

**Submission
No 51**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

Organisation: Palestine Action Group Sydney

Date Received: 12 January 2026

SUBMISSION BY PALESTINE ACTION GROUP SYDNEY

12 January 2026

Mr Edmond Atalla
Chair
Legislative Assembly Committee on Law and Safety
NSW Parliament

Dear Chair,

RE: Inquiry into measures to prohibit slogans that incite hatred

Please accept this submission on behalf of the Palestine Action Group Sydney (**PAG**), a collective of Sydney-based activists from diverse backgrounds and faiths committed to organising and advocating for the Palestinian cause and opposing Israeli genocide and apartheid.

We make this submission with serious concerns regarding the NSW Government's continued attempts to curtail the democratic freedoms and civil liberties of the people of New South Wales. We submit to this Inquiry the following key points:

- It is plainly dishonest to characterise the chants led by PAG at its rallies, and those used in the international Palestine solidarity movement, as inherently hateful or capable of inciting hatred against a particular community. The chants within the movement are calls for justice and liberation for the Palestinian people, who have endured over 77 years of oppression, racism, colonisation, and apartheid.
- The chant 'globalise the intifada', and other associated chants, are a call for an international struggle to free Palestine. Such chants are not antisemitic in nature or hateful. To suggest otherwise, is an insult to the thousands of Jewish people worldwide who have used and supported these chants.
- The trajectory of civil liberties repression in the United Kingdom is of serious concern and is not a model that should be emulated in New South Wales.

At the outset, we emphasise that our movement is, and always has been, a movement committed against racism in all its forms. In this vein, we support enforcement against the use of slogans that genuinely incite hatred and threaten community safety within the current legal framework. However,

any attempt to conflate the chants over the past two years of peaceful protest with antisemitism or violence is both fundamentally misconceived and dishonest. Such a claim not only distorts the reality of our movement but also disrespects the thousands of Jewish people who have stood and marched alongside us for decades.

We further refer the Committee to the judgment in *Commissioner of Police (NSW Police Force) v Joshua Lees*,¹ which found that PAG had conducted peaceful marches over a two-year period. This is the same time period where it is now wrongfully purported that these rallies and the chants used incited violence.

(a) Purported threat of chants like “globalise the intifada”

To properly understand the urgency of mobilisation for Palestine and the context of chants made at PAG rallies, we consider it relevant to contextualise the ongoing ethnic cleansing in occupied Palestine. At the time of making this submission, Israel has breached the ceasefire agreement over 900 times and continues to carry out airstrikes on Gaza, killing at least 418 Palestinians and injuring 1,100.² The Australian Government remains complicit in these war crimes by facilitating the sale of military equipment that enables this genocide. Of particular importance, but not limited to, is the sale of essential F-35 parts which play a critical role in Israel’s wide scale destruction of Gaza.

We reject the suggestion that any chants led by PAG at its rallies pose a threat to community cohesion and safety. This is entirely baseless. To the contrary, the Palestine solidarity movement has fostered social harmony and cohesion – as evidenced by the hundreds of thousands of Australians who marched across the country and on the Sydney Harbour Bridge to demand an end to Israel’s genocide of the Palestinian people and the Australian government’s complicity.

The chants used in the Palestine solidarity movement internationally, and in Australia, are demands for justice for the Palestinian people and are not hateful or antisemitic in nature. We seriously question how calls for the Palestinian right of return and the lawful right to resist occupation and apartheid could be construed as incitement to hatred.

¹ [2025] NSWSC 858 at [19], [23] and [33].

² Barrows-Friedman, N. (2025) *Storms, starvation as Gaza enters new year under Israeli siege*, *The Electronic Intifada*, 31 December. Available at: <https://electronicintifada.net/blogs/nora-barrows-friedman/storms-starvation-gaza-enters-new-year-under-israeli-siege>

Globalise the Intifada

With respect to the chant 'globalise the intifada', we make two preliminary points.

The first is that this is not a chant that has been led at our rallies over the last two years. It would be redundant and repressive to prohibit a phrase on the basis that it supposedly threatens community cohesion when there is no evidence of it being used.

The second is that, notwithstanding that this is not a chant we use, we reject the suggestion that this chant, or any associated chant, is threatening in any way. The word *intifada* is an Arabic word meaning 'uprising' or 'shaking off'. It usually refers to two popular uprisings in Palestine in 1987 and the early 2000s led by the Palestinian people in opposition of Israel's occupation and apartheid.

To chant 'globalise the *intifada*', or other associated chants, is to call for an international effort to rise up against Israel's illegal occupation, apartheid policies and crippling blockade. Chants of this nature cannot reasonably be interpreted as incitement to hatred of Jewish people, or any demographic of people. Any suggestion of this is ridiculous and offensive to the thousands of Jewish people who have used and supported these chants.

