

**Submission
No 80**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

Organisation: Jews Against the Occupation '48

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NSW Legislative Council Standing Committee on Law and Justice Inquiry
into Measures to prohibit slogans that incite hatred

Jews Against the Occupation '48 submission

This Committee is tasked with inquiring into and reporting "on the use of slogans that are directed at certain communities to intimidate those communities and instil fear of violence."

Allegations that these slogans undermine its sense of safety emanate from the Zionist Jewish community. This assessment is based on the content of several submissions to the 2024 Parliamentary Joint Committee on Human Rights Inquiry into Antisemitism at Australian Universities and to the 2025 NSW Legislative Council Portfolio Committee Justice and Communities Inquiry into Antisemitism in NSW, statements by Zionist Jewish lobbyists, statements by politicians to news media, and media articles by Israel supporters.

The assertion that these slogans are "directed at" the Zionist Jewish community "to intimidate [it] and instil fear of violence" mischaracterises the use of these slogans and their purpose. The Palestine solidarity movement is a loose coalition of groups and individuals whose goals are, initially, the end of Israel's genocide against the Palestinians in the Gaza Strip (Gaza) and the end of Australia's complicity in it and, ultimately, the liberation of Palestine from colonial structures and mechanisms of oppression.

Far from being directed at the Zionist Jewish community, let alone intended to intimidate its members and instil in them fear of violence, these slogans are directed at Australian society at large. They are intended to raise awareness of Israel's genocide in Gaza, ethnic cleansing in the West Bank including East Jerusalem, and apartheid throughout all of the land under its control.

ADDRESSING THE TERMS OF REFERENCE

a) The threat that the use of phrases like "globalise the intifada" poses to community cohesion and safety and the importance of maintaining social harmony and cohesion;

In assessing the threat that the use of phrases like "globalise the intifada" poses to community cohesion and safety, and the importance of maintaining social harmony and cohesion, this submission will consider two controversial slogans.

"Globalise the Intifada"

"Globalise the intifada" has not been a feature of Palestine solidarity movement events or communications in NSW or elsewhere in Australia. At a recent Sydney rally following the proposal to criminalise its use, it was chanted to demonstrate objection to this potential infringement on freedom of political expression.

This slogan is a call for people in all countries to support the Palestinian struggle for human and national rights as guaranteed in international law. The claim that the slogan necessarily calls for violent resistance has no basis in either etymology or history.

In Arabic, "intifada" means not only to shake off something external, but to awaken, to come to consciousness. It is a call to overcome despair and exhaustion, and to resist oppression in all its forms, including political repression, economic exploitation, and cultural erasure. The form taken by an intifada will reflect the nature of the oppression.

The fact that the word "intifada" is applied to [a score of anti-government and anti-colonial strikes, riots, and protests](#), both peaceful and bloody, across North Africa and West Asia (aka the Middle East) since the 1950s gives the lie to claims that it calls for violence against Jews.

It is also applied to the 1943 Jewish armed revolt against Nazi extermination, known as the Warsaw Ghetto Uprising, and to the broader 1944 Warsaw Uprising, a major Polish Home Army operation to liberate the city from Nazi occupation.

However, Jewish Zionists associate the word "intifada" exclusively with the First and Second Intifadas, during which Palestinians rebelled against Israel's ongoing military occupation, sometimes peacefully and sometimes with violence. What is ignored or omitted are both the conditions of constant violent oppression leading to these uprisings, and Israel's disproportionate and always violent response.

Even aside from the massacres and other atrocities carried out by Zionist militias and the Israeli Defence Force (IDF) during the [ethnic cleansing of Palestine in 1947-48](#), by the time the first stone was flung in the First Intifada, Israel had already killed tens of thousands of Palestinians.

The First Intifada (1987-1993) was predominantly nonviolent, consisting mostly of mass social mobilisation and civil disobedience, such as demonstrations, strikes, boycotts, and tax revolts. Grassroots committees, often led by women, managed underground schools and cooperatives to keep society and the economy running. Militant groups carried out some armed actions against Israeli soldiers and civilians, but the majority of Palestinian violence consisted of unarmed youths throwing stones at Israeli tanks. This was met with live ammunition.

