

Re: 2025.CC30.5 – Proposed By-law Amendment to Provide Access to Social Infrastructure; 2025.IA30.1 - The Development of the Proposed Demonstrations By-law

Dear City Council,

I find the motion to regulate demonstrations near *vulnerable social infrastructure* overly broad and highly concerning. I urge City Council to defer this motion and contemplate a better targeted set of policies that would have the same benefits as the purported positive effects of the current bubble zone legislation. As it is now, the by-law design process fails to acknowledge the intellectual, theological and ethnocultural diversities of the Jewish, Israeli, Palestinian, Arab and Muslim communities. Notably, it ignores the coexistence of Zionism and anti-Zionism in Judaism, among other nuances and may even prevent one from protesting one's own congregation. Given that laws regulating public speech historically deplore the speech of marginalized groups; the demonstrations by-law, as currently proposed, would disproportionately impact freedom of association and of speech for people and organizations associated with Palestinian solidarity and adjacent causes such as Israeli draft-dodging. This mirrors the existing repression of workers in the working world and students in academic settings engaging in politically dissident speech. Furthermore, it could eventually come back to affect the politics presently favoring it.

To put it simply, what if the provincial Ford government starts enforcing this by-law on protests outside Queen's Park, by reporting protesters to the Toronto Police Service? What if Ontario Place were classed as *vulnerable social infrastructure*? One can see how quickly the wording of this by-law enables democratic backsliding, including on causes on which the City has opposed the Province of Ontario and instead been sympathetic to local activist groups and protesters. In a sociopolitical moment where political dissidents like Mahmoud Khalil, Rumeysa Ozturk and Dr. Rasha Alawieh have been illegally detained and kidnapped by Immigration & Customs Enforcement in the U.S., I do not believe this response best protects Charter rights and the free speech of Torontonians.

I, myself, am American. The U.S. Constitution allows for "time, place and manner" regulations on First Amendment-protected free speech, but not on its content. However, regulations like this have been enacted in the form of "free speech zones" during the Bush Jr. and Obama administrations and have become increasingly draconian, negatively impacting the content of free speech indirectly. Though potentially possible, I do not believe it would be in the interest of major Canadian cities to follow suit.

The by-law, as proposed, is race-blind and class-blind, also risking reinforcing existing policing biases and spurious enforcement, likely predicated on racial and religious profiling of pro-Palestine protesters. This group often includes predominant racialized groups in Canada against whom discrimination is prohibited under the Ontario Human Rights Code. Little public discussion exists about domestic policing conduct towards Mizrahi Jews, who are either actively discriminated against or mistaken for ostensibly Muslim Arabs or Palestinians in the Israeli sociopolitical and military context. The law also risks stoking further police violence against unhoused people taking shelter near or under congregations, either individually or in encampments. Further compounding the negative impacts of Ontario's pending Bill 6, one could falsely claim there to be a demonstration near a place of worship to have an encampment violently cleared. It is urgent that as urban planners and planning students, I and others consider the impacts of sociopolitical policies on the public realm and experience of city living. The by-law also risks violating Truth & Reconciliation Commission Calls to Action #30 and #38, regarding reducing the overrepresentation of Indigenous people and youth in detainment and prison custody.

These concerns are further exacerbated by the law's questionable legislative methodology. The online consultation survey distributed to Torontonians contained leading questions designed to elicit responses framing protests as broadly unsafe and to endorse this by-law as a preemptive solution. Furthermore, when this motion is read in tandem with 2025.MM30.6, the City of Toronto directly risks constructing a discussion and planning process wherein the adequately housed and usually wealthier anti-shelter proponents are privileged and pro-shelter counter-protest and organizing can be quashed by the mere fact of whole portions of Toronto being closed to protest by mere proximity to dense residential areas and adjacent community services including schools and community centers. This not only stands anathema to democratic processes, but also to language in Chapter 1 of the Official Plan addressing Indigenous reconciliation and on removing barriers to "access to education, employment and essential amenities".