To better understand the term *intifada*, notably an Arabic word, we provide some historical context behind this term below.

The First Intifada (1987–1993)

The *First Intifada* (1987–1993) was a mass Palestinian uprising against Israel's military occupation of the West Bank and Gaza Strip, which had been in place since 1967. The Arabic word *intifada* means 'shaking off' and was used by Palestinians to describe a collective effort to resist military rule, dispossession, and the systematic denial of political rights.

The uprising began in December 1987 following the killing of four Palestinian workers in Gaza by an Israeli military vehicle. What followed was a grassroots, locally organised movement involving strikes, boycotts, refusal to pay taxes, mass demonstrations, and civil disobedience. Popular committees, trade unions, women's groups and youth networks played a central role, marking a decisive shift away from elite or externally directed leadership toward popular participation and collective self-organisation.

The *First Intifada* is widely recognised as predominantly non-violent, particularly in its early and middle phases, though it did include confrontations such as stone-throwing and limited armed attacks. The

Israeli military response relied heavily on live ammunition, mass arrests, curfews, and collective punishment.

During the uprising, over 1,000 Palestinians were killed by Israeli forces, the majority civilians, including hundreds of children. Tens of thousands were injured and many more imprisoned. On the Israeli side, approximately 100–200 people were killed, most of whom were soldiers or security personnel, though some civilians also died.

The *Intifada* fundamentally altered international understanding of the conflict by exposing the realities of military occupation and Palestinian popular resistance. It formed the political backdrop to the Oslo negotiations, which were initiated without democratic participation from the grassroots movement and are widely criticised by Palestinians for failing to end occupation or secure genuine self-determination.

As a historical term, *Intifada* describes a specific, largely civilian-led uprising and should not be mischaracterised as synonymous with terrorism or violence.

The Second Intifada (2000–2005)

The *Second Intifada*, also known as the '*Al-Aqsa Intifada*', began in September 2000 and marked a sharp escalation in conditions in occupied Palestine. It emerged amid profound Palestinian disillusionment following the failure of the Oslo process, which had promised an end to occupation but instead coincided with expanded Israeli settlements, continued military control, land confiscation, and deepening economic hardship.

The immediate trigger was the visit of Israeli opposition leader Ariel Sharon to the Al-Aqsa Mosque compound, accompanied by a large security force. For Palestinians, this was widely perceived as a deliberate provocation at one of Islam's holiest sites, occurring in a context of political collapse and rising repression. Palestinians initially organised non-violent protests, which were met with lethal force. Over 100 Palestinians were killed within the first few weeks. The violent response by the Israeli military and security forces contributed to rapid escalation.

Unlike the *First Intifada*, the *Second Intifada* became highly militarised. This shift toward violence must be understood in context. Palestinians had experienced years of negotiations without sovereignty, the fragmentation of their territory, and the entrenchment of an occupation that Oslo had failed to dismantle. Many concluded that non-violent mass resistance had not halted settlement expansion or military domination, and that international diplomacy had failed to hold Israel accountable. This was particularly

in the context where non-violent protest, akin to the demonstrations which took place during the *First Intifada* were met with violent military forces which killed hundreds of civilians.

Armed groups emerged alongside civilian protests, employing tactics including shootings and suicide bombing, methods that were widely debated and contested within Palestinian society itself. Israel responded with overwhelming military force: re-occupying Palestinian cities, conducting targeted assassinations, imposing prolonged curfews, and constructing the separation wall deep inside the West Bank.

The human cost was devastating. Approximately 3,000 Palestinians were killed, the majority civilians, including hundreds of children. Around 1,000 Israelis were killed, including both civilians and military personnel. Palestinian society experienced widespread infrastructure destruction, mass imprisonment, and long-term economic collapse.

Importantly, the *Second Intifada* is not understood by Palestinians as a rejection of non-violence as a principle, but as a tragic outcome of political failure, structural violence, and the absence of meaningful avenues for self-determination. It reflects how prolonged occupation, unfulfilled agreements, and repression can lead to armed struggle.

These are the very conditions that Palestinian civil society organisations, including PAG, and the global Palestine solidarity movement seek to address through protest: calling for an end to occupation, apartheid and genocide as the only durable basis for peace.

The Unity Intifada (2021)

The *Unity Intifada* refers to the May 2021 mass mobilisations across Gaza, the West Bank, East Jerusalem, and within Israel itself. It was sparked by attempts to forcibly expel Palestinian families from Sheikh Jarrah and attacks on worshippers at Al-Aqsa Mosque. It was characterised by cross-geographic unity, general strikes, protests, and popular resistance across fragmented Palestinian communities.

