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Toward a Palestinian Critical Race Theory in Education

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Abstract

This paper explores the unique experiences of Palestinian Americans within the U.S. education system through the lens of Critical Race Theory (CRT). Addressing a gap in existing literature, the research question investigates how racialization, demonization, and structural racism shape the educational and social experiences of Palestinian Americans. Utilizing a qualitative analysis of legal documents, media reports, policy papers, and academic literature, the analysis reveals pervasive racialization and demonization, significant structural and institutional barriers, and severe suppression of political activism. The analysis suggests that Palestinian Americans face distinct and multifaceted systemic challenges that are not fully captured by traditional CRT frameworks. The development of a Palestinian American Critical Race Theory (PalestinianCrit) is proposed to expand CRT's adaptability and better address these specific experiences. This research broadens the scope of CRT and calls for targeted advocacy and reform to promote social justice and equity.



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Introduction

Since its introduction, Critical Race Theory (CRT) has been a powerful framework for analyzing and theorizing about the nature of racism in the United States. CRT was developed in a deliberate effort to challenge the limitations of traditional legal analysis in addressing racial inequalities and discrimination. Derrick Bell (1992) articulated that racism is not a series of isolated acts but is endemic and deeply embedded in the fabric of society, including its legal structures. Rooted in the Critical Legal Studies (CLS) movement, CRT critiques assumptions of legal neutrality, colorblindness, and meritocracy, emphasizing the pervasive nature of racial oppression. Scholars like Gloria Ladson-Billings and William Tate (1995) extended CRT to education, arguing that race is a critical, yet often overlooked, contributor to educational inequality. Their work demonstrated how racism shapes policies, practices, and access to resources in schooling, marking a watershed moment in CRT's expansion beyond law. As David Stovall (2006) reminds us, CRT in education not only names racism as a structural reality but also works toward transformative social justice. CRT highlights systemic inequities but has not yet fully engaged with the racialized and politicized experiences of Palestinian Americans.

As CRT has evolved, various offshoots have emerged, addressing the distinct experiences of different marginalized communities. These offshoots adapt CRT's core principles to examine the specific forms of oppression faced by racialized groups, recognizing the need for frameworks that more accurately capture their experiences. PalestinianCrit is one such necessary offshoot, specifically designed to address the unique intersectionality of Palestinian Americans' racialization, displacement, and geopolitical experiences. Building on CRT, PalestinianCrit focuses on the challenges Palestinian Americans face, particularly in relation to settler colonialism, U.S. foreign policy, and global geopolitical dynamics. And despite CRT's expansive reach, the experiences of Palestinian Americans—a community deeply shaped by displacement and narratives of racialization and demonization—remain peripheral within CRT discourse. In higher education, these barriers manifest as erasure, suppression of activism, and structural inequities, often linked to U.S. political and economic support for Israel. Universities, as institutions that mirror broader societal dynamics, frequently become sites of censorship and retaliation against pro-Palestinian activism, further marginalizing Palestinian voices. This paper argues for the necessity of a Palestinian American Critical Race Theory (PalestinianCrit) as a tailored framework that addresses the underexplored intersections of race, geopolitics, and oppression specific to Palestinian Americans in academic and societal contexts. Yunis Varas and Tanksley (2024) have significantly advanced the field by integrating Palestinian feminist epistemologies and emphasizing the centrality of experiential knowledge. Their framework provides a building block for a Palestinian Critical Race Theory by bringing to light the intersectionality of race, gender, and colonial dynamics. However, more research needs to be conducted into how these dynamics affect the education of Palestinian Americans in the U.S.

PalestinianCrit extends CRT's foundational principles by incorporating a dual focus: the racialization of Palestinian Americans within U.S. societal structures and their transnational connections to Palestine's historical and political realities. This unique integration bridges gaps in existing CRT literature, offering a tailored lens for examining these interwoven identities. Patrick Wolfe's (2006) framing of settler colonialism as an enduring structure rather than a historical occurrence provides a critical lens for understanding the erasure and violence experienced by Palestinians across global and local contexts. The proposed framework seeks to reveal how these dynamics, such as those summarized by Wolfe, infiltrate higher education and shape policies and

institutional practices, ultimately perpetuating inequities. Drawing from Maxine Greene's (1998) vision of social justice, which emphasizes awakening imagination to confront inequities and strive for transformative change, PalestinianCrit seeks to inspire awareness while equipping individuals with critical tools for analysis and resistance.

The current study provides a conceptual exploration grounded in CRT and its subsets, drawing from Palestinian narratives and existing scholarship to build a PalestinianCrit framework. It begins with an examination of CRT's legal and educational roots, analyzing its foundational tenets and their applicability to racialized experiences, and concludes with the presentation of PalestinianCrit as a framework for understanding and addressing the unique challenges faced by Palestinian Americans.

Critical Race Theory

Critical Race Theory (CRT) provides a framework for understanding how racism is embedded within societal institutions, shaping policies and practices that perpetuate racial inequality (Delgado & Stefancic, 2001). Bell's (1995) principle of interest convergence argues that significant strides in racial equity occur only when they align with the interests of those in power, particularly White elites. This principle underscores the entrenched nature of inequality and the limitations of progress within existing power structures. Crenshaw's (1991) concept of intersectionality complements this by revealing how overlapping identities—such as race, gender, religion, and political affiliation—interact to produce unique experiences of oppression. These foundational ideas broaden CRT's analytical scope, moving beyond singular understandings of race to address the complexity of oppression embedded in systems of power. Later contributions by scholars such as Cheryl Harris and Gloria Ladson-Billings have further expanded CRT's reach, applying its principles to areas like property rights, education, and privilege and demonstrating its adaptability across various contexts. Together, these developments establish CRT as a robust tool for interrogating systems of power and inequality.

Ladson-Billings and Tate's (1995) introduction of CRT to the field of education articulated how race is a significant yet often overlooked factor in educational inequality, demonstrating how structural racism shapes policy, practice, and outcomes in schooling. Their work reframed education as a primary institution of racial stratification, where inequitable access to resources, biased curricular content, and low teacher expectations perpetuate systemic inequities. This research marked a pivotal moment in extending CRT's focus beyond the legal realm, positioning education as a critical site for examining broader societal structures of inequality.

Subsequent scholars expanded upon this foundation, drawing on the long-standing work of Black women who have described overlapping systems of oppression for centuries, and incorporating Crenshaw's (1991) conceptualization of intersectionality to deepen analyses of how these systems operate within schools. Valdés's (2001) concept of subtractive schooling further demonstrated how educational systems actively strip racialized students of their cultural and historical identities, compounding their exclusion. Similarly, Yosso's (2005) model of community cultural wealth challenged deficit perspectives, highlighting the value of the knowledge, experiences, and resources that historically underserved students bring to educational spaces. Together, these works point to the necessity of frameworks that address the distinct experiences of specific racialized and excluded groups within education.

CRT Offshoots

The emergence of CRT offshoots, including BlackCrit, LatCrit, TribalCrit, and DisCrit, illustrates CRT's adaptability in addressing the distinct experiences of marginalized communities. These frameworks build on CRT's foundational principles, tailoring them to analyze unique socio-political, historical, and cultural contexts. For example, TribalCrit (Brayboy, 2005) examines the experiences of Indigenous communities under settler colonialism, focusing on sovereignty, cultural preservation, and resistance to erasure. DisCrit (Annamma et al., 2013) explores the intersections of race and disability, revealing how ableism and racism are co-constructed within educational and societal systems. Together, these offshoots demonstrate CRT's capacity to adapt to the distinct needs of marginalized groups, providing tailored frameworks to analyze and disrupt systems of oppression.

