



October 2026

A Letter to the TMU Administration Regarding the Benotto Report:

This letter is to inform you that the TMU chapter of the Jewish Faculty Network has concerns about the recent independent investigation report released by Justice Benotto.

The Jewish Faculty Network convenes a group of Jewish scholars from universities and colleges across Canada who share a strong commitment to social justice in support of an ethical life, whether defined through religious observance or secular action. Through a range of activities including critical pedagogy, professional practice, and rigorous scholarship, we challenge antisemitism and its weaponization, and other forms of racism, while working to protect academic freedom. We have chapters across the country, including our local faculty group at TMU.

In regard to the Benotto Report, the implementation of several of its key recommendations will violate core principles of academic freedom, critical academic inquiry and teaching, anti-racism, and lawful campus conduct if imposed on faculty and students at TMU. The report recommendations also contravene motions passed by our faculty association, undermining the democratic governance of our campus.

Our concerns are focused on four serious areas of contestation:

- 1. Justice Benotto's flawed definition of antisemitism, which introduces new forms of discrimination onto campus.**
- 2. Justice Benotto's faulty conception of academic freedom, which leads her to make recommendations that violate these same freedoms, including the potential censorship of faculty and student political activism.**
- 3. Justice Benotto's depictions of the history of Israel-Palestine, which betray her ignorance regarding frameworks of international human rights, as well as the meanings of settler colonialism and indigeneity.**

4. Justice Benotto’s selective use of two JFN submissions in her final report, which reflect her bias towards the testimony of those who uphold a reactionary understanding of “safety” that forecloses free speech and movements for social justice.

We find this report to be an affront to our campus and highly recommend that the university explicitly reject the report’s recommendations to adopt the IHRA Working Definition of Antisemitism and to clamp down on campus activism. We ask that the university not adopt or implement the Benotto Report, in recognition of its grave violations of the rights and freedoms of faculty, staff, and students at our university.

We expand on our critiques below.

1. Justice Benotto’s flawed definition of antisemitism introduces new forms of discrimination onto our campus. Justice Benotto recommends that “TMU recognize that discrimination against Jews manifests through opposition to Zionism and, therefore, TMU should adopt the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism as an educational and policy framework, while affirming that criticism of Israel government policy remains protected expression.”

The IHRA definition of antisemitism conflates Jewish identity with Zionism, and simultaneously insists that projects of Israeli nationhood and Judaism are ideologically and politically coterminous at all times. This definition has been widely criticized and rejected for ascribing to all Jews an ideological attachment to Israel, for foreclosing legitimate political critique of Israeli government policy from Jews, and for erasing Jewish anti-Zionism from the definition of Judaism. Most troublingly, the definition requires that Palestinians accept the notion that Zionism, the political project which compelled their expulsion from the historic lands of Palestine, be limited from critique by conflating it with antisemitism.¹ For these reasons, as we describe below, the JFN has been very active in rejecting the IHRA definition from its inception.

1.1. The Jewish Faculty Network’s Position on the IHRA Working Definition of Antisemitism: In Spring 2021, over 230 Jewish faculty members at colleges and universities across Canada signed an open letter rejecting the IHRA definition. In assenting to this position, the JFN added its collective voice to a growing international movement of Jewish scholars who insist that university policies to combat antisemitism not be used to stifle legitimate criticisms of the Israeli state, or the right to stand in solidarity with the Palestinian people. A summary of our decision is posted here:

¹ See alternative definitions of antisemitism here: <https://www.ijvcanda.org/jerusalem-declaration/>

We are specifically concerned with recent lobbying on our campuses for the adoption of the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism. This definition offers a vague and worrisome framing of antisemitism as “a certain perception of Jews, which may be expressed as hatred toward Jews” and that may be “directed toward Jewish or non-Jewish individuals and/or their property.” The most serious problem however is that the definition is tied to a series of examples of which many are criticisms of the Israeli state. For this reason, the IHRA working definition has come under [extensive criticism](#). Not only does it essentialize Jewish identity, culture, and theology, it also equates Jewishness and Judaism with the State of Israel – effectively erasing generations of debate within Jewish communities.

The issue is particularly pressing as the IHRA definition has been invoked by those seeking to interfere with university governance and student life at American and Canadian universities. The IHRA working definition distracts from experiences of anti-Jewish racism, and threatens to silence legitimate criticism of Israel’s grave violations of international law and denial of Palestinian human and political rights.

