

**Submission
No 95**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

Organisation: Australian Muslim Advocacy Network (AMAN)

Date Received: 12 January 2026

LEGISLATIVE ASSEMBLY COMMITTEE ON LAW AND SAFETY

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SUBMISSION

Prepared by the Australian Muslim Advocacy Network (AMAN)

12 January 2026

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SUBMISSION

1. INTRODUCTION

1.1 About the Inquiry

- (a) The New South Wales Legislative Assembly Committee on Law and Safety is conducting an inquiry titled Measures to Prohibit Slogans That Incite Hatred. The inquiry was referred on 22 December 2025.
- (b) The committee is examining the use of slogans that may intimidate communities or incite hatred or violence, with particular focus on the phrase “globalize the intifada”, which the NSW Government contends threatens community safety and cohesion. The inquiry is tasked with considering legislative options to address such slogans and assessing their compatibility with Australia’s implied freedom of political communication.
- (c) Premier Chris Minns has stated publicly that “globalize the intifada” constitutes hate speech and will be banned under proposed new laws, linking the government’s approach to the Bondi Beach attack on 15 December, in which 15 people were killed.

1.2 About AMAN

- (a) **Australian Muslim Advocacy Network (AMAN) and AMAN Foundation Ltd.** AMAN is a legal and research-based advocacy organisation focused on online dehumanisation of Muslims. It addresses research gaps, initiates legal actions, and engages in parliamentary and media advocacy. AMAN has analysed the legal, policy, and community impacts of the “terrorist act” definition, and successfully pursued hate speech cases, including against X (formerly Twitter) and former Senator Fraser Anning. It has developed a working definition of dehumanising material to support hate speech identification. AMAN also scrutinises counterterrorism and national security laws, and advocates for platform accountability.

1.3 Scope of the review

- (a) That the Committee on Law and Safety inquire into and report on the use of slogans that are directed at certain communities to intimidate those communities and instil fear of violence.
- (b) The Committee should consider:
 - (i) 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;
 - (ii) 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;

- (iii) The need to protect communities from hatred, intimidation and violence;
- (iv) Australian and international examples of best practice to combat the use of such slogans, including measures and approaches taken in the United Kingdom;
- (v) The Australian Constitution and the implied freedom of political communication;
- (vi) Existing offences and other measures in New South Wales and Commonwealth legislation, including offences and measures that have been announced; and
- (vii) Any other related matters.

2. RECOMMENDATIONS

- (a) AMAN opposes the criminalisation of contested speech used in protest movements, including “globalise the intifada”.
- (b) AMAN reiterates the recommendations from that previous joint submission, specifically:
 - (i) The establishment of localised Hate Crime Scrutiny Panels, improving on those in operation within the United Kingdom, which enable community-police dialogue and insight;
 - (ii) The introduction of statutory aggravating factors for hate-based motivations, following the model implemented in Queensland, to permit charges to properly reflect the nature of the offending conduct at the outset; and
 - (iii) The introduction of a Human Rights Act.
- (c) Further AMAN recommends that the NSW Government focus on education about dehumanisation based on protected attributes rather than privileging certain types of racism.

3. MEANING OF PROTEST SLOGANS

- (a) AMAN notes that the timeframe provided for this inquiry was wholly inadequate, particularly given that it concerns the proposed criminalisation of political expression. The majority of the consultation period coincided with the Christmas and New Year shutdown, materially limiting the capacity of affected communities and stakeholders to engage in a meaningful way.
- (b) AMAN further notes that the Premier’s public characterisation of the slogan “globalise the intifada”, and statements advocating for its criminalisation, have already caused significant harm to community trust and social belonging. Those statements demonstrated a failure to engage with Arab and Muslim communities to understand the context and perspectives surrounding the expression, and foreseeably contributed to a surge in anti-Arab, anti-Palestinian and anti-Muslim hostility during a time of high emotion.

- (c) AMAN has seen the submissions of the Alliance Against Islamophobia Ltd, Muslims Legal Network NSW and Muslim Votes Matter and echoes their comments with respect to contextual meaning and use of protest slogans, the importance of upholding the right to political and protest speech, and the risks of criminalising an Arabic word.
- (d) AMAN also refers to a previous submission it made to the Meta oversight board in relation to the phrase, 'From the River to the Sea.'¹ In that submission we supported Meta's original decision that the phrase 'from the river to the sea, Palestine will be free' does not violate policies against promoting violence, supporting terrorism, hate speech or antisemitism. We also recommended removing that phrase as a content moderation signal on the grounds it would lead to excessive enforcement across Meta platforms. In that submission we stated:

The pro-Israel lobby interprets the slogan as violent and oppressive, reflecting their own chant, "from the river to the sea, the [Israeli flag] is all you'll see." Likud, Israel's long-time ruling party, openly advocates annexing all Palestinian territories to prevent the creation of a Palestinian state. Their efforts to project such a meaning on the Palestinian freedom chant are made in bad faith and are a particularly egregious form of gaslighting the victims of Israel's crimes. In genocide prevention studies, the technique is known as 'accusation in the mirror'¹⁵ and has been used throughout historical genocides—accusing victims of genocide of genocidal tendencies to help pave the way for public acceptance of violence against them.

