

**Submission
No 77**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

Organisation: Teachers and School Staff for Palestine NSW

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Teachers and School Staff for Palestine submission, regarding the term of reference
'the threat that the use of phrases like "globalise the intifada" poses to community cohesion and safety'

1. The slogan "globalise the intifada" contains an implicit condemnation of Israel's illegal occupation of Palestine.

The Federal Court of Australia has already recognised that anti-Zionism is not antisemitism: <https://classic.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2025/720.html?stem=0&synonyms=0&query=wertheim%20w/2%20haddad>

Crucially, in this decision, the court stated "it is not antisemitic to criticise Israel".

It can be important in a school context, for instance when addressing antisemitism amongst students, to point out that Jewish people in Australia are not responsible for Israel's genocide in Gaza, and that many Jewish people attend protests for Palestine against what Israel is doing.

Judaism and Zionism are not the same. Judaism is a religion thousands of years old. Zionism is a modern right wing political ideology. The apartheid state of Israel has only existed since 1948.

2. Constitutional expert Professor Anne Twomey points out constitutional problems with attempts to ban particular political slogans:

<https://youtu.be/WK8ZluRFxNw?si=b0a4nfbpl0wyRK1n>

She says "In short a law that's directed at banning particular political communications based on their content is at much greater risk of constitutional validity. And in my view it would be rather unwise to head down that path. It leads to all sorts of practical issues concerning the effectiveness of the law. The groups that previously used the banned

slogan simply use a new slogan to convey the same meaning or they use common words, numbers, or symbols to convey that meaning."

An attempt by the NSW parliament to ban particular slogans, will almost inevitably end up in a court challenge that the NSW government appears likely to lose, wasting substantial amounts of taxpayer's money in the process.

3. It is instructive that NSW Labor Premier Chris Minns wants to ban the Arabic word "intifada" but not its English equivalents. This is by definition racist. In contrast the use of the slogan is deliberate anti-racist solidarity.

The recent APAN report on anti-Palestinian racism in schools

<https://apan.org.au/apr/>

says that one aspect of anti-Palestinian racism is "defaming Palestinians and allies with slander such as being inherently antisemitic, violent or terrorist threats/sympathizers". This is exactly the effect a ban on the slogan "globalise the intifada" would have - in our view this is the political intent of such a ban.

The actual meaning of the slogan "globalise the intifada" doesn't appear to matter to Premier Minns, so long as it can be used to smear the Palestine movement, and so long as the wider community doesn't fully understand it, because of the Arabic word "intifada".

4. The First Intifada 1987–1993" is part of the NSW Year 11 & 12 Modern History school curriculum. How are schools and teachers to teach it effectively, if the word "intifada" is effectively subject to legal sanction?

<https://curriculum.nsw.edu.au/learning-areas/hsie/modern-history-11-12-2024/content/year-12/olc08c9998/faobbb1c926>

One recommendation of the APAN report cited above is that

"Departments of education need to introduce policies and guidelines that protect the rights of students, educators and education communities to explore the Gaza Genocide and to protect their right to be critical of the ways that the Australian state is complicit in this genocide."

Banning pro-Palestine slogans would be heading in the opposite direction, and send a chilling message of censorship to students, educators, and the wider community - again in our view, quite intentionally.

5. If the slogan "globalise the intifada", or other pro-Palestine slogans are banned, what does the government expect schools to do if students say it, write it in their books, or use it as their name for online quizzes? Report them to the police? Such an approach would be detrimental to education, which is fundamentally about relationships and trust.

6. It is Premier Minns who is instilling fear of violence and undermining 'social cohesion'. As NSW Premier he has allowed over 70 shipments of weapons parts from Sydney to Israel during the genocide in Gaza. He has claimed that Israel's destruction of Gaza, is Israel's "right to self defence". He has lit the Opera House for Israel, while students and teachers of Palestinian background in our schools have to hide their identities and cannot talk publicly about their grief. Teacher Wasim El-Haj was forced out of Sydney Girls High for wearing a keffiyeh, his cultural clothing. He later resigned after what the Australian National Imam's Council described as "months of repeated racial discrimination, harassment and bullying by senior officers from the NSW Department of education". This treatment has had a profoundly detrimental effect on Wasim El-Haj.

Palestinian cultural identity is not a threat to Jewish people, the keffiyeh is not a threat to Jewish people as the NSW Education Department has suggested. It is this anti-Palestinian racism which is undermining social cohesion. Similarly, the slogan "globalise the intifada" is not aimed at Jewish people, or a threat to Jewish people. Banning this slogan would be a green light for more anti-Palestinian racism, and Islamophobia in our schools. The Australian Palestinian Advocacy Network has documented 49 separate reports of anti-Palestinian racism in NSW schools.

The NSW government needs to acknowledge and address these, not add to them.

7. Rallies for Palestine are shining examples of social cohesion, of Jews, Muslims, Christians and people of no religion, marching together for peace and against genocide.

