.ca/t/gk9v> at para. 1: "Discrimination can take a variety of forms. Although some of them are easy to identify, others are less obvious, such as those that result from unconscious prejudices and stereotypes or from standards that are neutral on their face but have adverse effects on certain persons. The Charter of human rights and freedoms, CQLR, c. C-12 ("Charter"), prohibits the various forms of discrimination and creates a remedy for victims of discrimination." See also Ontario Human Rights Commission, "What is "discrimination", online: OHRC <http://www.ohrc.on.ca/en/iii-principles-and-concepts/2-what-discrimination>.

⁶⁰ *Supra* note 54; Abu-Laban & Bakan *supra* note 45.

⁶¹ For example: BDS Movement, "What is BDS?", online: *BDS Movement* <https://bdsmovement.net/what-is-bds>.

⁶² *Supra* note 4; Krisna Saravanamuttu, "From black lives matter to Palestinian liberation", (25 May 2021), online: *Spring Magazine* <https://springmag.ca/from-black-lives-matter-to-palestinian-liberation>; Angela Y. Davis, *Freedom is a constant struggle: Ferguson, Palestine, and the foundations of a movement*, ed (Haymarket Books, 2016).

⁶³ The reports of international, Israeli and Palestinian human rights organizations that describe Israel's treatment of Palestinian and Palestinians as apartheid: Human Rights Watch, *supra*, note 13; Amnesty International, "Israel's apartheid against Palestinians: A cruel system of domination and a crime against humanity", (1 February 2022), online: *Amnesty International* <https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/>; Michael Lynk, *Report of the Special Rapporteur on the situation of Human Rights in the Palestinian territories occupied since 1967*, HRC, 49th sess., A/HRC/49/87, online: https://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_87_AdvanceUneditedVersion.docx; International Human Rights Clinic Harvard Law School & Addameer Prisoner Support and Human Rights Association. "Apartheid in the Occupied West Bank: A Legal Analysis of Israel's Actions", (28 February 2022), online: *Harvard Law School* <https://hrp.law.harvard.edu/wp-content/uploads/2022/03/IHRC-Addameer-Submission-to-HRC-COI-Apartheid-in-WB.pdf>.

B'Tselem, "A Regime of Jewish Supremacy from the Jordan River to the Mediterranean Sea: This is apartheid", (21 January 2021), online: *B'Tselem* https://www.btselem.org/publications/fulltext/202101_this_is_apartheid; Yesh Din, "*The Israeli Occupation of the West Bank and the Crime of Apartheid*", (June 2020), online: *Yesh Din* <https://www.yesh-din.org/en/the-occupation-of-the-west-bank-and-the-crime-of-apartheid-legal-opinion/>; Al-Haq and Addameer, together with Housing and Land Rights Network: "Entrenching and Maintaining an Apartheid Regime over the Palestinian People as a Whole" (Submission to the Special Rapporteur, January 2022), online: *Al Haq* https://www.alhaq.org/cached_uploads/download/2022/01/20/final-draft-lynk-s-apartheid-submission-1-1642656045.pdf; Al-Mezan, "*The Gaza Bantustan: Israeli Apartheid in the Gaza Strip*", (November 2021), online: *Al-Mezan* http://mezan.org/uploads/upload_center/kLAKShflAra2.pdf. Note Palestinians have been describing their situation as apartheid since the 1960s. For reflections on the charge of apartheid and international law see Noura Erakat & John Reynolds, "We charge apartheid? Palestine and the International Criminal Court", (2 March 2022), online: *SSRN* https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3998126.

⁶⁴ Abu-Laban & Bakan, *supra* note 45; CRRF glossary, *supra*, note 55; Ontario Human Rights Commission; "Racial discrimination, race and racism (fact sheet)", online: *OHRC* <https://www.ohrc.on.ca/en/racial-discrimination-race-and-racism-fact-sheet>.

⁶⁵ OHRC factsheet, *ibid*; Abu-Laban & Bakan *ibid*.