On campuses where this definition has been adopted it has been used to intimidate and silence the work of unions, student groups, academic departments and faculty associations that are committed to freedom, equality and justice for Palestinians. A range of [international Jewish institutions](#) have recognized this problem; for example, the [New Israel Fund of Canada](#) has recently retracted their support for the IHRA working definition of antisemitism. Furthermore, the University College London (UCL) has seen its [Academic Board](#) advise that the university seek an alternative definition of antisemitism and reverse adoption of the IHRA model. The UCL Academic Board joins a growing chorus of voices, including [over 500 Canadian academics](#) and multiple statements by [Jewish](#) and [Israeli](#) academics, British academics who are [Israeli citizens](#), and specialists in [Jewish and Holocaust history](#) opposing the adoption of the IHRA working definition of antisemitism.

We know that there is serious and occasionally fractious disagreement on our campuses about antisemitism and its relationship to criticism of the State of Israel. These disputes cannot and will not be resolved by definitional fiat. If the goal of adopting the IHRA definition is to quell further conflict around the legitimate scope of criticism of Israel, it will surely fail. This is already evident at many academic institutions.

Adopting a flawed framework to confront antisemitism is antithetical to the broader pursuit of justice and tolerance at the core of the mission statement of many universities. Freedom to criticize the policies and practices of any state without exception, including the State of Israel, is central to accountable scholarship, learning and education. We believe it is also central to building a more just academy.

1.2 IHRA is an Affront to Academic Freedom: JFN submits that the university cannot claim to both seek adoption of “content-neutral expectations” and “university neutrality,” and also adopt the IHRA definition. The IHRA definition takes a position on Israel-Palestine by defining criticism of Israel in ways that punish Palestinians from talking about their history. As Lana Tatour writes,

According to the IHRA, ‘claiming that the existence of a State of Israel is a racist endeavour’ is antisemitic, so is ‘applying double standards [to Israel] by requiring of it a behavior not expected or demanded of any other democratic nation.’ This, Human Rights Watch points out, renders it ‘antisemitic to evaluate Israel as anything but a democracy.’ For example, any suggestion that Israel is an apartheid racial state is thus deemed antisemitic—despite the consensus in the human rights community that Israel is practicing the crime of apartheid as determined by several UN Special Rapporteurs and a host of human rights organisations.²

Tatour concludes, “The focus on criticism of Israel as the barometer for antisemitism is evident in the IHRA’s eleven illustrative examples of antisemitism, of which seven focus on Israel with the aim to shield Israel from criticism by narrowing the space of what constitutes permissible speech.”

The original author of the IHRA, Kenneth Stern, has since retracted his support for the definition based on its abuse by universities in North America and Europe, writing in 2025: “The history of the abuse of the IHRA definition demonstrates the desire is largely political—it is not so much a desire to identify antisemitism, but rather to label certain speech about Israel as antisemitic. And this effort harms our ability to identify actual antisemitism.” The abuses to which he refers here include the countless incidents of academic sanction for faculty and students engaging in criticism of the ideology of Zionism and Israel’s occupation of Palestinian lands. The Committee for Academic Freedom in the UK, for example, reports:

Between January 2017 and May 2022, the European Legal Support Centre (ELSC) recorded 40 cases of university members being accused of antisemitism on the basis of the IHRA definition: see its report, now [publicly available](#). The accusations were found to be false in 38 out of 40 cases. In the two remaining cases, they are yet to be substantiated. Many of the accusations of antisemitism were rejected by university authorities only after extensive disciplinary procedures and formal investigations.³

² Tatour, L. (2024). Censoring Palestine: human rights, academic freedom and the IHRA. *Australian Journal of Human Rights*, 30(1), 106–114.

³ Committee for Academic Freedom, “38 UK academics falsely accused of antisemitism under IHRA definition, report reveals,” Nov. 27, 2023: <https://afcomm.org.uk/2023/11/27/38-uk-academics-falsely-accused-of-antisemitism-under-ihra-definition-report-reveals/>

TMU faculty reject the censorship of our classrooms, research, and advocacy based on this deeply flawed definition of antisemitism.

1.3 JFN's Participation in TFA and CAUT Motions Against the IHRA definition: JFN has also actively participated in protecting the university from the threat of the IHRA definition through our faculty union.