In education, culturally responsive and sustaining pedagogies (CRP/CSP) may extend CRT's principles into actionable strategies for addressing persistent inequities. Ladson-Billings (2009) and Paris (2012) emphasize the importance of celebrating students' diverse identities, languages, and experiences, asking questions such as, "How do we ensure that all students see themselves reflected in the curriculum?" (Ladson-Billings, 2009) and "What does it mean to sustain the linguistic and cultural practices of minoritized communities in education?" (Paris, 2012). These approaches bridge CRT's theoretical critique with practical classroom applications, emphasizing counter-narratives and the affirmation of historically silenced identities. For Palestinian Americans, such frameworks are particularly relevant, as they address the curricular erasure that reinforces entrenched exclusion. Abu El-Haj (2015) highlights the importance of incorporating Palestinian American youth's transnational narratives into education, affirming their identities while challenging dominant discourses.

Kanaka'Ōiwi CRT (Wright & Balutski, 2016) provides another example of a tailored framework rooted in settler colonial contexts. Grounded in the experiences of Indigenous Hawaiians, it examines the intersections of colonialism, systemic oppression, and cultural erasure. KanakaCrit emphasizes reclaiming Indigenous narratives, resisting settler colonial structures, and advocating for sovereignty and self-determination. These principles resonate with the goals of PalestinianCrit, as both frameworks emerge from struggles against settler colonialism and systemic erasure. By examining the intersections of race, indigeneity, and settler colonial power, KanakaCrit offers a compelling parallel for conceptualizing the unique challenges faced by Palestinian Americans.

Despite the proliferation of CRT offshoots, no subset has yet addressed the unique racialization and exclusion of Palestinian Americans. This community navigates a dual identity: they contend with structural racism and historic erasure in the U.S. while remaining deeply connected to the political struggles of Palestine. Their experiences are shaped by local and global structures of power, requiring a framework that integrates CRT's foundational principles with analyses of transnational and geopolitical dimensions. PalestinianCrit addresses this gap by offering a comprehensive framework to analyze the intersection of racism, political disenfranchisement, and settler colonialism in the Palestinian American experience. It builds on CRT's adaptability, drawing insights from TribalCrit and KanakaCrit to examine the structural barriers faced by Palestinian Americans while challenging dominant narratives that perpetuate their erasure.

Foundational CRT Tenets in Theorizing a PalestinianCrit

To construct a PalestinianCrit framework, this paper draws from foundational CRT tenets and adapts insights from sub-frameworks like TribalCrit and Kanaka‘Ōiwi CRT. These frameworks collectively provide the necessary theoretical grounding to address the racialization, erasure, and barriers experienced by Palestinian Americans. As Stovall (2005) emphasizes, CRT in education not only identifies oppression but actively seeks to dismantle these structures through community engagement and social transformation. This praxis-driven approach underpins PalestinianCrit, aligning it with CRT commitments to challenging policies, practices, and structures that perpetuate inequities and striving for systemic change. By contextualizing CRT’s principles within the specificities of Palestinian identity, activism, and experiences, PalestinianCrit extends existing scholarship to grapple with the unique intersection of race, geopolitics, and colonialism. The following sections explore the theoretical foundations and contextual factors that necessitate this adapted framework, culminating in a detailed articulation of PalestinianCrit and its implications for education and policy.

CRT, as outlined by Matsuda, Lawrence, Delgado, and Crenshaw (1993) and grounded in Bell’s (1995) foundational work, challenges traditional liberal approaches to racial justice by emphasizing the structural nature of racism. Ladson-Billings (1998) further operationalizes CRT in education by revealing its focus on naming pervasive racism, critiquing race-neutral policies, and amplifying historically silenced voices. Six foundational tenets of CRT are particularly relevant for PalestinianCrit:

1. Racism is endemic to American society: Racism is not an aberration but a permanent and pervasive feature of societal structures (Delgado & Stefancic, 2001).
2. Skepticism toward claims of neutrality, objectivity, and meritocracy: These legal and social ideals often serve to perpetuate systemic inequities (Bell, 1995).
3. The importance of historical and contextual analysis: Understanding how laws, policies, and practices evolve requires examining their historical and socio-political contexts (Crenshaw et al., 1995).
4. Counter-storying as a method for centering the voices and lived experiences of marginalized groups: Experiential knowledge is critical for analyzing systems of oppression (Solórzano & Yosso, 2002).
5. Interdisciplinary approaches: CRT integrates insights from law, history, sociology, and education to interrogate race and power dynamics (Delgado & Stefancic, 2023).
6. A commitment to social justice: CRT aims to dismantle racial hierarchies and challenge systemic oppression to achieve equity (Ladson-Billings & Tate, 1995).

TribalCrit, as conceptualized by Brayboy (2005), provides a critical foundation for PalestinianCrit by addressing the intersections of colonization and oppression, framing the racialization of Palestinian Americans as part of a broader settler colonial framework. PalestinianCrit adapts six foundational CRT tenets to address the specificities of Palestinian American racialization, drawing connections between CRT principles and the unique challenges posed by geopolitical exclusion and cultural erasure:

1. Colonization is endemic to society.
2. U.S. policies toward Indigenous peoples are rooted in imperialism, White supremacy, and a desire for material gain.
3. Indigenous peoples occupy a liminal space that accounts for both the political and racialized natures of our identities.
4. Governmental policies and educational policies toward Indigenous peoples are intimately linked around the problematic goal of assimilation.
5. Theory and practice are connected in deep and explicit ways such that scholars must work towards social change.

Kanaka‘Ōiwi CRT, rooted in the lived experiences of Native Hawaiians, offers a framework to analyze the intersections of colonialism, systemic oppression, and cultural erasure (Wright & Balutski, 2016). Its principles provide critical insights for adapting CRT to Palestinian experiences:

1. Acknowledging colonial legacies: Historical and ongoing colonial practices shape systemic inequities and the racialization of Indigenous (Goodyear-Ka‘ōpua, 2018).
2. Reclaiming cultural narratives: Amplifying suppressed histories and traditions serves as a form of resistance and resilience (Wright & Balutski, 2016).
3. Intersections of race, culture, and settler colonialism: Oppression emerges from the confluence of racial, cultural, and colonial power dynamics (Wright & Balutski, 2016).
4. Self-determination as resistance: Challenging narratives that enforce cultural erasure or assimilation is critical for sovereignty and justice (Brayboy, 2005; Goodyear-Ka‘ōpua, 2018).

PalestinianCrit, as a CRT offshoot, adapts these principles to examine the racialization, erasure, and systemic barriers faced by Palestinian Americans. The tenet of endemic racism is critical for understanding how anti-Palestinian bias is normalized in U.S. policies and media narratives. Drawing from Ladson-Billings’s (1998) articulation of CRT in education, PalestinianCrit interrogates race-neutral and multicultural policies that obscure inequalities, exposing how these frameworks perpetuate the erasure of Palestinian identities. The commitment to contextual analysis enables PalestinianCrit to explore the geopolitical dimensions of Palestinian experiences, such as the disproportionate impact of U.S. antiterrorism laws on Palestinian advocacy. Counter-storytelling is central to PalestinianCrit, offering a means to amplify silenced Palestinian voices and challenge dominant narratives that perpetuate their erasure. By prioritizing experiential knowledge, PalestinianCrit aligns with CRT’s emphasis on reclaiming histories as acts of resistance. As Yamamoto (1997) suggests, CRT praxis must extend beyond theory to address injustices, making PalestinianCrit a tool not only for analysis but also for critical engagement and transformation.