In total, Israeli forces killed almost 2,000 Palestinians, including 240 children. Palestinians, often operating outside of the United National Leadership of the Uprising (UNLU), killed 100 Israeli civilians and 60 soldiers.

The Second Intifada (2000-2005) opened with angry demonstrations and riots. Israeli forces responded with live ammunition and tear gas, killing over 100 Palestinians in the first few weeks. Palestinian militants carried out suicide bombings, rocket attacks, and stabbings, mainly against Israeli civilians. Israeli forces quelled the uprising using firefights, kidnappings, assassinations, tank attacks, and airstrikes.

In total, Israeli forces and illegal settlers killed between 3,000 and 5,000 Palestinians, including 700 children. Palestinian militants killed 1,000 Israelis, including 120-150 children.

The same, but astronomically amplified, pattern was obvious immediately following October 7th 2023. Operation Al-Aqsa Flood killed 800 Israeli civilians and 400 military personnel. So far, official figures state that [Israel has directly killed over 100,000 Palestinians in Gaza](#), including a bare minimum 35,000 children. These figures do not include the estimated tens of thousands of people buried under rubble. Then there are the tens of thousands injured and maimed, including [the highest number of child amputees per capita worldwide](#), and the tens of thousands more condemned to death by starvation, exposure, and the withholding of medical care. In the West Bank including East Jerusalem, [Israel has killed over 1,000 Palestinians](#), including around 100 children.

Despite decades of comprehensively-documented acts of extreme and unrelenting violence by Israel against Palestinians, the Palestine solidarity movement does not call for revenge. "Intifada" is not inherently a call for violence, is not antisemitic, and describes resistance against foreign occupation, a right acknowledged in international law. This slogan calls for Australians to support Palestinians in their struggle to attain their human and national rights.

"From the River to the Sea Palestine will be free"

"From the River to the Sea, Palestine Will be Free," is a consistent feature of pro-Palestine events. It encapsulates the ethos and aims of the movement.

The opening phrase of this slogan has been used for decades by both Palestinians and Jewish nationalist Israelis to refer to the land between the Jordan River and the Mediterranean Sea. However, the two groups have vastly different visions for the future of that land.

In 1969 the Palestine Liberation Organization (PLO) called for "*one democratic secular state that would supersede the ethno-religious state of Israel.*"

In 1977, the Likud Party, home of Israeli Prime Minister Benjamin Netanyahu, countered with its own vision: "*between the Sea and the Jordan there will only be Israeli sovereignty.*"

In 1973, Israel's General Ariel Sharon, soon to be the Minister of Defence responsible for the [Sabra and Shatila massacres](#) during Israel's 1982 invasion of Lebanon and later elected Prime Minister, [outlined how Israel planned to achieve its one state reality](#):

We'll make a pastrami sandwich of them, [...] we'll insert a strip of Jewish settlements in between the Palestinians, and then another strip of Jewish settlements right across the West Bank, so that in twenty-five years' time, neither the United Nations nor the United States, nobody, will be able to tear it apart.

The [2021 Human Rights Watch report](#) provides a snapshot of Israeli sovereignty:

About 6.8 million Jewish Israelis and 6.8 million Palestinians live today between the Mediterranean Sea and Jordan River, an area encompassing Israel and the Occupied Palestinian Territory (OPT), the latter made up of the West Bank, including East Jerusalem, and the Gaza Strip. Throughout most of this area, Israel is the sole governing power; in the remainder, it exercises primary authority alongside limited Palestinian self-rule. Across these areas and in most aspects of life, Israeli authorities methodically privilege Jewish Israelis and discriminate against Palestinians. Laws, policies, and statements by leading Israeli officials make plain that the objective of maintaining Jewish Israeli control over demographics, political power, and land has long guided government policy. In pursuit of this goal, authorities have dispossessed, confined, forcibly separated, and subjugated Palestinians by virtue of their identity to varying degrees of intensity. In certain areas, as described in this report, these deprivations are so severe that they amount to the crimes against humanity of apartheid and persecution.

The [Legal Centre for Arab Minority Rights in Israel](#) maintains a database of roughly sixty-five laws (dating from 1950 and growing) that discriminate, either explicitly or in application, in favour of Jews throughout the land controlled by Israel.