⁶⁶ Marc Lamont Hill & Mitchell Plitnick, *Except for Palestine: The Limits of Progressive Politics*, ed (New Press, 2022). <https://thenewpress.com/books/except-for-palestine>; Palestine Legal. "The Palestine

Exception", (September 2015), online: *Palestine Legal* <https://palestinelegal.org/the-palestine-exception>.

⁶⁷ Kenneth Stern, "I drafted the definition of antisemitism. Rightwing Jews are weaponizing it", (13 December 2019), online: *The Guardian* <https://www.theguardian.com/commentisfree/2019/dec/13/antisemitism-executive-order-trump-chilling-effect>; Independent Jewish Voices. "IHRA definition at work", (4 September 2020), online: *Independent Jewish Voices Canada* <https://www.ijvcana.org/ihra-definition-at-work/>.

⁶⁸ Abu-Laban & Bakan, *supra* note 45.

⁶⁹ Sheryl Nestle, "The "Palestine Test" revisited: Faculty, students and activists talk about their experiences of harassment, intimidation and suppression of speech on Palestine", (8 April 2022), online presentation: *Unsettling the University: Activism, Scholarship and the Political Inspirations of Mary-Jo Nadeau* <https://youtu.be/o1jvch8OClc?t=10534>. The findings presented in the talk will be published by Independent Jewish Voices in Spring 2022; Ramona Wadi, "Defeating the IHRA witch hunt: An interview with Palestinian activist and scholar Shahd Abusalama", (7 February 2022), online: *Mondoweiss* <https://mondoweiss.net/2022/02/defeating-the-ihra-witch-hunt-an-interview-with-palestinian-activist-and-scholar-shahd-abusalama/>.

⁷⁰ Center for Constitutional Rights, "The firing of Steven Salaita: Palestine Solidarity & Academic Freedom", (29 January 2015), online: *Center for Constitutional Rights* <https://ccrjustice.org/home/get-involved/tools-resources/fact-sheets-and-faqs/firing-steven-salaita-palestine-solidarity>; Nehad Khader, "Rasmea Odeh: The case of an indomitable woman" (2017) 46:4 *Journal of Palestine Studies* 62, online: *JPS* <https://www.palestine-studies.org/sites/default/files/attachments/jps-articles/Nehad%20Khader.pdf>.

⁷¹ Nestle, *supra* note 69; Al Masri, *supra* note 54.

⁷² Noura Erakat, "Opinion | Marc Lamont Hill and the legacy of punishing Black Internationalists", (5 December 2018), online: *The Washington Post* <https://www.washingtonpost.com/opinions/2018/12/05/marc-lamont-hill-legacy-punishing-black-internationalists/>; Erin Durkin, "Angela Davis 'stunned' by Decision to Rescind Civil Rights Award", (8 January 2019), online: *The Guardian* <https://www.theguardian.com/us-news/2019/jan/08/angela-davis-stunned-rescind-civil-rights-award>; Shivaram, Deepa. "Cornel West has announced he's leaving Harvard and says the school has lost its way", (13 July 2021), online: *NPR* <https://www.npr.org/2021/07/13/1015632217/cornel-west-has-announced-hes-leaving-harvard-and-says-the-school-has-lost-its-w>.

⁷³ Cole, *supra* note 31.

⁷⁴ Monnica T. Williams, "The link between racism and PTSD", (6 September 2015), online: *Psychology Today* <https://www.psychologytoday.com/us/blog/culturally-speaking/201509/the-link-between-racism-and-ptsd>; Jenna Wortham, "Racism's Psychological Toll", (24 June 2015), online: *New York*

Times <https://www.nytimes.com/2015/06/24/magazine/racisms-psychological-toll.html>; Comas-Díaz, L., Hall, G. N., & Neville, H. A. (2019). Racial trauma: Theory, research, and healing: Introduction to the special issue. *American Psychologist*, 74(1), 1-5. Online: <https://psycnet.apa.org/fulltext/2019-01033-001.html>; G.H. Awad, Kia-Keating, M., & Amer, M. M. (2019). A model of cumulative racial-ethnic trauma among Americans of Middle Eastern and North African (MENA) descent. *American Psychologist*, 74(1), 76-87. Online: <https://psycnet.apa.org/fulltext/2019-01033-007.html>; MT Williams, et al. "The Traumatizing Impact of Racism in Canadians of Colour", (24 March 2022), online: https://monnicawilliams.com/articles/Williams_RacialPTSDCanadians-inpress.pdf.