Conceptual Framework and Approach

This paper synthesizes existing sources to develop PalestinianCrit, a framework for understanding the erasure and racialization of Palestinians in the U.S. educational system.

Grounded in existing scholarship, PalestinianCrit examines the intersection of structural racism and settler colonialism, offering a critical lens for analyzing these forces within educational contexts. Through critical analysis of scholarship, legal cases, and documented instances of pro-Palestinian activism, PalestinianCrit reveals how institutional policies, media portrayals, and legal frameworks contribute to the systemic suppression of Palestinian voices. By employing case studies and counter-narratives, it critiques the structures that perpetuate inequities and exclusion, offering a framework for understanding these dynamics. By employing counter-narratives and critical fabulation, this paper aligns with CRT's qualitative traditions, which prioritize experiential knowledge and the disruption of dominant ideologies, along with emphasizing the importance of storytelling and speculative analysis in exposing embedded injustices. These methods serve to document the lived experiences of Palestinian Americans while reimagining possibilities for institutionalized reform. This conceptual lens paves the way for future research, including interviews with Palestinian students, faculty, and activists, to deepen our understanding of the pervasive erasure of Palestinian history and identity, particularly within educational settings.

To build this conceptual framework, I drew on analyses of Palestine Legal documents, scholarly works, historical accounts, and policy discussions to examine the 'Palestinian exception,' a term used to describe the unique ways in which Palestinians have been racialized and targeted within the context of U.S. support for Israel (Palestine Legal, 2015). The Six-Day War¹, coupled with increasing U.S. political and financial support for Israel, initiated a period in which Palestinians were predominantly framed within the "terrorism" narrative. For instance, Palestine Legal's briefing paper, *Anti-Palestinian at the Core: The Origins and Growing Dangers of U.S. Antiterrorism Law*, provides a critical historical account of this period, offering key insights into the evolution of these racializing narratives. This analysis examines the entrenched anti-Palestinian bias within U.S. educational institutions, focusing on the impact of this bias on policy and people, particularly the ways in which institutional and structural racism targets Palestinian students and their allies. Ultimately, this theoretical analysis will contribute to the larger critical race discourse, positioning PalestinianCrit as a tool for both advocacy and educational reform.

Counter-Narratives as Tools for Resistance in PalestinianCrit

To further develop PalestinianCrit, this paper incorporates the CRT tenet of counter-storytelling, which emphasizes the use of narratives to challenge dominant ideologies and amplify the lived experiences of historically silenced groups (Delgado, 1989; Solórzano & Yosso, 2002). While not explicitly listed in the earlier tenets, counter-storytelling is central to CRT's framework as a method of exposing systemic injustices and validating experiential knowledge. As Stovall (2006) asserts, counter-stories are not only critiques of dominant narratives but also tools for building coalitions and advancing social justice, making them indispensable to CRT praxis. Counter-narratives provide a platform for voices that are often excluded, challenging dominant perspectives and shedding light on the lived realities of racialized individuals (Delgado, 1989; Solórzano & Yosso, 2002). In the context of PalestinianCrit, these narratives serve to document the intentional inequalities faced by Palestinian Americans, particularly in educational settings,

¹ The Six-Day War in 1967 marked a significant turning point in U.S.-Middle East relations, as Israel's victory solidified its role as a key ally of the United States. This period saw an increase in U.S. financial aid and political backing for Israel, which coincided with a shift in how Palestinians were represented in Western discourse. Palestinians were increasingly portrayed through a "terrorism" narrative. This framing has been widely analyzed in scholarship addressing media representations and geopolitical dynamics (Said, 1978; Khalidi, 1997; Massad, 2006)

where their experiences are often overlooked or deliberately erased. By centering these voices, PalestinianCrit offers a nuanced understanding of the racial and educational disparities that shape the lives of Palestinians in the U.S.

Hartman's Critical Fabulation to Reimagine Erased Narratives

However, a significant addition to this theoretical framework is critical fabulation, a method that blends historical and archival research with speculative narratives to address silences, erasures, and gaps in the official record (Hartman, 2008). By using speculative methods, PalestinianCrit allows for the imagination of alternative realities and possibilities, envisioning how the experiences and legal status of Palestinian Americans could evolve in a decolonized, anti-racist framework. This speculative method extends Delgado and Stefancic's (2001) critique of legal neutrality by challenging the absence of Palestinian experiences in dominant legal and educational discourses. This speculative approach is essential for pushing the boundaries of traditional CRT, offering a forward-looking analysis that challenges the existing structures of racial domination and oppression. Speculative methods not only enrich this analysis but also foster support for future legal and educational reforms that are rooted in anti-racist and decolonial principles. Critical fabulation bridges the gap between historical silences and contemporary efforts, addressing what Hartman (2008) calls "the violence of the archive" by imagining the unrecorded lives and struggles of oppressed communities.

Palestinian American Identity at the Intersections of Race and Religion

The life of an Arab Palestinian in the West, particularly in America, is disheartening. There exists here an almost unanimous consensus that politically he does not exist, and when it is allowed that he does, it is either as a nuisance or as an Oriental. The web of racism, cultural stereotypes, political imperialism, dehumanizing ideology holding in the Arab or the Muslim is very strong indeed, and it is this web which every Palestinian has come to feel as his uniquely punishing destiny. (Said, 1978, p. 27)

Palestinian Americans are defined as individuals of Palestinian descent who reside in the U.S. Understanding the historical context and generational trauma Palestinians carry is crucial, as it profoundly shapes their identity and navigation of life in the U.S. Rooted in displacement, dispossession, and ongoing ethnic cleansing (Abu El-Haj, 2015), this trauma intersects with their racialization, linking present struggles to a legacy of dispossession perpetuated by U.S. foreign policy and media portrayals. López (1996) explains how groups seen as White can still experience exclusion and systemic racism when political and cultural contexts render their whiteness conditional or contested. For Palestinian Americans, this duality reinforces their vilification and erasure in both public and institutional spaces. Despite the contemporary legal classification of Arabs as White, a closer examination reveals that this designation is shaped by a nuanced narrative rooted in historical precedents. This complex interplay of history, trauma, and racialization is further compounded by the ways in which religion, particularly Islam, intersects with Palestinian identity in the U.S.

Religion and the Racialization of Palestinians as Muslim

The racialization of Islam plays a critical role in shaping the marginalization of Palestinian Americans. Although Muslim identity is fundamentally religious, it is frequently perceived and

treated as a racial category (Aziz, 2022; Bayoumi, 2006; Jamal & Sinno, 2009; Meer, 2013), reinforcing exclusionary practices and deepening structural inequities. Scholars investigating this phenomenon have noted that “religious beliefs and practices of the adherents are associated with cultural traits, which in turn are surrogates for biological traits” (Aziz, 2022, p. 20). This transformation results in Islam no longer being seen as just a religious practice (Aziz, 2022; d’Urso & Bonilla, 2023; Garner & Selod, 2015; Gotanda, 2011, 2017) but rather as an immutable characteristic (d’Urso & Bonilla, 2023). In the case of Palestinian Americans, Islamophobia is not simply a distinct phenomenon in isolation, but rather emerges from the racialized and politicized history of anti-Palestinian racism. This embedded racism has played a central role in propagating Islamophobia, framing Muslim identity through the lens of a political and racialized Other. This racialization constructs Muslim identity as fixed and unchangeable, further entrenching stereotypes and exclusionary practices.