Toronto Metropolitan University Faculty Association (TFA) Motions: The TFA Executive Committee passed 2 motions in Feb 2021 related to IHRA.⁴ The first motion recognizes the importance of academic freedom of its members and reaffirms its commitment to opposing antisemitism, as well as all forms of racism and hatred. It finds that IHRA's Working Definition of Antisemitism poses a serious threat to academic freedom at our university. It states that the IHRA definition "misconstrues antisemitism to include a broad range of criticism of the State of Israel." The TFA, it continues, is "also committed to emailing all members the text of the motion and copying it to OCUFA, the Ontario Parliament Standing Committee on Justice Policy, and the Academic Alliance Against Antisemitism, Racism, Colonialism & Censorship in Canada (ARC)."

The TFA is amongst the more than 40 faculty associations in Canada that have passed similar motions rejecting an adoption of the IHRA's working definition of antisemitism. This is because the IHRA definition undermines many of the important anti-racist and decolonial initiatives in Canadian educational institutions that the TFA and other faculty associations have worked hard to advance. The IHRA definition can be used to "censor political speech and restrict the academic freedom of teachers and researchers who have developed critical perspectives on the policies and practices of the State of Israel. Such targeted attacks will have a chilling effect on the academic freedom of our members in the classroom, in their research, and in campus politics more broadly."

Further, in May 2023, the membership passed a motion that empowered the TFA to strike a Special Divestment Committee, which was mandated to pursue divestment strategies for TMU holdings, investments, and pension from Israeli institutions, companies, and more broadly, from weapons manufacturers. This motion represents a small but meaningful moment in a global effort to use non-violent, coordinated, pressure tactics to urge peaceful solutions in Israel-Palestine, with the understanding that any sanctions applied would be lifted upon Israel's compliance with international law. The TMU-Jewish Faculty Network was one of the groups who moved this motion.

Most recently, on May 15, 2025, the TFA passed the Motion for Recognizing and Addressing Anti-Palestinian Racism at TMU. This motion affirmed that anti-Palestinian racism is a serious

⁴ At the time, the faculty association was called the Ryerson Faculty Association (RFA).

and specific kind of violence/oppression and that the TFA as a large and heterogenous community stands firmly against it. The TFA also affirmed that support for the Palestinian struggle for self-determination is not intrinsically antisemitic, and that equating the two is both intellectually incoherent and a weaponization of the very real problem of antisemitism. This motion was moved by the Jewish Faculty Network in coordination with the Faculty for Palestine campus group.

The Motion for Recognizing and Addressing Anti-Palestinian Racism further called on Toronto Metropolitan University to take proactive measures to protect students, staff, and faculty from anti-Palestinian racism in the pursuit of a universalistic, inclusive, and anti-racist campus orientation. The TFA believes that these proactive measures should include both a formal policy recognizing and addressing anti-Palestinian racism and the protection of academic freedom and freedom of speech, assembly, and action of faculty, staff and students who express support for Palestine. The IHRA definition directly contradicts these commitments.

Canadian Association of University Teachers Motions: The TFA also supported a motion adopted at CAUT in November 2024. This motion reaffirmed an earlier motion passed by the CAUT in 2021 that opposed the adoption of the IHRA definition at Canadian university and college campuses, given “the grave threat it poses to academic freedom.” The motion notes that the IHRA definition has already been used to censor faculty and students on campuses in Canada by impeding “the academic freedom of teachers and researchers who have developed anti-racist and decolonial perspectives on the policies and practices of the state of Israel,” further adding that the IHRA definition, through many of its examples, conflates criticism of the policies of the State of Israel with anti-Semitism.” The CAUT notes that 18 faculty associations across Canada - including the TFA - have passed motions calling for a boycott/divestment/sanctions of Israel and that CAUT fully stands behind these resolutions. The motion then reaffirms its opposition to the IHRA definition as a basis for defining antisemitism. The JFN supported these motions.

In summary, the conflation of antisemitism with critiques of Israel in the IHRA definition of antisemitism stifles Palestinian freedom of speech and lived reality, as well as the academic freedom of faculty. In addition, as a Jewish faculty group, we are concerned that Justice Benotto’s definition, which holds that discrimination against Jews manifests through opposition to Zionism, means that anti-Zionist Jews could be accused of discrimination, despite (1) the history of anti-Zionism within Judaism⁵; (2) the way this definition results in the “narrowing of Jewish identity and a delegitimization of antizionist and nonzionist Jewish communities”⁶; and (3) the punishment of Jews for “antisemitism” in order to, ironically, stifle Jewish speech or political advocacy.