On September 21st, 2025, Israel's PM Benjamin Netanyahu [announced](#):

A Palestinian state will not be established west of the Jordan River. For years I have prevented the establishment of this terrorist state despite tremendous pressure both domestically and internationally.

Nor is this solely the über-nationalist dream of a prime minister under the sway of far-right extremists in a volatile cabinet. In May 1948, "leftist" David Ben-Gurion articulated his plan:

Our aim is to smash Lebanon, Trans-Jordan, and Syria. The weak point is Lebanon, for the Moslem regime is artificial and easy for us to undermine. We shall establish a Christian state there, and then we will smash the Arab Legion, eliminate Trans-Jordan; Syria will fall to us. We then bomb and move on and take Port Said, Alexandria and Sinai.

The author of [the biography from which this quote is taken](#) is a historian and former Israeli MK (member of Israel's parliament). This expansionist vision was not an isolated outburst, but a consistent theme. Flapan's [seminal history of Israel's founding](#) also quotes Ben-Gurion:

After the formation of a large army in the wake of the establishment of the state, we will abolish partition and expand to the whole of Palestine.

The call for the existing apartheid, one state reality, in which 50% of the population have [no right to participate in national elections](#) that determine the conditions of their lives, to be transformed into an inclusive democratic state with equal rights for all is gravely confronting for Jewish Zionists. However, it is a call grounded in international law and multiple United Nations resolutions going back decades, including those supported by Australia.

Community cohesion and social harmony

Community cohesion and social harmony depend on connection, mutual respect, and trust, which in turn depend on fairness. Both community cohesion and social harmony are fractured when one community is privileged above others and empowered to silence, and even criminalise, others. These fractures cannot be mended by legislation.

When one community's sense of safety is threatened by slogans that actually target the racist ideology of a foreign state, protest its serial unlawful and violent behaviour, and demand that Australia act in accordance with international law, it is pertinent to question that community's alignment with Australian values and its commitment to Australian interests. In 2025, an [Australian defence force officer was stripped of security clearance over loyalty to Israel](#). That is the appropriate action to take in response to those who support a foreign state above our own, and threaten our national interests.

If these slogans threaten community cohesion, then "cohesion" actually means "status quo," specifically the status quo in which the Jewish Zionist establishment exerts such influence that politicians acquiesce to its demands to silence other communities and even criminalise their demands for equal visibility and an equal hearing.

Conclusions

Even aside from the fact that no group should be allowed to monopolise the discourse on trauma, and use it to curtail the rights of others, no objectively Jewish trauma-triggering events can be linked to the Palestine solidarity movement in Australia.

The slogans "Globalise the Intifada" and "From the River to the Sea Palestine will be free" express solidarity with people living under apartheid, belligerent occupation, and genocide. They are thus legitimate political positions, and neither vilify nor call for violence against any individual or group. There are therefore no legitimate grounds on which to ban them, nor to criminalise Australians who utter either or both of them.

Further, if "Globalise the Intifada" and/or "From the River to the Sea Palestine will be free" should be banned because they trigger a trauma response in Zionist Jews, then so must slogans that are deeply traumatising to people of Palestinian and Arab heritage in Australia.

The clause "Israel has a right to self defence" has been repeated so many times that it has acquired the rhetorical ring of a slogan. However, unlike "Globalise the Intifada," it is based on contested legal arguments and is used to justify genocide.

Likewise, "Israel has the right to exist." Firstly, no state has the presumptive right to exist. More importantly, while all settler colonial states were founded on genocide, and continue to negatively impact their indigenous peoples, Israel stridently denies its history, and each day further entrenches its violent supremacist and expansionist rule. Its existence has brought nothing but trauma to the Palestinians, as well as to the people of Lebanon and Syria.

b) How best to prevent the use of phrases that are so inherently hateful by their nature that they lead to incitement of hatred and threaten community safety;

In considering how best to prevent the use of phrases that are allegedly so inherently hateful that they lead to incitement of hatred and threaten community safety, this submission will consider the actual attributes of the phrases under consideration.

Nazi paraphernalia, symbols, and slogans are so inherently hateful that they have been banned in Australia. They represent a historic reality whose impact is still felt by millions of people, especially in its targeted communities, which include Jews of European heritage.