Palestinian Americans often face racialization primarily as Muslims, irrespective of their actual religious affiliations, further contributing to this monolithic portrayal (Abu El-Haj, 2015; Cainkar, 2009). This conflation exists not only in media discourse and representation but also in laws and policies. Legal scholars (Aziz, 2022; Beydoun, 2013) have discussed how judges have viewed religion as a proxy for race and conflated Arab identity with Muslim identity, arguing that this conflation persists today. This persistent conflation erases the diversity of Arab and Palestinian communities while reinforcing racialized narratives that align Muslim identity with threat and deviance.

The structural dimensions of Islamophobia are particularly evident in U.S. laws and policies targeting Palestinians (Palestine Legal, 2024, 2023, 2015). Following the events of September 11, 2001, the Department of Justice implemented the National Security Entry-Exit Registration System program, which imposed entry and exit requirements on male temporary residents from 25 designated countries, 24 of which were Arab or Muslim majority countries (Orgad & Ruthizer, 2009). Such policies illustrate how systemic Islamophobia disproportionately targets Palestinians and reinforces their exclusion within U.S. systems. A critical examination of the racialization of Palestinian Americans and their educational experiences as a distinct subgroup of Arab Americans is essential to understanding these broader dynamics (Davis, 2016; Feldman, 2015; Ibrahim, 2008).

By applying CRT, including the broader concept of intersectionality developed through the work of Black feminist scholars like Kimberlé Crenshaw (1991) and others, we can better understand how overlapping forms of oppression shape Palestinian American experiences. CRT offers a critical framework for examining how ethnic categorizations obscure racialized dynamics and structural inequalities, emphasizing the intersections of race, religion, and political identity. Through an intersectional lens, it becomes evident how Palestinian Americans experience compounded exclusion and discrimination, as their racial, religious, and political identities intersect to deepen their marginalization. This perspective is essential for understanding how systemic oppression manifests in overlapping and mutually reinforcing ways.

The Racialization of Arabs as White

Recognizing the complex histories, identities, and challenges that the Arab community faces—often obscured by inconsistent demographic data and a lack of visibility—is critical (Arab American Institute, 2022; Naber, 2012; United States Census Bureau, 2020; Zogby International, 2002). The Arab community encompasses individuals from 22 nations that are part of the Arab

League, spanning regions in North Africa and the Middle East. This includes, but is not limited to, countries such as Egypt, Lebanon, Iraq, Syria, and Palestine. Despite this diversity, Arabs are often homogenized in popular discourse, both in the U.S. and globally, as primarily Middle Eastern, predominantly Muslim, and culturally monolithic.

In the U.S., this oversimplification is exacerbated by the historical classification of Arabs as “White” by the U.S. Census, which fails to capture the community's racial, religious, and cultural diversity. However, this classification does not mean that Arabs, including Palestinians, are treated as White or experience the privileges that accompany White identity. Rather, this classification marks them as “White” in legal terms without recognizing the lived realities of racialization they face. Globally, Arabs are often stereotyped through narrow lenses, including perceptions of wealth associated with oil-rich nations or reductive portrayals as linked to terrorism or conflict. A number of factors, including the U.S. Census’s classification and a general mistrust in government data collection, serve to misrepresent not only the Arab community's size but also its diverse needs. These historical classifications continue to obscure the distinct identity and experiences of Palestinian Americans, further entrenching their invisibility within contemporary policy frameworks that fail to acknowledge their unique challenges.

The racialization of Palestinian Americans is inextricably linked to the racialization of Arabs and Muslims in the U.S. As Bell (1995) argued, “racism is not a series of isolated acts, but is endemic and deeply embedded in the fabric of society, including its legal structures.” Furthermore, the mistreatment of Arab Americans, often categorized as ‘White’ under U.S. legal frameworks (Gualtieri, 2001), aligns with CRT legal scholar Haney López’s (1996) arguments on the socially constructed nature of whiteness. This legal proximity to whiteness masks the systemic discrimination Arab Americans face and perpetuates their marginalization, subjecting them to racialized scrutiny despite the official classification as “White.” Racialization situates Palestinian Americans within a context where their racial identities are subject to scrutiny, marginalization, and stereotyping.

Palestinian Identity Beyond “Arabness”

For Palestinian Americans, this intersection of race, ethnicity, and religion creates a unique experience of exclusion that is both racial and geopolitical in nature. In exploring the racialization of Palestinians, it is essential to outline the nuances of their identity and the different intersections of this identity as experienced in the U.S. For Palestinian Americans, these forces are embedded within the legal, political, and educational frameworks of the U.S., making their oppression a product of both local and global structures of power. Crenshaw’s (1991) framework of intersectionality sheds light on how Palestinian Americans are systematically targeted through overlapping systems of oppression, including Islamophobia, Orientalism, and racialization tied to their political identity. For instance, the conflation of pro-Palestinian protest with terrorism exemplifies how political identity is weaponized to enforce racial profiling and suppress dissent. Students who advocate for Palestinian rights frequently face heightened surveillance, disciplinary actions, and accusations of supporting terrorism (Bazian, 2015; Erakat, 2019; Palestine Legal, 2015). This conflation not only delegitimizes their activism but also creates a chilling effect, discouraging individuals from engaging in advocacy out of fear of retaliation or ostracization. Such dynamics underscore how Palestinian identity is systematically racialized and demonized within the U.S. context. By equating Palestinian activism with terrorism, institutions justify policies that censor pro-Palestinian speech, restrict student organizing, and impose punitive measures against those who challenge dominant narratives (Cainkar, 2009; Naber, 2012). This deliberate strategy of

racialization operates to frame Palestinians as perpetual threats, reinforcing stereotypes that align them with violence and extremism (Said, 1978). In turn, these institutional practices manufacture consent for broader policies, including the erasure of Palestinian history and culture, as well as the justification of geopolitical actions that sustain the ongoing genocide of Palestinians.

Within the intricate folds of the Arab American narrative, Palestinian experiences remain significant, underexplored, and exceptionally villainized in education. This group of Arabs navigates a unique terrain, grappling with challenges rooted in erasure, vilification, and the complexities of a tense geopolitical landscape, all of which shape their collective identity (El-Haj, 2015; Said, 1978). Beyond their "Arabness" and perceived connection to Islam (Cainkar, 2009; Naber, 2012), Palestinians grapple with a distinct form of racialization within the American context. Yuval-Davis (2001) examines the intricacies of belonging, highlighting that these encompass the establishment of boundaries and the power dynamics involved in including or excluding specific individuals, social categories, and groups within these boundaries. The prevailing pro-Israel rhetoric in the U.S. adds another layer to this racialization by framing Palestinians as enemies of the state or outsiders even before the events of 9/11 (Abu El-Haj, 2015; Cainkar, 2009; Gerges, 2003). Islamophobia in the U.S. not only affects individuals and communities on a personal level but influences public opinion and policy regarding Israel/Palestine. The conflation of Palestinian political aspirations with radical Islamism serves to delegitimize the Palestinian struggle for self-determination (Bazian, 2015; Erakat, 2019). This political demonization reinforces the racialization of Palestinians in U.S. society, linking their identities to terrorism and extremism. These portrayals shape public perceptions and legitimize institutional policies that suppress Palestinian activism and identity, while U.S. anti-terrorism laws further justify their surveillance and suppression. Building on CRT, the complexities of Palestinian American identity and experiences are examined through a lens that acknowledges their unique racialization—one shaped entirely by mainstream white society's prevailing opinions of Palestinian people. This racialization process positions Palestinians as perpetual outsiders, reflecting the structural mechanisms that sustain their subjugation.