⁵ Molly Crabapple, *Here Where We Live Is Our Country: The Story of the Jewish Bund*. One World, 2026.

⁶ Itamar Mann and Lihi Yona, “Defending Jews From The Definition of Antisemitism,” (July 19, 2024). 71 UCLA Law Review 2024, Available at SSRN: <https://ssrn.com/abstract=4904008> or <http://dx.doi.org/10.2139/ssrn.4904008>

1.4 The Palestine Exception: Justice Benotto also writes that, “Universities should unequivocally oppose discrimination, harassment, and exclusion directed at Palestinians, Arabs, Muslims, Jews, Israelis, or any other members of the University community and existing human rights, anti-discrimination, and harassment policies should be applied consistently and fairly to protect all students and employees. We concur. However, *the Review does not recommend that TMU adopt the political positions or policy demands advanced by any particular advocacy group*” (*emphasis added*). The blatant inconsistency here of advocating for the adoption of IHRA, a specific and separate definition of antisemitism - which the [Macdonald Report](#) clearly rejected - while denying that Palestinians may face a specific form of discrimination, is simply indefensible. Scholars have coined a name for this phenomenon in institutional spaces: “the Palestine exception.” The reason the APR definition exists in the first place is because racism against Palestinians has been rendered illegible and invisible across a wide range of settings. It works precisely through its denial, making the disclosure of its harmful stereotypes and historical erasures politically necessary through a formal definition.

2. Justice Benotto’s faulty conception of academic freedom leads her to make recommendations that violate these same freedoms, including the potential censorship of faculty and student political activism.

Justice Benotto recommends, “a comprehensive campus free expression framework and a review of the relationship between academic freedom, faculty political advocacy, and professional responsibilities.” We find reason to question her understanding of academic freedom, as it pertains to her definitions, statements, and examples. Exemplifying our concern is Benotto’s inconsistent stance on political advocacy. At one point, Justice Benotto states that “Faculty and students remain entirely free to participate in political action, advocacy, and social protest in their individual capacities, but the University itself must remain neutral” (p. 106). Yet she also recommends that, “A review should be undertaken to consider the role of faculty in political activism” (p. 122) without clarifying the terms under which such a review would be necessary.

Another problematic instance is the claim that “If a person feels strongly enough about an issue to stand up and protest, it is incongruous to do so anonymously, for example, by covering their faces” (p. 122). This is a clear misreading of the pressures Palestinian students and their supporters on the TMU campus presently face. To defend the right to anonymity in a free speech context like the university is hardly to pursue a radical, anti-democratic politics; we find it espoused across the canon of classical liberal thought (e.g., Thomas Paine, 1776).⁷ As institutions, many universities plainly recognize this idea as well, as their routine solicitations for

⁷ Thomas Paine (1776) “Common Sense.” See: <https://oll.libertyfund.org/pages/1776-paine-common-sense-pamphlet>

community input through “anonymous online forms” will attest.⁸ Our overarching point is that Benotto’s conception of academic freedom, along with the recommendations she develops from this conception, is unfit to the present context, and **risks unwarranted censorship of faculty and student political activism**. As Judith Butler notes and as we concur, “academic freedom implies a right to free inquiry within the institution, but also an obligation to preserve the institution as a site where freedom of inquiry can and does take place, free of intervention, and censorship.”⁹

3. Justice Benotto’s depictions of the history of Israel-Palestine betray her ignorance regarding frameworks of international human rights, as well as the meanings of settler colonialism and indigeneity.

3.1 On Jewish Indigeneity:

Justice Benotto states that, “Jews described Zionism as “the right of the Jewish people to self-determination in our Indigenous homeland” (94). While Benotto elsewhere writes that Jewish perspectives on Israel and a range of other topics are not “monolithic” (p. 63), here and throughout the report, she represents them as such. For example, Benotto writes that: “When anti-Zionism denies the Jewish people the right of self-determination that is recognized for other peoples, it ceases to be merely a political stance and becomes discriminatory” (95). This is a biased, ahistorical, and deeply limited understanding of anti-zionism and its relationship to Judaism and the formation of the state of Israel.