The ban has not dampened enthusiasm. In early 2020, [ASIO warned that far-right extremism is a significant and rising threat in Australia](#), and 2024 and 2025 saw a surge in Neo-Nazi activity on our streets and on social media. This included a November 2025 [Neo-Nazi protest outside NSW Parliament House](#) where a nakedly antisemitic banner was displayed and the phrase "blood and honour" - the calling card of the Hitler Youth - was shouted multiple times. NSW Police approved and observed the protest.

Australia's Antisemitism Envoy, Jillian Segal, whose family [bankrolls far-right lobby group 'Advance'](#) [made no comment](#), instead expressing her concern for Jewish safety by targeting those who condemn Israel's crimes and [defend Palestinian rights](#). (1)

There is neither historical nor current evidence that either "Globalise the Intifada" or "From the River to the Sea Palestine will be free" represent violent actions or violent intent. While the intifada against Israel's unlawful and brutal actions in Occupied Palestinian Territory did and does include armed resistance, alongside decades of diplomatic, political, and economic strategies, the Palestine solidarity movement in Australia is explicitly non-violent.

In September 2025, the United Nations Office of the High Commission of Human Rights (OHCHR) released its finding that Israel has committed genocide in the Gaza Strip, noting:

The responsibility for these atrocity crimes lies with Israeli authorities at the highest echelons who have orchestrated a genocidal campaign for almost two years now with the specific intent to destroy the Palestinian group in Gaza.

Clearly, Israel does not need slogans to incite hatred against it. For over two years, the entire world has been inundated with evidence of the Israeli leadership's genocidal vengefulness, its military's horrifying depravity, and its society's callous supremacism. Social media is full of video clips and testimonies that have seared Palestinian suffering into the majority of the world's collective consciousness. Nevertheless, despite the cascade of shocking violence, the Palestine solidarity movement continues to call for freedom, equality, and justice.

Our chants and slogans clarify our aim to liberate Palestinians from genocide, occupation, and apartheid through ending the two-way arms trade, sanctioning Israel, bringing Israeli war criminals and complicit heads of state to the Hague, and dismantling apartheid.

Conclusions

Expressing abhorrence of a political ideology that espouses racial discrimination, and a state that enacts apartheid, unlawful military occupation, and genocide should be uncontroversial. Likewise, expressing solidarity with its victims and the desire and intention to free them from these evils.

The pressure to enact this egregious limitation on Australians' right to freedom of political expression emanates from a deeply partisan community with a stated interest in defending the state committing the very crimes decried by these slogans.

This group successfully prevailed upon the NSW Government to waste public resources on this Commission of Inquiry, while actual acts of hatred and violence are being perpetrated against Black, Brown, Arab, and Muslim communities, and even against Jewish communities, by Neo-Nazis and their sympathisers. This should call into question the capacity and willingness of this government to execute its responsibilities equally and impartially towards all individuals and groups in the state.

The phrases used by the Palestine solidarity movement are not inherently hateful, except of an ideology that espouses, and a state that enacts, egregious violence against people under its control. They do not lead to incitement of hatred precisely because Israel announces its violent intentions and Australians witness the consequences visited on Palestinian lives, homes, culture, and history every day. While they might threaten the Zionist Jewish community's sense of privilege, they do not threaten its safety.

c) The need to protect communities from hatred, intimidation and violence;

In examining the importance of protecting communities from hatred, intimidation and violence, this submission will consider the crucial distinction between hatred and acts of hatred, as well as existing Australian law in relation to protected identities.

In his famous 1968 "Black Power" speech, Trinidadian-American activist Kwame Ture, aka Stokely Carmichael, said

If a white man wants to lynch me, that's his problem. If he's got the power to lynch me, that's my problem. Racism is not a question of attitude; it's a question of power.

While Ture was referring to [racial prejudice as distinct from the structures and mechanisms of racism](#), the same observation applies to the distinction between hatred and acts of hatred. Hatred is intense abhorrence. It causes no material harm. Acts of hatred, on the other hand, including intimidation and violence, can have grave material impact. It is impossible to artificially repress or successfully legislate against hatred. In fact, the sense of injustice engendered by any attempt to do so will inevitably incubate it more intensely.