U.S. judges during the early 20th century Naturalization Era often presumed Arabs as non-white and not of African nativity, barring them from citizenship on the grounds that they did not meet the racial requirements of the law (Gualtieri, 2001). Although the legal proximity to whiteness for Arab Americans was officially recognized in 1944 (*Dow v. United States*, 1915; federal recognition expanded in 1944), legislative measures have, at times, targeted and disenfranchised individuals from Arab countries. These historical precedents bring to light the conditional nature of whiteness for Arabs in the U.S., further complicating Palestinian Americans' ability to claim a distinct identity within this framework.

Orientalism and the "Othering" of Palestinians

The discourse around Arab identity, previously examined in depth by scholars like Edward Said (1978) and Nadine Naber (2012), reveals the Orientalist take of the East, which perpetuates stereotypes about the Arab community. Through this lens, Arabs are often cast in a monolithic, negative light, under which they are racialized as 'others' and reduced to 'potential terrorists' (Ono, 2005; Saleem & Anderson, 2013; Shaheen, 2015). This separation is further examined by Said, who discusses the idea of the 'Easts,' which promotes the prevalence of insurmountable differences between 'us' and 'them' with reference to Western societies and the Orient, respectively. This persistent Orientalist framing positions Palestinians as perpetual outsiders, sustaining their dehumanization and exclusion.

Examining the racialization and demonization of Palestinians is essential for developing a PalestinianCrit. This tenet argues that Palestinian racial categories and racialization were constructed and are wielded as tools of power and oppression. By analyzing how Palestinians are currently portrayed in the media, we gain a clearer understanding of how this racialization was formed and perpetuated, illustrating the systemic nature of their exclusion and its implications for racial and social justice. Many scholars have extensively examined the Islamophobic campaigns propagated by mainstream media and have connected them to anti-Palestinian bias (Ansari & Hafez, 2012; Bazian, 2015, 2018; Sheehi, 2010). The endless portrayal of Arabs, Muslims, and particularly Palestinians as terrorists in mainstream media has dehumanized and demonized them to the American public (Chomsky, 2002; Jackson, 2023; Said, 2002; Zelizer et al., 2002). Anti-Arab and Islamophobic tropes have been fueled by Western media (Said, 1978; Tabahi & Bucher, 2020). This widespread demonization of Palestinians in media solidifies their portrayal as threats, reinforcing systemic structures of exclusion and oppression that enable and normalize policies contributing to their ongoing genocide.

Abu El-Haj (2015) examines the processes through which Palestinian youth are racialized using Ngai's (2004) work regarding the history of exclusionary racialized U.S. immigration policies. Through tracking this history, she illustrates the ways that even after the revision of laws that restricted citizenship along racial lines, many communities continue to be construed as 'impossible subjects' or 'alien citizens' who can never fully be encompassed within the national landscape (Abu El-Haj, 2015). Said (1978) goes as far as to assert that "Arabs are practically the only ethnic group about whom in the West racial slurs are tolerated, even encouraged" (p. 26).

Goldberg's concept of 'racial Palestinianization' adds depth to the analysis by articulating that "Israelis occupy the structural positions of whiteness in the racial hierarchy of the Middle East. Arabs, accordingly—most notably in the person of Palestinians—are the antithesis" (2009, p. 116). Shaheen's (2003, 2015) work on the persistent portrayal of Arabs and Muslims in Western media complements Goldberg's concept by exposing how these dehumanizing portrayals reinforce racial hierarchies. Shaheen's analysis of Palestinians as barbaric, violent, and uncivilized aligns with Goldberg's assertion that Palestinians are cast as the racial antithesis to whiteness. This interplay between media narratives and structural hierarchies demonstrates how Orientalist ideologies work in tandem with geopolitical interests to sustain systemic oppression and exclusion of Palestinians in both local and global contexts.

This racialization of Palestinians is consistent with patterns of racialization in media, as seen in studies of African American (Jackson, 2008) and Latinx communities (Chávez, 2013). The media, educational institutions, and public discourse serve as places where racialized narratives and images about Arabs and Muslims are propagated, affecting how others perceive individuals (Cainkar, 2009; Said, 1978). These narratives contribute not only to the dehumanization of Palestinians but also to the justification of policies that sustain their marginalization.

The Complexities of Palestinian American Identity

For Palestinian Americans, these intersections of race, religion, and nationality intensify their exclusion, embedding it deeply within U.S. society and educational institutions. Such pervasive misrepresentation is part of a process of racialization, where Palestinian Americans, like other Arab groups, are stripped of their distinct identity through institutional mechanisms that obscure their presence and needs. The racialization of Palestinians thus occurs not only through stereotypes but also through systemic erasure in data collection and policy, which strategically

facilitates the U.S.'s manufactured consent for ongoing acts of genocide. These demographic ambiguities have tangible impacts on the community's health, education, employment, housing, and civil rights (Arab American Institute, 2022). For Palestinian Americans, this racialization is further intensified by their political identity. Their association with Islam, regardless of their actual religious practice, intersects with the geopolitical context of Palestine and Israel, which positions them uniquely within U.S. systems of racialization and political suppression. These intersecting layers of identity—racial, religious, and political—create a compounded experience of structural inequality and exclusion.

The intricate interplay between these individuals' lived experiences and perceived proximity to ethnicity, religion, and race significantly shapes the complexities of their identities (James, 2001). In examining the racialization and demonization of Palestinians within the American context, integration of CRT is vital to provide a comprehensive understanding of the intricate power dynamics and systemic structures contributing to these processes. CRT has been used to understand how dominant ideologies serve to justify and perpetuate systems of oppression, as “conquering nations universally demonize their subjects to feel better about exploiting them” (Delgado & Stefancic, 2023, p. 21). This enduring narrative of demonization aligns with the understanding that societal structures maintain racial hierarchies and legitimize inequality (Bell, 1992; Delgado & Stefancic, 2001; Tate, 1997).

The demonization of Palestinians in the media has become so pervasive and blatant that over 1,400 organizations and journalists signed an open letter condemning harmful malpractice in U.S. media coverage of Palestine. The letter explicitly accuses newsrooms of perpetuating ‘dehumanizing rhetoric’ that manufactures consent for the ongoing genocide and ethnic cleansing of Palestinians (Wagner & Somner, 2023). This demonization extends beyond rhetoric, shaping public perceptions and influencing policies that exacerbate the discrimination Palestinians face. Scholars have critically examined racial discourse perpetuated by the U.S. and Israel, which portrays Palestinians as uncivilized barbarians. Such portrayals serve as a logic to justify violence against Palestinians and sustain narratives that blame them for this violence (Massad, 2000; Naber, 2012). Goldberg (2009) asserts that “Palestinians are treated not as if [they are] a racial group, [and] not simply in the manner of a racial group, but as a despised and demonized racial group” (p. 42), underscoring the deeply racialized nature of their depiction. The perpetuation of these narratives contributes to the structural racism embedded in the treatment of Palestinians, exposing an interconnected web of discriminatory practices that systematically disadvantage Palestinian Americans—particularly within the higher education system. For these reasons, we should understand anti-Palestinian racism as endemic to society. This systemic oppression, grounded in Orientalist ideologies and sustained by geopolitical agendas, underscores the necessity of adopting a CRT framework to fully comprehend the depth of Palestinian American vilification.