More troublingly, the Justice’s definition validates the Arab Canadian Lawyers Association’s assertion that a ‘special’ definition of anti-Palestinian racism is historically necessary, and consists in “failing to acknowledge Palestinians as an Indigenous people with a collective identity, belonging and rights in relation to occupied and historic Palestine.” Among other things, the Justice’s definition elides the fact of a contested geographical basis for Zionism, and the fact that it has required the (ongoing) dispossession of Palestinian homelands.

As our JFN-TMU member Shiri Pasternak wrote, in a peer-reviewed journal article, published by the Journal of the Native American and Indigenous Studies Association:

While Jews as a people have religious, or national, origins in the Middle East, we have also lived in a constitutive state of exile, including the Ashkenazi Jews, who lived throughout Western and Eastern Europe, as far east as Russia, and developed the lingua franca of Yiddish. These Ashkenazi Jews were ideologically nurtured in the soil where Zionism grew, a dirt rich with European racial ideologies and state aspirations. In the words of Elia Zureik, Zionists like modern founder Theodor Herzl propagated “a profane,

⁸ For a relevant example, see the University of Waterloo statement of Free Expression (and the existence of an “anonymous online form”: <https://uwaterloo.ca/freedom-of-expression/principles/task-force>

⁹ Judith Butler (2017). ‘Academic Freedom and the Critical Task of the University’ 14(6) Globalizations 857.

political formulation of a religious vision of return.” This “return” was settler colonialism, a clear and intentional program of colonization, devised and revised over time to clear Palestinians from their land and replace them with Jews. As Faye Sayegh wrote in 1965 in his seminal work on Israel and settler colonialism, the First Zionist Congress laid out a detailed program of colonization that included numerous institutions, such as the Jewish Colonial Trust (1898) and the Colonization Commission (1898), coupled with diplomatic efforts and international federations. Centering Indigenous resistance, Sayegh lays out the broader imperial designs on the region that fueled the Zionist vision of return laden with Western racism against the Arab world. In the months following October 7, the term settler colonialism has become a slur to Zionists, despite its factual truth.¹⁰

Justice Benotto states that, “Significant disagreement also exists regarding the characterization of Israel and Zionism exclusively through the framework of settler colonialism. Many commentators understand Palestinian history through frameworks of displacement, dispossession, occupation, and colonialism and view Zionism through a settler-colonial lens. Many Jews understand themselves as an Indigenous people with historical, religious, and cultural ties to the land of Israel extending back millennia” (96). What concerns us at present is that the “significant disagreement” of which the Justice speaks does not translate into a coherent set of principles for promoting community wellbeing at TMU; but instead, through the mechanism of the IHRA definition, condemns certain parties of the “disagreement” to opprobrium and silencing, while allowing others to freely exchange their views.

In *Neither Native nor Settler*, the political scientist Mahmood Mamdani notes that: “From the standpoint of an immigrant— and indeed, a native— Palestine could have been a refuge for Holocaust survivors in the absence of Zionism; there could have been a Jewish society, a Jewish population, there, without a Jewish state.” Instead, the map of Ancient Israel— and Jewish indigeneity— was redrawn, without the presence of Palestinians. As Pasternak quotes, reformist Zionists like Hannah Arendt urged the necessity of thinking about Jews as migrants, rather than acting as settlers, predicting with terrible acuity the perils of reproducing an ethnonationalist entity. She rejected the *terra nullius* playbook of European colonialism, writing of Palestine: “in this whole land, it is hard to find an unsown field.” Arendt’s quote also disputes the specious and ridiculous claim that Zionism is being “redefined” by “non-Jews” and this is the “source of much of the antisemitism experienced.” Jewish Anti-Zionism is among the most dynamic and growing communities within Judaism, attested to by a wide range of new Jewish institutions that draw back from the Anti-Zionist Jewish past, like the Jewish Labour Bund. Anti-Zionism is constitutive of Judaism.

¹⁰ Pasternak, Shiri. “On Jews and Indigeneity: What Does Colonialism Have to Do with It?” *NAIS: Journal of the Native American and Indigenous Studies Association*, vol. 12, no. 1, March 2025, pp. 83–97.

We mention these historical insights here because they help to establish the important point that a more capacious understanding of the complex links between Jewishness, Indigeneity, and settler colonialism is lacking in the Justice's report, with the result that Palestinian perspectives are routinely marginalized in her ensuing findings.