Additionally, this by-law displays another major weakness in its unquestioning endorsement of the status quo led by the U.S. military-industrial complex. I believe it important to point out that American weapons companies not only figured out they could keep lobbying to supplying weapons to Israel, but in doing so, that they could monetize security theater and the suffering of Israelis and Palestinians in the process, in turn egging on further attacks. As well, this industry made the calculation that the perpetuation of hate crimes against Muslim and Jewish victims outside of Israel and Palestine was an acceptable externality. This business logic is not and should not be acceptable in any decent nation anywhere.

Amira Mohammed of the *Unapologetic: The Third Narrative* podcast, speaks of *the* [form of] *Zionism* [Palestinians] *are experiencing* when discussing the Israeli-Palestinian conflict; from that perspective, I would like to illustrate that many of us are opposing specifically, Kahanism and the forms of Zionism promoted by Benjamin Netanyahu's Likud government, the Trump administration and corporate weapons manufacturing actors. I do not seek to attack religious representations and expressions of Zionism and condemn any infusion of such with anti-Semitism. I acknowledge this has manifested in some, but not all protests since the Hamas attack on October 7th, 2023.

In closing, the City has access to plentiful alternative policies and should pursue ones that affirm its opposition to anti-Semitism and Islamophobia while possessing more appropriate scope and preserving Charter rights and valuing the many Israeli and Jewish allies, here or abroad, who work in tandem with Palestinians, Arabs and Muslims in different capacities to oppose the Israeli Defence Forces' ongoing campaign as well as those who are not actively engaging in dialogue or discourse surrounding the conflict.

Both the facts that synagogues, mosques and other places of worship and vulnerable places have to hire private security and that the Hate Crimes Unit is excessively deployed to pro-Palestine protests, as alluded to in the BCLU's letter, are abhorrent. While the bubble by-law is one possible legal solution, I do not believe the sudden illegality of hateful conduct inside a bubble would deter those so inclined from committing hate crimes; the besieged still limited to reactive responses.

The issue of xenophobic hate and its weaponization is just as much a cultural issue as a political one; while the City contemplates the *Demonstrations* by-law, I urge it to also consider the following policies and actions:

- **Ensure all municipal school boards offer strong Holocaust and Nakba education, as well covering other historic genocides and colonies such as the Bengal famine; the Rwandan genocide; the Rohingya genocide in Myanmar and European colonialism, exceeding the provincial curricular standard.**
- **Request that the Toronto Police Service collaborate with civil society organizations, the Ontario Provincial Police and the Royal Canadian Mounted Police to monitor hate groups and cybercrime, working to deter or break online and algorithmic radicalization chains that move lay people into hate groups.**
- **As part of the City of Toronto's ongoing U.S. tariff response, review municipal procurement policies to bar or deter companies a). directly funding hate groups and movements, b). operating in the West Bank and c). producing weapons or technical infrastructure for the IDF, ICE in the U.S. or**

other agencies from bidding on and participating in City of Toronto contracts. While the City does not have complete jurisdiction over matters of foreign policy, it should have regard for them when possible.

- **Actively engage and reaffirm public relations and advertising campaigns to condemn all forms of xenophobia and prejudice in Toronto and encourage good relations between people from protected groups and different walks of life.**

I believe these proposals would better address the issue and target the appropriate adversaries rather than overly suppressing and restricting residents and workers of Toronto, visitors and the Indigenous peoples of Turtle Island. In the meantime, I recommend City Council move to defer this motion in order to further engage in consultation with civil society groups; including student unions and housing justice and homeless advocacy groups, as well as anti-Palestinian, Arab and Muslim discrimination tables.

Furthermore, I invite Councillors, if they can do so safely, to go on any of the several [Green Olive Tours](#) on offer. These are pluralistic tours, some of which cover Palestine and Israel, which cover sites; places and perspectives of many different groups. I also see this possibility as a way to tie Toronto's planning heritage of Jane's Walks into how urban planning is contemplated in other causes and nations and encourage positive inter-city diplomatic relations.

Sincerely,
Thaddeus W. Sherlock