⁷⁵ Wortham, *ibid*; Awad et al., *ibid*; Williams (2015), *ibid*.

⁷⁶ MacDonald, Alex. "Israel-palestine: A glossary of problematic media language", (10 May 2021), online: *Middle East Eye* <https://www.middleeasteye.net/news/israel-palestine-aqsa-sheikh-jarrah-media-coverage-problematic-glossary>; Salaita, *supra* note 1 p.11 explains why Islamophobia cannot encompass anti-Arab racism. For more information on Islamophobia see: "Islamophobia is"online: <https://islamophobia-is.com/about/>.

⁷⁷ *Ibid*. This is part of larger concern among Christian Arabs (e.g. Copts, Maronites) who rightly worry about their identity erased through this conflation.

⁷⁸ Abu-Laban & Bakan, *supra* 45; Wolfe, *supra* note 51.

⁷⁹ TDSB Trustees meeting December 8, 2021; Sean Fine, "Tax Court tried to steer Jewish judge from cases involving Muslims, court record shows", (13 September 2021), online: *The Globe and Mail* <https://www.theglobeandmail.com/canada/article-tax-court-tried-to-steer-jewish-judge-from-cases-with-muslims-court/>; Canadian Judicial Council, "Canadian Judicial Council completes its review of the matter involving the honourable D.E. Spiro", (21 May 2021), online: *Canadian Judicial Council* <https://cjc-ccm.ca/en/news/canadian-judicial-council-completes-review-matter-involving-honourable-de-spiro>.

⁸⁰ Nestle, *supra* note 69.

⁸¹ M. Lynk, et. al., "UN experts condemn Israel's designation of Palestinian human rights defenders as terrorist organisations", (25 October 2021), online: *OHCHR* <https://www.ohchr.org/en/press-releases/2021/10/un-experts-condemn-israels-designation-palestinian-human-rights-defenders>; Human rights Watch, "Israel/Palestine: Facebook Censors Discussion of Rights Issues", (8 October 2021), online: *Human Rights Watch* <https://www.hrw.org/news/2021/10/08/israel/palestine-facebook-censors-discussion-rights-issues>.

⁸² *Supra* note 69.

⁸³ *Ibid*; *Supra* note 74. The feelings described are symptoms of racial-trauma.

⁸⁴ Nestle, *supra* note 69.)

⁸⁵ Faisal Bhabha, "Smearing, Silencing and Antisemitism", (19 January 2021), online: *Obiter Dicta* https://obiter-dicta.ca/2021/01/20/smearing-silencing-and-antisemitism/?fbclid=IwAR0Cmg_kR8C4GqzuQer1aY6Sd8F3Ndzse3grHpmHmVHVO3anWO6pAi4ipGE.

⁸⁶ *Ibid.* Jaime Cameron, "The Professor, the Petition and the President: Professor Bhabha, B'Nai Brith, and President Lenton", (2020), online: *Centre for Free Expression* <https://cfe.ryerson.ca/blog/2020/08/professor-petition-and-president-professor-bhabha-b%E2%80%99nai-brith-and-president-lenton>.

⁸⁷ Canary Mission is a website (canarymission.com) that blacklists students and academics that espouse pro-Palestinian views. Several well-respected Ontario professors are among the many listed.

⁸⁸ Haiven, *supra* note 8. Lauren Alexander, "BDS caucus fees to be withheld from UTGSU", (8 March 2022), online: *The Varsity* <https://thevarsity.ca/2022/03/08/bds-caucus-fees-to-be-withheld-from-utgsu/>; Linda Gyulai, "McGill gives students' society ultimatum on its Palestine Solidarity Policy", (25 March 2022), online: *Montreal Gazette* <https://montrealgazette.com/news/local-news/mcgill-gives-students-society-ultimatum-on-its-palestine-solidarity-policy>; Mastracci, Davide. "Debunking lies about the York University protest", (26 November 2019), online: *Medium* <https://medium.com/@DavideMastracci/debunking-politicians-lies-about-the-york-university-protest-9b9cf096a2f8>.