8. The slogan “globalise the intifada”, is not a new slogan, it is decades old. In recent history it was inspired by the first intifada in 1987 of mass Palestinian resistance to Israel's brutal occupation. But the use of the term "intifada" (which literally means shaking off) to refer to mass struggle, goes back to at least 1936, when it was used to refer to Palestinian struggle to shake off British colonial rule.

8. A useful explanation of the slogan "globalise the intifada" comes from UK academic and elected councillor Michael Lavalette,

<https://www.facebook.com/share/p/1C4aAFqjP4/>

who writes:

"According to Marwan Darwish, writing in 1989 [in the journal Race and Class (Vol 31, issue 2)], the Arabic root word 'nafada' from which intifada is derived has different meanings: (1) to shudder, shiver; (2) to shake off, shake out; (3) to recover, recuperate.

According to Margaret Litvin, an associate professor of Arabic and comparative literature at Boston University, extensively quoted in the Jewish political website Forward, the term intifada is “widely and unremarkably used in Arabic texts on the Warsaw Ghetto Uprising” (the most important and liberatory moment in the Jewish resistance to the horrors of Nazism). Indeed, she notes, the U.S. Memorial Holocaust Museum’s own Arabic translation of its article on the uprising used the word ‘intifada’ to describe the Ghetto Uprising as late as November 2023.

Litvin, who is herself Jewish, goes on to say that “intifada” is uniformly translated as “uprising” by Arabic scholars. The term is used so universally precisely because it does not inherently connote violence, Litvin said, but instead refers to the act of rising up against or standing up and shaking off a greater power and, in this sense, captures the asymmetry in power between the oppressed and oppressor.

(<https://forward.com/opinion/729892/intifada-zohran-mamdani-meaning/>).

Thus 'intifada' refers to a multi-faceted phenomenon. It refers to a political uprising, but also to a social and psychological phenomenon; an awakening, a self-cleansing, a breaking away from the Palestinians' own past and inherited social structure.

The Palestinian people talk of there being three major Palestinian intifadas - all quite different.

The intifada of 1936-39 was an attempt to shake off British colonial rule. It included a six month general strike, mass demonstrations, the setting up of alternative education and welfare centres and a degree of local self- rule. It was brutally repressed by the British Imperial forces.

The intifada of 1987-1993 was a mass protest movement that pitted stone throwers against Israeli tanks. The Palestinians marched, went on strike, set up independent schools, welfare and youth projects (just like 1936-39) and fought for their rights. The movement took place across Palestine 48 - that is Gaza, the West Bank and in Palestinian communities within Israel. The Israeli forces responded by beating and arresting thousands, and killing, maiming and injuring thousands more. As a response some sections of the Palestinians resistance responded militarily - but this was not the majority response of most Palestinians who were active in the intifada campaigning for their civil and political rights over the period from 1987-1993.

The next intifada started in 2000 and ended around 2008. This arose because Israel failed to carry through its side of the agreement to establish a Palestinian state encapsulated in the Oslo Accords. In the first three days of this uprising the Israelis fired off over 1 billion rounds of ammunition. As a result this became a much more militarised uprising. Far more Palestinians were killed, maimed and injured during this intifada than Israelis (at a ratio of close to 10 to 1).

So the word intifada does not equate with any form or tactic of struggle. It is a term that simply means 'shaking of' oppressive structures; it refers to a sustained period of people fighting for their rights. It also has an implied critique of Palestinian politicians - that they

are incapable of delivering liberation so the people themselves must 'shake off' their oppression by relying on their own strengths and capabilities.

The term 'intifada' is also used to refer to popular uprisings and rebellions in other parts of the Arab world - uprisings against unpopular and corrupt governments. It first came to prominence in the Arab world when it was used during the Iraq Intifada in 1952, a series of strikes and riots protesting the monarchy at the time. It was used to refer to a series of 'bread riots' in Egypt in 1977. It has also been used extensively to talk about the Arab Spring which started in 2010 and marked a range of protests and uprisings against corrupt regimes in the Middle East and North Africa region.

To apply the term to Britain, we might say that the struggle of the Chartists in the 1840s was what Arabs would call a working class 'intifada'. The suffragette struggle of the early twentieth century could also, from an Arab perspective, be called an 'Intifada'. Or more recently, the mass campaign to end the poll tax at the end of the 1980s and start of the 1990s, could be termed a popular 'intifada'.

There is, then, nothing remotely antisemitic about the use of the Arabic word 'Intifada' and neither can it be interpreted as a call to violence."

9. The other slogan whose meaning has been slandered by Minns "From the River to the Sea Palestine will be Free", is in part a response to Likud's (the party of genocidal leader Benjnim Netanyahu) use of it in its founding charter and 1977 election manifesto, where they said "between the Sea and the Jordan there will only be Israeli sovereignty." The slogan "From the River to the Sea Palestine will be Free", is a call in response for freedom and liberation. It is a call for a secular democratic state to replace the apartheid state of Israel, in which Jews and Arabs can all vote and participate in equally.