4. Justice Benotto's extremely selective use of two JFN submissions in her final report, which reflect her bias towards the testimony of those who uphold a dangerous, conservative, chilling form of "safety" for all members of our campus community:

In June 2026, the national steering committee of the Jewish Faculty Network sent a written submission to Justice Benotto with concerns about the impact of criminalization on the university environment and student life, given the changing context of security and the Palestinian solidarity movement. **We have reproduced the letter here, to highlight the Justice's lack of engagement with our points, where we raised three general areas of concern:**

A. Racial Discrimination and Systemic Bias

1. Across Canadian society, advocacy for Palestinians has been treated historically as dangerous, potentially threatening, and requiring intervention by law enforcement and intelligence agencies.
2. Canada is a successor of the British Empire, which includes in its history the colonizing of Arabs, Muslims, and Jews in Palestine, Iraq, Egypt, and elsewhere; forced conversions to Christianity all over the world; and the partitioning of Palestine and the training of Israelis in terror techniques.
3. Canada's political direction has been set by London, but also to a significant degree, by Washington, DC. The attack on the World Trade Centre in New York City on September 11, 2001 by Islamic members of Al-Qaeda solidified this narrative of religious war. "Islamic terrorism" became a major focus of the Western national security apparatus and the subsequent "Global War on Terror." This "war" was enabled by "years of negative stereotyping, and misrepresentation of Arab and Muslims [that] made the language [of terrorist] easier to deploy in an existing productive and orientalist mentality."^[1] Arabs and Muslims had already been firmly placed for nearly a century outside of whiteness as anti-modern, anti-liberal, and anti-citizens.^[2] These Orientalist tropes provided a discursive rationale for European colonization of the 'Middle East' throughout the nineteenth and twentieth centuries, and it was against this background that 9/11 catalyzed a wave of imperialist aggression, led by the US, in Afghanistan and Iraq. In part through Israel's role in training U.S. officials on fighting terrorism, Palestinians and Hamas

became the archetypal Muslim terrorist. Within the global post-9/11 matrix, Canada solidified its position that was “unconditionally and staunchly ‘pro-Israel,’”^[3] as well.

4. In the year following 9/11, as the state vastly expanded its security apparatus to target Muslims, the Canadian Islamic Congress reported a 1,600 percent increase in hate crimes against Muslims and places of worship.^[4] By 2010, CSIS adopted its “radicalization” framework, justifying the extension of the “war on terror” framework by expanding its security agenda into a focus on the internal threat of “radicalization.”^[5] The Government of Canada mandated the creation of a counter-radicalization program in 2015, which led to the launch of the Canada Centre for Community Engagement and Prevention of Violence (“Canada Centre”) in 2017 and the release of a National Strategy in 2018. The National Strategy identified “Daesh and Al-Qaeda”-inspired extremism as the primary threat, while acknowledging potential threats of far-right and far-left extremism.^[6] By this point, internal national security strategies and public communications had been focused for almost a generation on Muslim and Arab people specifically as potential security threats.
5. From the earliest days following Hamas’s October 7, 2023, attack on Israel, local Palestine solidarity protests were being monitored far beyond local police. Palestine was treated as an issue of national importance in terms of security and intelligence, evident by the high level of coordination and information sharing between local police, multijurisdictional units, RCMP divisions, and federal and provincial government ministries, such as public safety and solicitor general offices. Part of this approach is the increasing criminalization of protest activity on the Palestine issue.^[7]
6. While Hamas's October 7, 2023 attacks and Israel's following attacks on Gaza were the first time many international observers learned about conditions in the West Bank and Gaza, Palestine human rights advocates had long been concerned about the accelerating pace of land seizure and ethnic cleansing, and were afraid that the new military operations could lead to a genocide in Gaza. This is the context in which Palestine solidarity protests arose. Although those fears have unfortunately been proven correct, media outlets in 2023 and 2024 treated pro-Palestine protesters as if they were glorifying violence or expressing support for Hamas.
7. Across law enforcement and intelligence agencies in Canada since the October 7 Hamas attacks, the likelihood of violent extremism in the Palestine solidarity movement has been consistently rated as low. Yet protests are still closely monitored under the pretense of a potential national security threat.^[8]
8. Discourse about Palestine activism on campuses has consistently conflated anti-colonial critique of Israel with “extremism” and violence; it is a discourse that aligns a political

critique of power with forms of anti-state terrorism and hate offences. Labeling students as “extreme” or “ Hamas”-aligned has been weaponized against them by politicians, journalists, universities, police, and pro-Israel institutions. This discourse draws both on racial stereotypes of Muslim, Arab, Palestinian, and racialized students, but it also is grounded in political ideology. Students advancing critiques of settler colonialism and state violence more generally have been cast as a threat to social and public order, and have been subsequently criminalized as a result.