⁸⁹ Alexander, *ibid.* Gyulai, *ibid.*

⁹⁰ M Neelika Jayawardane, & Rinaldo Walcott. "Diversity efforts in universities are nothing but façade painting", (7 May 2021), online: *Al Jazeera* <https://www.aljazeera.com/opinions/2021/5/7/diversity-efforts-in-universities-are-nothing-but-facade-painting>.

⁹¹ Reem Bahdi, "New human rights order risks restricting criticism of Israel", (15 November 2020), online: *The Conversation* <https://theconversation.com/new-human-rights-order-risks-restricting-criticism-of-israel-149796>; "Palestinian rights and the IHRA definition of antisemitism", (2020), online: *the Guardian* <https://www.theguardian.com/news/2020/nov/29/palestinian-rights-and-the-ihra-definition-of-antisemitism>.

⁹² Stern, *supra* note 67.

⁹³ Examples of IHRA definition's use on campuses: "IHRA Definition at Work", online: *Independent Jewish Voices Canada* <https://www.ijvcanada.org/ihra-definition-at-work/>; See also a collection of critiques "In the news", online: *No IHRA* <https://www.noihra.ca/in-the-news>. Michael Bueckert, "Yes, the IHRA definition of anti-Semitism is intended to censor political expression", (2020), online: *Canadian Dimension* <https://canadiandimension.com/articles/view/yes-the-ihra-definition-of-anti-semitism-is-intended-to-censor-political-expression>.

⁹⁴ Bahdi, *supra* note 91.

⁹⁵ Working Group on Racism and Prejudice. "Report of the Academic Board Working Group on Racism and Prejudice", (2020), online: *Ucl.ac.uk* <https://www.ucl.ac.uk/ucu/sites/ucu/files/wg-racism-and-prejudice-report.pdf> at p. 50-52.

⁹⁶ Independent Jewish Voices, "Academic Campaign", online: *No IHRA* <https://www.noihra.ca/academic-campaign>.

⁹⁷ Kenneth Stern, "We need better ways to speak to each other about campus antisemitism and Israel - JewThink", (2021), online: *JewThink* <https://www.jewthink.org/2021/01/04/we-need-better-ways-to-speak-to-each-other-about-campus-antisemitism-and-israel/>.

⁹⁸ Judith Butler, "No, it's not anti-semitic: the right to criticise Israel", (2003), online: *London Review of Books* <https://www.lrb.co.uk/the-paper/v25/n16/judith-butler/no-it-s-not-anti-semitic>. See also on academic freedom and scholarship on Palestine/Israel, Edward W. Said, "Identity, Authority, and Freedom: The Potentate and the Traveler." *Boundary 2*, vol. 21, no. 3, 1994, pp. 1-18, <https://doi.org/10.2307/303599>; Mazen Masri, "A Tale of Two Conferences: On Power, Identity, and Academic Freedom", (2011), online: *AAUP Journal of Academic Freedom* <https://www.aaup.org/sites/default/files/Masri.pdf>.

RESOURCES INDEX

Academic freedom: Endnote 98

Anti-Arab Racism: Endnotes 1, 10

Anti-Palestinian Racism: Endnotes 45, 53, 54, 69

Apartheid reports: Endnote 13, 63

BDS Movement: Endnote 61

Black and Indigenous Solidarities: Endnotes 4, 5, 62, 72

Censorship: Endnotes 8, 11-21, 28-31, 35, 36, 82, 84, 85, 88

Definitions discourse: Endnotes 47-50

Discrimination: Endnotes 55, 59, 64

Diversity critique: Endnote 90

Education: Endnotes 31, 35, 36, 88, 95, 96, 97

IHRA working definition of antisemitism critique: Endnotes 67, 69, 91, 93, 95, 96, 97

Islamophobia: Endnote 76

Nakba: Endnote 57

Palestine Exception: Endnote 66

Racial Trauma: Endnotes 69, 70, 74

Racism and Settler-Colonialism: Endnote 45, 51