The *Unity Intifada* was entirely non-violent outside Gaza, where Israel's military assault killed over 260 Palestinians, the majority civilians. It reaffirmed the meaning of *intifada* as collective political mobilisation aimed at shaking off occupation, rather than a synonym for violence.

Further uses of the word 'intifada'

Outside of the Palestinian context, the term *intifada* is understood to refer to political movements against oppression, characterised by mass popular participation. In 1977 mass protests in Egypt against sudden increase in fuel and food prices is known as the 'Bread Intifada'. The 'Sudan Intifada' was a mass popular democratic movement against dictatorial rule in 2018–2019. The resistance of Jews against the Nazi liquidation of the Warsaw Ghetto in 1943 is known, in Arabic, as the 'Warsaw Intifada'.

Conclusion

As demonstrated above, the term *intifada* cannot be reduced to a single meaning or equated with violence alone. It denotes distinct historical phases of popular resistance, each shaped by its specific political context and frequently characterised by mass civil disobedience. The use of the word *intifada* does not constitute an endorsement of all tactics employed during these periods of resistance; such tactics have long been the subject of contestation within Palestinian civil society and the broader global movement. This is no different from the use of terms such as "revolution" or "uprising," which do not imply blanket approval of every historical revolution or uprising, nor of the strategies adopted within them.

In the context of the global movement for Palestine, chanting "globalise the intifada" is a call for global civil, non-violent resistance – to challenge imperialism and governments' complicity in genocide, occupation and apartheid. Banning the word *intifada* in Australia is the equivalent of banning expressions of solidarity with the anti-apartheid movement in South Africa. And further, criminalising this language misrepresents its historical meaning and serves to suppress legitimate political expression and protest.

(b) and (c) preventing the use of phrases that are inherently hateful & protecting communities

While there is a legitimate role for laws restricting speech which genuinely incite violence or harm, these limits cannot be carelessly put in place to stifle political dissent against a foreign government, namely Israel.

As we have demonstrated above, the only phrase that has been proposed to be banned under these new laws is neither inherently hateful, nor would its banning promote community safety. Whereas there are many slogans that are commonplace in the far-right movement like, "Fuck off, we're full" and "Send

them home”³ which have not been proposed to be banned. These chants are manifestly hateful and there is ample evidence of them being used by neo-Nazis to incite hatred against minority groups and threaten community safety. Such an obvious oversight shows that these proposed laws would not genuinely prevent inherently hateful speech.

There are already laws in place to restrict speech that genuinely incites hatred and harm. Law enforcement should focus on enforcing these existing provisions within the current legal framework, rather than expanding powers that will only serve to further curb political expression and impinge civil liberties.

(d) Approaches taken in United Kingdom

The raft of repressive laws and policies introduced in the United Kingdom to silence pro-Palestinian voices and stifle dissent against Israel is abhorrent. Of particular concern is the designation of *Palestine Action*, an activist organisation committed to ending Israel's apartheid regime, as a terrorist organisation.

In December 2025, the Metropolitan Police (London) and Greater Manchester Police announced that they would arrest people who chant or display slogans such as ‘globalise the intifada’ at protests. This is in the context of an increasingly repressive environment in the UK, which included the arrest of over 400 people, who held placards stating, “I stand with Palestine Action and I oppose genocide”. These new policies have been introduced despite advice from prosecutors to Police that “the phrases causing fear in Jewish communities” do not constitute criminal offences.⁴

This shift has been widely criticised by civil liberties and human-rights groups in the UK as disproportionate and legally unsound. The Palestine Solidarity Campaign, a UK activist organisation, described the move as “another low in the political repression of protest for Palestinian rights,” pointing out that Police did not consult with major protest organisers or representative Palestinian community groups before issuing the directive. Critics note that *intifada* is an Arabic word

³ Bramble, T. (2025) ‘Legitimate concerns?’, *Red Flag*, 4 September. Available at: <https://redflag.org.au/article/legitimate-concerns>

⁴ Cramer, P. (2025) *Citing Sydney attack, police in London say they will now arrest those who chant ‘globalize the intifada’*, *Jewish Telegraphic Agency*, 17 December. Available at: <https://www.jta.org/2025/12/17/global/citing-sydney-attack-police-in-london-say-they-will-now-arrest-those-who-chant-globalize-the-intifada>

meaning 'shaking off' or 'uprising against injustice'; in historical Palestinian usage it refers to collective resistance to occupation, not an unequivocal call to violence.

