

**Submission  
No 55**

## **MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED**

**Organisation:** Federation of Italian Migrant Workers and their Families (FILEF NSW)

**Date Received:** 12 January 2026

## Preamble

FILEF NSW (Federation of Italian Migrants and their Families) has been active for over 50 years. The value that has consistently driven us is that every person residing in Australia should have equal opportunities and outcomes in all aspect of society across social, civic, cultural and economic spheres. In our view achieving these outcomes are the cornerstone to achieving a truly effective society where diversities strengthen and enrich our collective and individual lives. At the core of achieving this FILEF maintains that this cannot be fully realised until the just resolution of the ongoing issue and consequences of colonisation at the heart of relations between First Nations Peoples and others residing in this land.

In light of our experiences and values we must oppose proposals to ban or criminalise political slogans, including phrases such as “globalise the intifada” and “from the river to the sea”.

We are concerned that banning political language would undermine protest rights, disproportionately impact Palestinian communities, and weaken democratic participation for all of us in NSW. It would also set a concerning precedent where in the future governments could include phrases for political purposes which they, or influential social actors, “deem” incite violence and hatred.

We agree with Kenneth Stern, the Director of the Center for the Study of Hate at Bard College, and the lead drafter of the International Holocaust Remembrance Alliance's working definition of anti-Semitism. In an interview on ABC Radio National on 22 December, he argued that banning of phrases and adoption of the IHRA definition by government and agencies do not advance the cause of eradicating antisemitism and he also references the unintended consequences such as in Germany where such slogan bans had led to Jewish Germans being defined as antisemitic.

The UK's recent entry into banning of slogans has heightened tensions not only between those exercising their right to demonstrate and the police forces but also inter communal social cohesion. Some reports coming out of the UK have argued that there has been no impact in reducing antisemitism and there has been no increase in the real and perceived safety for Jewish community members. There has also been no substantive evidence that the slogan bans are having any causal or consequential impact on deterring the extremist racist elements who espouse, and “dog whistle”, calls for hatred and violence often couched in language of a faux nationalism and shared values of non-existent bygone eras or some deviant interpretation of religious doctrines.

We submit that phrases such as “globalise the intifada” are based on Palestinians seeking their internationally recognised right to self-determination and by consequence struggle against the Israeli government's policies and contravention of international law. In Australia's specific context the phrase could be interpreted as seeking to democratically alter the course of the current political and military support provided by Australian governments and civil society actors to the current Israeli government.

In regard to this point we would respectfully request that the members of the NSW Legislative Law and Safety Committee refer to the Australian Federal Court's decision in *Wertheim v Haddad* [2025] FCA 720 which made it clear: Zionism is a political ideology, not a religion, and criticism of it is not antisemitic. Justice Stewart stated:

“The ordinary, reasonable listener would understand that not all Jews are Zionists or support the actions of Israel in Gaza and that disparagement of Zionism constitutes disparagement of a philosophy or ideology and not a race or ethnic group. Needless to say, political criticism of Israel, however inflammatory or adversarial, is not by its nature criticism of Jews in general or based on Jewish racial or ethnic identity.”

In specific regard to the terms of reference of the inquiry - we associate ourselves with others who have submitted that:

***(a) Community cohesion and safety***

There is no evidence that the use of these slogans, in and of themselves, poses a threat to community safety. In our experience, they are used in peaceful protests to express political opposition, solidarity and calls for justice.

Silencing one community’s political expression is more likely to deepen division and mistrust than to promote social cohesion.

***(b) Claims that slogans are “inherently hateful”***

Slogans cited in this inquiry have contested meanings and are used in different ways depending on context. Treating them as “inherently hateful” is in itself racist and removes the need to consider intent or actual harm.

Political disagreement or offence should not be treated as criminal conduct.

Restrictions on speech should be limited to situations involving genuine threats, intimidation or violence.

***(c) Protecting communities from hatred and violence***

We strongly support protecting all communities from hatred, intimidation and violence.

NSW already has criminal laws that address incitement to violence, threats and harassment. These laws, which may require review, focus on harmful conduct and provide appropriate safeguards. New laws banning political slogans such as “globalise the intifada” and “From the River to the Sea” are unnecessary.

***(d) Better approaches than banning slogans***

Education, dialogue, anti-racism initiatives and the use of existing criminal law are more effective ways to address hatred and violence than banning words or phrases.

Broad slogan bans risk escalating conflict rather than reducing it.

***(e) Free political expression***

Banning specific political slogans, which do not call for the incitement to race based hatred or violence, would directly restrict political communication and protest.

Political expression opposing occupation, apartheid or state violence should be protected, not singled out for punishment.

***(f) Existing laws are sufficient***

Expanding into bans on political language risks inconsistent enforcement and overreach without improving community safety.

***(g) Other concerns***

Turning political language into an enforcement trigger risk increasing police - citizen confrontation at protests and damaging trust between communities and authorities.

Such outcomes undermine long-term community safety and social cohesion.

**We recommend to the Committee that:**

- 1.No additional political slogans or symbols be banned or criminalised,
- 2.Any proposed bans on specific slogans, including “globalise the intifada” or “From the River to the Sea” or “From the River to the Sea, Palestine will be Free” be abandoned.
- 3.Palestinian symbols, slogans and expressions of solidarity be explicitly recognised as protected political communication, not hate speech.
- 4.Legislation and guidance clearly distinguish between universally recognised hate symbols and political expression.
- 5.Existing criminal law continue to address genuine threats of violence or intimidation without expanding into content-based regulation of political speech.
- 6.Protest rights and political expression be clearly protected within NSW criminal and public order law.
- 7.NSW Parliament acknowledges and reject the racial discrimination inherent in selectively policing Palestinian political expression. As well as the precedent this would set for future “politically” uncomfortable community campaigns and solidarity movements.
- 8.NSW ensure any guidance to police and public authorities is content neutral, evidence-based, and designed to prevent discriminatory enforcement
- 9.Community education and dialogue initiatives be prioritised over broad prohibitions or expanded police powers.