Structural Racism

Anti-Arab and anti-Muslim sentiments have been institutionalized through various U.S. policies, notably with regard to immigration and surveillance. The material support statute, which outlines the laws surrounding providing material aid to foreign terrorist organizations, for instance, has been criticized for its broad application, primarily impacting Arab and Muslim communities (Akram & Johnson, 2002; Cainkar, 2009; Shamas & Arastu, 2013). This legal framework has also been used to target Palestinian solidarity movements in the U.S. In examining the Palestinian American experiences within the U.S., it is imperative to explore the intricacies of structural and institutional racism and recognize the nuanced manifestations of discrimination that shape the

contours of their lives (Bonilla-Silva, 2006; Feagin, 2013). Structural racism, institutional racism, and systemic discrimination are each distinct yet interconnected facets that contribute to the unique challenges faced by Palestinian Americans in higher education. Structural racism encompasses the overarching systems and frameworks that perpetuate racial disparities, whereas institutional racism involves discriminatory practices embedded within specific institutions. Systemic discrimination reflects the pervasive and interconnected nature of discriminatory policies throughout society. Examining the systemic challenges stemming from these organizational arrangements—including the de facto support for Israel's influence on university policies, professional repercussions, academic discrimination, and incidents of violence against Palestinian students on college campuses—will shed light on the broader, system-wide issues that hinder Palestinian American students in higher education. Within this framework, structural racism extends beyond individual biases and discriminatory actions to encompass systemic elements that perpetuate the unequal treatment of Palestinian Americans. By examining the multifaceted dimensions of structural and institutional racism through an illumination of the political and economic underpinnings that foster anti-Palestinian ethos, we can more clearly understand the unique challenges and discrimination faced by this community.

The profound support of Israel by the U.S. is demonstrated through financial, military, and political endeavors. From the US's historical endorsement of Israel to its present-day unconditional support exists a tangled web of geopolitical factors that shape the dynamic between the U.S. and Israel. Israel receives \$3.7 billion in aid annually, totaling \$158 billion year-to-date, making it the largest recipient of U.S. assistance (Hever, 2006; Sharp, 2018). The extensive influence of pro-Israel lobbying groups, spearheaded by organizations like the American Israel Public Affairs Committee (AIPAC), significantly impacts U.S. policies. Additionally, pro-Israel groups contribute substantial financial support to politicians from both major parties, creating a formidable lobby that shapes discourse, backs pro-Israel politicians, and muffles voices critical of Israel. Pro-Israel groups contributed over \$30 billion to the campaigns of elected officials, according to OpenSecrets.org (2020). The Israeli lobby helps amplify pro-Israel voices, backs pro-Israel politicians, and works to neutralize oppositional voices (Mearsheimer & Walt, 2006). This lobby has bought U.S. politicians who, in turn, provide Israel with unwavering support, political cover, and impunity from international accountability and consequences. One example of the U.S.'s consistent protection of Israel is via the United Nations Security Council (Gruenberg, 2009), where the U.S. has used its veto power a record 45 times to block resolutions critical of Israel (United Nations Library, n.d.). This relationship, often described by scholars like Chomsky (2002) as that of a 'client state,' shows how geopolitical interests and strategic alliances deeply intertwine, shaping policies and reinforcing the dynamics between the U.S. and Israel.

Building on Palestine Legal's briefing paper *Anti-Palestinian at the Core: The Origins and Growing Dangers of U.S. Antiterrorism Law*, legal, structural, and institutional racism against Palestinians is embedded in the fabric of U.S. anti-terrorism laws. These laws, shaped significantly by anti-Palestinian agendas, have normalized a discriminatory framework that casts Palestinians as the primary subjects of 'terrorism.' This pattern of racialization and demonization of Palestinians as terrorists, primarily while advocating for their rights and liberation, is not only an affront to justice but also seeks to criminalize and silence their voices in educational, social, and political spheres.

The repercussions of U.S. policies and discriminatory legislation are palpable for Palestinian Americans. To date, thirty-eight states have adopted anti-boycott laws, restricting or

penalizing boycotts of Israel in some way (Hauss, 2023; Palestine Legal, 2022). These laws limit the ability of individuals and organizations to engage in political expression and activism by creating environments of fear and self-censorship. The widespread adoption of such laws underscores the extensive influences of pro-Israel lobby efforts and highlights the systemic silencing of dissenting voices that advocate for Palestinian rights. This legislative trend exemplifies the issues of structural racism and political repression faced by Palestinian Americans and their supporters, reinforcing the need for a critical examination of U.S.-Israel relationships and its impact on civil liberties. Illustrating how political pressures shape educational content, pro-Israel organizations like the Anti-Defamation League (ADL), the Jewish Community Relations Center, and the Simon Wiesenthal Center led campaigns to distort and erase Arab and Palestinian diaspora studies in the California Board of Education's ESMC (Kehdi, 2023). These Zionist organizations lobbied to erase all mentions of Palestine, underscoring the far-reaching consequences of policies influenced by pro-Israel lobby efforts. Kiswani et al. (2023) note that "the specific attack on Palestine in the context of this struggle became a full-fledged assault on the pedagogy and framework of ethnic studies" (p. 222). Wide-ranging attempts to intentionally and aggressively erase Palestinian perspectives from educational materials demonstrate the phenomenon of political influences shaping educational narratives (Naber, 2012; Salaita, 2014). The unique legal and policy challenges confronting Palestinian Americans reveal the structural racism inherent in the U.S.-Israel relationship, illuminating the need for a critical examination of these systemic injustices.

Scholar Thea Abu El-Haj began this critical examination by shedding light on how post-9/11 Palestinian American youth negotiate a sense of belonging and citizenship amid exclusionary U.S. nationalist policies within their schools. Abu El-Haj discusses how Palestinian Americans' lived sense of belonging is marked differently from the normative view of American citizenship, calling this view exclusionary as it positions Palestinian Americans as "dangerous others" (Abu El-Haj, 2015, p. 7). This exclusionary position of Palestinian Americans is not unique, and CRT can serve as a means to disclose the ways in which systemic racism is embedded in all aspects of society and the notion that racism is 'ordinary,' not 'aberrational' (Bell, 1995; Delgado & Stefancic, 2001). By exposing the subtle ways racism operates, CRT can analyze how Palestinian American's experience with racism in higher education. Within academia, Palestinian American students encounter nuanced challenges rooted in structural inequalities and systemic discrimination. These challenges manifest in various forms, including academic discrimination, censorship, and violence. The support of Israel and the systemic discrimination Palestinians face extends beyond political circles, infiltrating academic and professional spheres.