Amnesty International UK has been equally clear in its condemnation, stating that the arrest of peaceful demonstrators, including those holding placards opposed to genocide, is "deeply concerning" and a threat to internationally recognised freedom of expression and assembly. They emphasised that UK terrorism laws are already "excessively broad and vaguely worded" and warned that criminalising protest speech absent incitement to actual violence would violate international human-rights obligations.⁵

Legal advisers and prosecution bodies had previously indicated that many protest phrases did not meet thresholds for criminal charges under existing law. The new policing directive appears to depart from this legal advice, instead effectively policing political language based on perceived community sensitivities rather than clear statutory breaches.⁶

The NSW Government should exercise extreme caution in seeking to introduce similarly oppressive policies to those adopted in the United Kingdom. Such an approach would place New South Wales out of step with international human rights organisations and instead align it with a government that has taken extreme regressive measures to erode fundamental civil liberties.

(e) The implied freedom of political communication

It is our position that any laws proposed to prohibit protest slogans associated with the Palestine solidarity movement would be considered a breach of the implied freedom of political communication, and consequently unconstitutional.

To use the horrific terrorist attack in Bondi as a pretext to silence the movement opposing the genocide in Gaza is irrational, particularly in the absence of any evidence linking the two. Such an approach represents a serious infringement on freedom of speech and is arguably unconstitutional.

⁵ Amnesty International UK (2025) *UK: Arrests of Palestine Action protesters 'deeply concerning'*, 9 August.

Available at: <https://www.amnesty.org.uk/press-releases/uk-arrests-palestine-action-protesters-deeply-concerning>

⁶ ITV News (2025) *Two arrested after police ban chants of 'globalise the intifada' in the wake of Bondi attack*, 17 December. Available at: <https://www.itv.com/news/2025-12-17/two-arrested-after-police-ban-chants-of-globalise-the-intifada>

This is not the first instance in which the current NSW Government has rushed through legislation targeting the Palestine solidarity movement. In October 2025, following an application by Josh Lees from the PAG,⁷ the NSW Supreme Court struck down a repressive anti-protest law restricting demonstrations near places of worship, finding that it impermissibly burdened the implied freedom of political communication.⁸ The NSW Government should treat this decision as a caution against enacting further reactive laws, that undermine civil liberties and freedom of speech, without due process.

(f) Existing offences and other measures to curb freedom of speech

It is our respectful submission that this proposed policy represents an authoritarian overreach that sets a dangerous precedent: it equates controversial political slogans with criminality without robust legal grounding, undermines the right to dissent, and risks chilling legitimate protest against state policies.

In a democratic society, the criminalisation of speech should require clear, narrowly defined thresholds for incitement to violence (something the existing law already does), not broad interpretations of offence or discomfort.

Concluding comments

For the reasons set out above, we submit that any attempt by the NSW Government to prohibit, restrict, or criminalise protest slogans associated with the Palestine solidarity movement, whether through legislation, policing directives, or informal guidance would represent a profound and unjustifiable erosion of democratic freedoms in New South Wales.

The evidence before this Inquiry does not support the claim that chants used at PAG rallies are inherently hateful, antisemitic, or capable of inciting violence. To the contrary, the movement has been repeatedly found to be peaceful, inclusive, and grounded in opposition to racism in all its forms. Efforts to recharacterise political slogans as threats to community safety are not supported by fact, law, or precedent.

Criminalising political language on the basis of perceived offence, rather than demonstrable incitement to violence, sets a dangerous precedent. It risks transforming public order law into a tool for suppressing

⁷ *Lees v State of New South Wales* [2025] NSWSC 1209.

⁸ McKinnell, J. and Goodwin, S. (2025) *NSW Supreme Court finds protest law amendments invalid after Palestine Action Group challenge*, ABC News, 15 October. Available at: <https://www.abc.net.au/news/2025-10-16/nsw-court-palestine-action-group-protest-law-amendment-challenge/105898160>

dissent against foreign state conduct, rather than protecting the safety and rights of communities. Such an approach is inconsistent with Australia's constitutional framework, international human-rights obligations, and long-standing democratic traditions.

We further caution against importing repressive models from overseas jurisdictions, particularly the United Kingdom, where policing and legislative overreach has been widely criticised by civil-liberties organisations, legal experts, and human-rights bodies as unlawful and disproportionate. New South Wales should not follow a path that criminalises protest speech in defiance of legal advice and democratic norms.

Existing laws already provide adequate mechanisms to address speech that genuinely incites violence, hatred, or harm. There is no legal vacuum that necessitates further restrictions. What is proposed instead risks chilling legitimate political expression, undermining the implied freedom of political communication, and disproportionately targeting a movement that seeks to hold governments accountable for complicity in grave international crimes.

We therefore urge the Committee to reject any proposal that seeks to ban or restrict political slogans associated with the Palestine solidarity movement, and to reaffirm the fundamental principle that freedom of expression and the right to protest are cornerstones of any democratic society, particularly in moments of moral and political crisis.

The Palestine Action Group Sydney