9. Pro-Israel lobby institutions have played a central role in pressure campaigns against universities to penalize and sanction students who express support for Palestine on campuses. The Jewish Faculty Network has argued - in particular, regarding the Centre for Israel and Jewish Affairs, but this broadly applies to others, like B’nai Brith and Friends of Simon Wiesenthal Centre - that at the heart of these accusations lies an endemic pattern of racial discrimination and genocide denial.^[9]

B. Lawfare

1. Lawfare is the strategic use of legal tools to suppress political expression. Since October 7, lawfare is being deployed to control the narrative about Israel’s genocide in Gaza—branding as “antisemitic” criticism of Israel, support for international law, or even reference to Palestinian rights, speech, and culture.
2. As some of our members have written: “Since October 7, pro-Israel lawyers have been at the [forefront of a push](#) to criminalize critics of Israel and to [promote an anti-Palestinian agenda](#) with the Canadian government. They have intervened in encampment injunction proceedings, sued universities on behalf of students, and lobbied municipal, provincial, and federal governments to ramp up penalties against Palestine solidarity protesters.”^[10]
3. In the U.S., pro-Israel legal advocates have pursued aggressive strategies to pressure universities into adopting policies that suppress criticism of Israel. They have been public about trying to bring these legal tactics to Canada. Recently, the extremist pro-Israel advocacy group *Tafsik* brought Mark Goldfeder, CEO and Director of the National Jewish Advocacy Center, Inc. (NJAC), a key advocate of lawfare, to speak in Canada about how to criminalize *anti-zionism* within the Canadian *Criminal Code*.
4. In the court case against TMU students for protesting an event held off-campus on Nov. 5, 2025, but organized by a student group (Students Supporting Israel), prosecutors recently escalated charges to include public incitement of hatred against “the people from Israel.”^[11] Classifying “the people from Israel” an identifiable group under the law would be a deviation from existing classes of protected people under the *Criminal Code*,

opening up new and dangerous precedents that could silence criticism of the state and its citizens.

C. Political Policing

1. The concept of “political policing” is built on the premise that police work can be buffered to prevent any kind of political motivations to influence policing. Historically police have always upheld existing power relations; structurally, the law they protect is also the status quo of the current power structure; and finally, politically, police leadership is appointed through governments, and police rely on governments for resources.^[12] Rather than carry on the pretense of neutral and independent policing, the conditions for political policing must be acknowledged within the balance of power in society.
2. As our JFN members have [written](#): “Canadian universities are rapidly becoming sites of repression rather than debate. Across the country, students protesting Israel’s assault on Gaza are facing suspensions, bans, police violence, and sweeping restrictions on speech and assembly—often imposed before any investigation has taken place. What is unfolding on campuses is not a series of isolated incidents, but a coordinated erosion of civil liberties that demands immediate public attention.”^[13]
3. In the above-cited article, our members outline numerous case studies of repression against students on university campuses across the country, and the kinds of professional, physical, and emotional harm being suffered by students as a result. We recommend: “University administrations must exercise leadership against this climate of repression. Specifically, we believe that university and college administrators across Canada can begin by exercising extreme caution when pressured by pro-Israel lobby groups on issues relating to antisemitism, including the Centre for Israel and Jewish Affairs (CIJA) and B’nai Brith. Reports such as the Jewish Faculty Network’s [The CIJA Report](#), Independent Jewish Voices’ [Unveiling the Chilly Climate](#), and Jasmine Zine’s [The Islamophobia Industry Report](#) all illuminate the underlying racism animating much of this advocacy work.”

Concluding Remarks: Actions Against Antisemitism

We are concerned about antisemitism locally, nationally and internationally, and unequivocally oppose discrimination against Jewish members of the TMU community. However, the Benotto Report consistently captures the fact that both Jewish and Palestinian/Arab/Muslim/and allied members of our campus community experience and express profound concerns about discrimination, exclusion, and safety at TMU. These parallel concerns must be taken seriously

without treating the protection of one community as requiring the restriction or delegitimization of another.