Institutional Racism

In higher education, Palestinian American students face systemic biases and discrimination that manifest in various forms. At Harvard University, students reported being verbally attacked and having items thrown at them for wearing keffiyehs. Along with doxxing and public intimidation via digital billboards, these incidents created an atmosphere of fear and hostility. Students expressed feeling unsafe due to the university's slow and ineffective response (Haidar & Kettles, 2024). Similarly, at the University of Illinois Chicago, institutional bias was evident as Palestinian students were excluded from events and censored during discussions about Palestine (Essa, 2023). At Florida State University, Palestinian student leader Ahmad Daraldik was targeted by an anti-Palestinian harassment campaign involving threats from state legislators after speaking up about Palestine. The level of harassment prompted a federal investigation into the university's

handling of the hostile environment (Palestine Legal, 2023). Palestinian student groups, such as those at Columbia University and Rutgers New Brunswick, were targeted by sanctions and suspensions, significantly hindering their ability to engage in political activism and express solidarity with Palestine (Cole, 2023; Erakat, 2023). These examples illustrate the pervasive nature of institutional racism faced by Palestinian American students, indicating the need for a deeper examination of the systemic challenges within U.S. educational institutions.

The U.S.'s implicit support for Israel extends beyond political arenas, permeating university policies and shaping institutional practices. These dynamics directly affect the experiences of Palestinian American students, often reinforcing inequities and exclusion. Mearsheimer (2015) notes that universities tend to be one of the few places in the U.S. where Israel is openly criticized for its behaviors in ways seldom seen in the media or among politicians. This is one of the reasons why many supporters of Israel work hard to suppress criticism of Israel or America's relationship with Israel (Kirstien, 2016; Mearsheimer, 2015; Mearsheimer & Walt, 2006). The Israel lobby and its donors exert undue influence on universities and their policies. Scholars utilizing CRT argue that the power dynamics at play in these organizational arrangements are indicative of racially informed systems where certain voices and perspectives are excluded or suppressed (Delgado & Stefancic, 2001). According to CRT, these power dynamics reflect pervasive systemic issues, resulting in threats to academic freedom for Palestinians and their supporters (Frery, 2015; Kirstien, 2016; Salaita, 2015). As universities grapple with external pressures and alliances, institutionalized policies often reflect geopolitical dynamics, contributing to an environment that erases Palestinian narratives, restricts academic freedom, threatens careers, and stifles activism that supports Palestinian rights.

The discriminatory environment extends to professional spheres, where advocates for Palestinian rights may face repercussions for their activism. Instances of revoked job opportunities, denial of tenure, firings, and investigations underscore the barriers within academia. Mearsheimer (2015) observes that pro-Israel forces work to limit and remove faculty who are supportive of Palestine, reflecting the role of power dynamics in shaping institutional policies. This effort includes organized campaigns, pressure on university administrations, and increased influence over hiring and tenure decisions. This entrenched issue is evident in several high-profile cases, such as the withdrawal of Steven Salaita's tenure job offer from the University of Illinois, Norman Finkelstein's denial of tenure at DePaul, Joel Kovel's termination from Bard College (Mearsheimer, 2015), and Joseph Massad's denial of tenure at Columbia (Davidson, 2008). These examples point to the precarious position of scholar-activists while underscoring the racism embedded in American academic institutions. The denial of tenure to scholars like Bashir Abu-Manneh at Barnard (Cohen & Heyison, 2013) and Samer Shehata at Georgetown (Flaherty, 2013) exemplifies the deep-seated challenges within academic institutions that perpetuate discriminatory practices. These interests, along with Terri Ginsberg's termination from North Carolina State University (Ginsberg, 2011), illustrate how structural injustices manifest with tangible consequences. Ginsberg's case exemplifies the dangerous and disruptive impact of political pressure on academic freedom, as her termination was a result of her outspoken support for Palestinian rights. A critical layer of the discourse emerges in how political advocacy for Palestinian rights can lead to professional and personal repercussions. Such instances collectively expose the persistent challenges and reprisals faced by academics, reflecting a complex and discriminatory landscape within academic institutions. This dynamic further exposes the entrenched power structures that aim to suppress and delegitimize voices advocating for Palestine.

Censorship

Palestinian American students engaging in political activism often find themselves in the crosshairs of censorship and backlash (Mearsheimer, 2015). The targeting of Palestinian political activism through these laws represents a form of structural and institutional racism—an action central to CRT’s critique of systems of power. By recognizing the context of racialized inequalities, CRT illuminates the structural and institutional mechanisms that perpetuate these disparities (Bell, 1992; Delgado & Stefancic, 2001). The disproportionate targeting and suppression of voices advocating for Palestinian rights on college campuses is often referred to by civil rights attorneys and legal organizations as the “Palestine exception to free speech” (Palestine Legal & Center for Constitutional Rights, 2015). Pro-Israel donors contacting university administrators to express dissatisfaction with criticism of Israel—often accompanied by accusations of anti-Semitism and threats to withdraw financial support—exemplifies this trend (Mearsheimer, 2015). In 2012, the University of Pennsylvania student group UPenn Divest hosted a Boycott, Divestment, and Sanctions (BDS) conference. Pro-Israel university alumni who opposed the conference threatened to withhold donations unless the university canceled the event. In response, the institution’s leadership publicly denounced the conference and expressed strong opposition to the BDS movement. This response not only undermined the student group but also sent a clear message to the campus community that perspectives critical of Israel were unwelcome (Gimelstien, 2012; Smith, 2012). The administration’s stance, influenced by external financial pressures, effectively stifled open discourse and created a chilling effect on free speech. Students and faculty advocating for Palestinian rights were put on notice that their activism could lead to significant institutional backlash, further marginalizing their voices and undermining academic freedom. Fordham University’s three-year legal battle to reinstate their Students for Justice in Palestine (SJP) group from 2015 to 2018 highlights the persistent challenges faced by Palestinian advocacy organizations in navigating institutional resistance, a case which also exposes the intense scrutiny and opposition faced by Palestinian solidarity groups and the lengths to which institutions are willing to go to suppress pro-Palestinian voices (Palestine Legal, 2017).² The crackdown on Palestinian solidarity groups like SJP at Fordham University reflects a pattern of entrenched discrimination, aligning with CRT principles that emphasize the examination of power structures and how they perpetuate exclusion and inequity (Delgado & Stefancic, 2001). It also illustrates how powerful external actors can influence institutional policies and practices. This infringement on freedom of speech only escalated after October 7th, 2023, amid intensified genocide, further demonstrating how racism and political interests intersect to undermine the principles of free speech and academic freedom, creating an environment where certain groups are persistently silenced and excluded from the discourse.

In 2023, there was a notable escalation in the ongoing attempts to demonize Palestinians and their supporters on college campuses, accompanied by heightened efforts to restrict pro-Palestine protest (Cole, 2023; Erakat, 2023). Columbia is one of three private universities that took the unprecedented step of sanctioning their SJP and Jewish Voice for Peace (JVP) chapters, a significant crackdown on student organizing related to Palestine solidarity. Citing reasons such as alleged violations of campus policies and concerns over potential disruption and controversy, the

² After a prolonged legal struggle, which included numerous court hearings and public campaigns, a New York judge ultimately ruled in favor of SJP in 2019, ordering Fordham University to recognize the group. This victory was significant not only for the students at Fordham but also for advocates of free speech and academic freedom across the country.

universities' sanctions included restrictions on the groups' abilities to hold events, distribute materials, and access university resources. However, these justifications have been widely criticized as veiled attempts to suppress political dissent and curtail the influence of pro-Palestine activism on campus. Brandeis University implemented a complete ban on its SJP chapter, unfoundedly alleging that the group openly supports Hamas. Similarly, George Washington University suspended its SJP chapter from hosting on-campus events for three months (Weil & Svrluga, 2023). This restrictive trend extends beyond private institutions, with Rutgers New Brunswick becoming the first public university to suspend their SJP chapter without notice or hearing (Erakat, 2023). The actions taken against these groups impact not only individuals but contribute to the climate of fear and intimidation by discouraging open dialogue on issues related to Palestine. Academic discrimination against Palestinian and pro-Palestinian students and professors further reinforces this climate, affecting careers and curtailing activism within educational institutions. Mearsheimer (2015) further illuminates the suppressive atmosphere, noting that "pro-Israel forces not only seek to silence criticism of Israel in the academy but to limit their numbers as well" (p. 317), revealing how these groups aim to limit and remove faculty in support of Palestine. This significant escalation underscores the entrenched challenges faced by Palestinian solidarity groups in academic settings and reflects a pervasive pattern of institutional suppression of dissenting voices. Moreover, CRT uncovers the often-hidden mechanisms of power and control that operate within educational institutions and society at large, further illustrating the need for change to ensure true academic freedom and equity.