Australian federal and NSW anti-racism and anti-discrimination laws are designed to protect individuals and groups from harm based on their racial or ethnic background, their national origin, or their religion. None of this legislation covers a group defined by its political views. Framing the inquiry as concerning "communities" avoids the obvious objection that vulnerable individuals and groups are already protected, opening the door to a new category potentially deserving of legal protection, in this case Zionist Jews.

It thereby seeks to protect political opinion – as distinct from attributes that are not a matter of choice, or that are deeply personal – from the rigorous interrogation of ideas that should characterise a democratic society.

The phrases and slogans used by the Palestine solidarity movement embody justifiable antagonism towards an ideology and a state that systematically deny Palestinians their human and national rights. It is not possible to legislate away people's hatred of oppression and hatred for their oppressors, nor is it desirable.

No phrase used by the Palestine solidarity movement expresses hatred for Jews, Jewish Israelis, Jewish individuals, or Jewish communities in Australia or elsewhere; nor an intention to intimidate or commit any other act of violence against Jews, Jewish Israelis, Jewish individuals or Jewish communities in Australia or elsewhere.

Since October 7th 2023, numerous incidents across Australia have been reported as allegedly being antisemitic. Leaving aside the fact that in NSW, a “significant” number of incidents were [wrongly categorised by police as antisemitic](#), and the fact that the identification of many of these incidents as antisemitic depends on the fallacious and dangerous conflation of Jewish identity with support for Israel, one fact remains: none have been linked to the Palestine solidarity movement.

However, one issue is absent from the discourse on the need to protect communities from hatred, intimidation and violence: antisemitic activity increases following Israel's more egregious crimes and falls in the lulls between them. This poses a threat to all Jewish communities in Australia, both Zionist and anti-Zionist.

While attributing responsibility for Israel's crimes to Jewish people individually or collectively is unjust, it is inevitable when the overwhelming majority of Jewish institutions vocally defend Israel irrespective of its actions, and when the state itself has spent eighty years claiming to act on behalf of all Jewish people. Antagonism towards Jewish people has surged since October 8th 2023, when Israel began its vengeful military assault on the Gaza Strip.

Conclusions

The real danger to the Jewish community is the growing awareness among Australians of the violence enacted by Israel, particularly since its genocide against Palestinians in Gaza.

Protecting the Zionist Jewish community from discomfort and anger at hearing and seeing statements that call for an end to Israel's apartheid, occupation, and genocide is incompatible with, even antagonistic towards, protecting all Jewish communities, both Zionist and anti-Zionist, from actual acts of hatred.

Privileging the Zionist Jewish community above other communities incites hatred, legitimises historic antisemitic tropes about Jewish power, and leaves Jewish people vulnerable to actual acts of hatred, including intimidation and violence.

Protecting communities from hatred, intimidation and violence requires impartial protection of all communities' rights and freedoms. This demands the protection of the democratic rights and freedoms that best guard against fissures and fractures in Australian society.

Recommendations

This Committee should find that:

Existing legislation adequately protects individuals and groups from harm based on attributes deserving of protection, and adherence to a political ideology is not such an attribute;

As there is no evidence linking slogans expressing support for Palestinian rights with violent attacks on Jewish individuals or communities, proposals to ban these slogans are irrelevant to efforts to protect Jewish individuals and communities from antisemitism;

Banning words and phrases to protect a foreign state and its Jewish supporters, especially when that state is perpetrating grave human rights violations, actually endangers all Jewish communities in Australia;

Slogans and phrases that express support for Palestinian human and national rights as recognised in international law should be explicitly recognised as protected political communication, not criminalised as hate speech.

Respectfully,

Michelle Berkon
for Jews Against the Occupation '48 inc.

Footnote (1)

[Race Discrimination Commissioner condemns neo-Nazi rally in regional NSW](#)

[How Neo-Nazis used protesters for their own propaganda](#)

[From fringe to frontline: How Australia's far right gained mainstream attention in 2025](#)

[Neo-Nazis and politicians among protesters at anti-immigration March for Australia rallies](#)

[Neo-Nazis Are Launching the White Australia Party to Run in the Next Federal Election](#)

[Who's going to stand up and make Nazis ashamed again?](#)

[Unmasking the men who attended a Neo-Nazi protest outside NSW parliament](#)