The report does not consistently adhere to its own stated commitment to university neutrality. By recommending the adoption of the IHRA Working Definition of Antisemitism and restrictions on campus activism, it appears to do precisely what it cautions the university against; taking positions in contested political debates and constraining legitimate expression. The adoption of the IHRA definition fundamentally undermines the possibility of addressing these concerns equitably, potentially conflating antisemitism with criticism of Israel and anti-Zionism while obscuring the specific realities of anti-Palestinian racism.

As Jewish scholars committed to social justice, we call on TMU to pursue an approach that confronts antisemitism alongside anti-Palestinian racism and all forms of discrimination, while protecting academic freedom, democratic governance, and the rights of all members of our community to engage in critical inquiry, political activism, and collective action in the pursuit of understanding and justice.

As always, the TMU Jewish Faculty Network is available and willing to meet with the President's Implementation Task Force on Campus Expression, Antisemitism and Community Safety as well as TMU Administration to provide any further support, information or guidance that might be helpful as the university undertakes this work.

Sincerely,

Shiri Pasternak, Nadya Burton, Tammy Landau, Michelle Schwartz, Rachel Berman, and Joshua Price on behalf of the Jewish Faculty Network - TMU Chapter

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- ^[1] Hatem Bazian, “The Islamophobia Industry and the Demonization of Palestine: Implications for American Studies” (2015) 67:4 *American Quarterly* at 1061. See also: Edward W. Said, *Orientalism*, (New York: Vintage Books, 1979).
- ^[2] Sherene H. Razack, *Casting Out: The Eviction of Muslims from Western Law & Politics*, (Toronto: University of Toronto Press, 2008); Jasmin Zine, “Unsettling the Nation: Gender, Race and Muslim Cultural Politics in Canada,” (2009) 9:1 *Studies in Ethnicity and Nationalism* at 146-163.
- ^[3] Yasmeen Abu-Laban and Abigail B. Bakan, “After 9/11: Canada, the Israel/Palestine conflict, and the surveillance of public discourse,” (2012) 27:3 *Canadian Journal of Law and Society/La Revue Canadienne Droit et Société* at 319-339.
- ^[4] Denise Helly, “Are Muslims Discriminated Against in Canada Since 2001?” (2004) 36:1 *Canadian Ethnic Studies Journal* at 24.
- ^[5] Baljit Nagra and Paula Maurutto, “Anti-Muslim Surveillance: Canadian Muslims’ Experiences with CSIS,” (2023) 9:3 *Sociology of Race and Ethnicity* at 311.
- ^[6] Canada Centre for Community Engagement and Prevention of Violence, *National Strategy on Countering Radicalization to Violence* (2018).
- ^[7] Larry Haiven, “Trolling the Law Books to Find New Ways to Shut Down Critics of Israel,” *The Bullet*, Mar 11, 2026.
- ^[8] Alex Cosh, “Public Safety Saw No Evidence Linking Palestine Rallies To ‘ Hamas Call,’” *The Maple*, July 4, 2024.
- ^[9] Larry Haiven, Lewis, A., Nestel, S., Pasternak, S., Rogin, J., Sztainbok, V. (2025) “The CIJA Report: A Pattern of Anti-Palestinian Racism and Genocide Denial at the Centre for Israel and Jewish Affairs,” Published by the Jewish Faculty Network, October.
- ^[10] Shiri Pasternak, Rogin, J., Sealy-Harrington, J. (2025) “Canadian lawyers borrow from U.S. playbook to quash Palestine solidarity.” *The Breach*. Apr 11.
- ^[11] Mitchell Consky, “New riot, hate-incitement charges laid in TMU protest at Students Supporting Israel event,” *Canadian Jewish News*, Apr 28, 2026.
- ^[12] Manfred Brusten, “Securing the State: Politics and Internal Security in Europe,” Working Papers in European Criminology 3 *European Group for the Study of Deviance and Social Control* (1982), 53–76.
- ^[13] Shiri Pasternak, Charles Levkoe, Jillian Rogin. “A warning about civil liberties on Canadian university campuses: Increasing repression against pro-Palestine students is happening now—we must stop it.” *Canadian Dimension*, Jan 13, 2026.