Driven by intensified repression, academic censorship on Palestine has only worsened since October 7th, during Operation Al Aqsa Flood. Palestine Legal received 1,037 requests for legal support from individuals targeted for their Palestine advocacy and concern over their activism, reflecting a rise in anti-Palestinian repression across the U.S. (Palestine Legal, 2023)³. The U.S. has witnessed the largest mass student movement in over a century, with over 100 pro-Palestinian encampments on college campuses nationwide. Established in solidarity with the Palestinian cause, these encampments have faced significant repression, including brutal police crackdowns, arrests, and administrative sanctions. Institutional responses, often quick to suppress dissenting voices and limit the scope of Palestinian activism, contribute to an environment where racialized narratives are perpetuated, and marginalized groups face disproportionate scrutiny and punishment. To date, there have been over 130 university encampments (Rubin et al., 2024), with over 3,000 students, professors, and solidarity activists arrested on more than 80 campuses (Palestine Legal, 2024), reflecting the scale and intensity of the movement. University administrations have called in police to dismantle encampments, canceled events such as graduation ceremonies, and imposed consequences on student activists, ranging from disciplinary actions to suspension of student organizations. The actions taken by university administrations reveal a persistent bias against pro-Palestinian activism, reflecting deep-seated societal prejudices and the influence of external political pressures. CRT illuminates the structural barriers that perpetuate discriminatory practices; regardless of the principles of freedom of speech these universities claim to uphold, documented faculty experiences reflect how racism can override academic principles (Bell, 1992; Delgado & Stefanic, 2001). The consequences faced by Palestinian and pro-Palestinian students and professors extend beyond individual careers to the

³ Despite unprecedented repression, 2023 saw the largest pro-Palestine mobilization in U.S. history. This was driven by the genocide in Gaza and the Biden administration's unwavering support for Israel, despite shifting public opinion.

suppression of activism and freedom of speech. This suppression not only stifles academic discourse and intellectual diversity but also perpetuates a culture of fear and self-censorship within academic institutions.

Towards a Palestinian Critical Race Theory

PalestinianCrit integrates these tenets by situating the Palestinian experience within a global framework of settler colonialism. For example, the principle of foregrounding colonialism resonates with PalestinianCrit's focus on the pervasive anti-Palestinian policies embedded in U.S. institutions that buttress the Zionist settler colonial state. Similarly, reclaiming narratives aligns with PalestinianCrit's use of counter-storytelling to highlight the lived experiences of Palestinians and combat their erasure in dominant discourses. Intersectional analysis facilitates a deeper understanding of how Palestinian Americans navigate the intersections of race, religion, and geopolitics, while cultural resilience underscores the importance of Palestinian traditions and activism in resisting oppression.

PalestinianCrit builds on foundational CRT tenets and draws insights from sub-frameworks like TribalCrit and KanakaŌiwi CRT to address the unique racialization, erasure, and barriers faced by Palestinian Americans. While Yunis Varas and Tanksley (2024) frame Palestinian Critical Race Theory through the lens of Palestinian feminist epistemologies and survivance, PalestinianCrit expands upon these foundations to examine the distinct challenges confronting Palestinian Americans. Drawing from the preceding analysis, I outline the core tenets of PalestinianCrit as follows:

1. Anti-Palestinian racism is endemic to society.
2. Palestinian Americans navigate a racialized and politicized dual identity strategically constructed to exclude and subjugate them.
3. Governmental and educational policies systematically aim to erase Palestinians and suppress activism advocating for their rights.
4. Structural racism operates as a pervasive system, embedding anti-Palestinian inequities within the social, economic, and political frameworks of society.
5. Claims of 'safety' serve to obscure and perpetuate systemic inequities faced by Palestinians in educational and institutional settings.
6. Anti-Palestinian racism in higher education is institutionalized through policies and practices that suppress academic freedom, penalize pro-Palestinian activism, and enforce a sanitized narrative aligned with settler colonial ideologies.
7. Settler colonial ideologies underpin the marginalization of Palestinians through practices like surveillance, silencing, and institutional retaliation.
8. PalestinianCrit emphasizes the reclamation of suppressed histories and cultural traditions as acts of resistance and resilience.

Through this adapted lens, PalestinianCrit advances CRT's commitment to social justice while addressing the specificities of Palestinian American experiences. It bridges theoretical inquiry with praxis, advocating for change in educational and institutional contexts. Following Stovall's (2005) call for praxis in CRT, PalestinianCrit extends beyond theoretical critique by advocating for actionable strategies, such as incorporating Palestinian history into K-12 curricula,

promoting legal protections for pro-Palestinian activism in higher education, and addressing structural barriers that hinder Palestinian Americans' access to equitable opportunities.

Conclusion

The challenges faced by Palestinian American academics and their supporters reflect broader societal issues, exposing the pervasive influence of political interests on racialization and systemic inequities. This paper addresses a critical gap in CRT literature by centering Palestinian Americans in the U.S. Specifically, it examines how Palestinian life in the U.S. is racialized, demonized, and subjected to structural and institutional racism, profoundly shaping their educational opportunities and social positioning.

Three critical insights emerged from this analysis. First, Palestinian Americans face intense racialization and demonization, often conflated with anti-Arab and Islamophobic sentiments yet uniquely rooted in anti-Palestinian ideologies perpetuated by media portrayals, legal frameworks, and public discourse. Second, structural barriers, including U.S. antiterrorism laws and educational policies, severely restrict their opportunities, mobility, and equitable treatment within academic and professional spaces. Third, any support for Palestinian rights is systematically suppressed through censorship, professional retaliation, and institutional resistance, a phenomenon termed the "Palestine exception to free speech" (Palestine Legal & Center for Constitutional Rights, 2015). Together, these realities illustrate the multifaceted and deeply entrenched challenges Palestinian Americans face, both in education and beyond. These issues are compounded by the fact that anti-Palestinian racism is endemic to society, embedded in structural frameworks that perpetuate inequities and erasure.

This work underscores the urgent need for specialized frameworks like PalestinianCrit to address the unique challenges faced by specific minority communities. By enriching CRT literature, PalestinianCrit amplifies the voices of marginalized groups often excluded or oversimplified in mainstream analyses. Furthermore, exploring the 'Palestine exception to free speech' highlights the implications for civil liberties and academic freedom, demanding a critical reevaluation of institutional policies perpetuating these inequities.

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