"From the River to the Sea" is a call for freedom from Palestinians and their allies, fundamentally different from the annexation and colonisation promoted by Likud under the same phrase.

As Nasser Mashni, President of the Australian Palestine Advocacy Network, states, "Palestinians don't deny Jewish indigeneity. We just don't think it's superior to ours. Jewish connection and the Zionist enterprise of the state of Israel today are two separate connections. The desire for a Jewish homeland, I get it. I've got 100 years of trauma and not hundreds, but if a Jewish homeland, is predicated firstly on my dispossession and then my continued oppression then that is unacceptable to me and it should be unacceptable to anyone."

4. LEGALITY OF CRIMINALISING PROTEST SLOGANS

- (a) AMAN makes the following additional comments in relation to the legality of such a proposal to criminalise particular slogans.
- (b) AMAN notes that the phrase "globalise the intifada" is not a widely used protest chant. By contrast, other chants incorporating the term "intifada", such as "long live the intifada", are more commonly heard. The term "intifada" appears across a range of political expressions, and if concern

¹ AMAN's submission to the Meta Oversight Board regarding **Posts that Include "From the River to the Sea"**, 23rd May 2024: [Meta-Oversight-Board-Submission-AMAN-Ltd.pdf](#)

is in truth directed to the use of that *word itself*, the logical consequence of the proposed reform would be its criminalisation.

- (c) Criminalising and stigmatising an Arabic word which literally means “to shake off” would constitute an impermissible burden on political communication and would generate substantive discrimination against Arab and Palestinian communities in New South Wales.
- (d) We are not aware of any evidence that this expression or the word ‘intifada’ is being used as a call to violence against Jewish or Israeli people on the basis of their race, religion or nationality.
- (e) Ridicule of, or even hostility towards, genocidal conduct, military occupation, apartheid, or Zionism as a political ideology constitutes lawful political expression in Australia. Political belief is not a protected attribute under domestic hate speech laws, nor under the International Covenant on Civil and Political Rights.
- (f) The stigmatisation of, and resulting feelings of insecurity within, parts of the Jewish community arising from heightened public anger directed at Israel and Zionism is an unfortunate indirect consequence of the fact that many Jewish individuals identify as Zionist and regard Zionism as integral to their racial and/or religious identity.
- (g) That perception is necessarily subjective. It would be inappropriate, and legally unsound, to criminalise conduct by reference to its asserted effects rather than the speaker’s intent, particularly where those effects are articulated by a cohort that does not represent all Jewish people, or where the asserted harm does not meet an objective standard of reasonableness. Antisemitism arises from the attribution of collective guilt and blame grounded in racism and dehumanisation; it does not arise from political advocacy opposing Israel or Zionism per se.
- (h) A useful analogy may be drawn with political speech condemning “Islamist terrorism” or the ideology of the so-called “Islamic State”, which has indirectly contributed to feelings of stigmatisation and insecurity within Muslim communities. Despite this, Muslim communities have not called for the censorship of protest or political speech directed at ISIS or Islamist violent extremism or terrorism.
- (i) Rather, our community have advocated for reform of counter-terrorism laws and official terminology that equate extremist ideologies with Islam itself, because such legal definitions directly stigmatise an entire religious community defined by a protected attribute. That is an example of direct stigmatisation by law, and it engages a fundamentally different inquiry from the permissibility of protest or political expression.
- (j) Law, and the language used by public officials, must not give rise to substantive discrimination against persons or communities defined by protected attributes such as race or religion.
- (k) By contrast, protest or political expression may give rise to indirect or incidental discriminatory impacts. Such impacts are properly addressed through public education and counter-speech, not through censorship or criminal sanction.

- (l) The introduction of criminal offences targeting protest slogans used by those advocating for Palestinian human rights would be likely to produce substantive discrimination against Palestinians, Arabs, and those who support them. On that basis, such laws would fail the test of a “good law”.
- (m) Consistent with Australia’s obligations to restrict political communication only where such restriction is necessary, effective, proportionate, and legally certain in pursuit of a legitimate aim (such as preventing hatred based on race or religion), the proportionate response to stigmatisation is public education.
- (n) In particular, education addressing the dangers of collective guilt, racialised blame, and punishment of communities for the actions of some of their members is essential. This has been a longstanding focus of AMAN’s advocacy, including since the Christchurch massacre.
- (o) In line with Australia’s obligations under the International Covenant on Civil and Political Rights and the guidance provided by Rabat Plan of Action, the best way to address phrases that are considered to be inherently hateful by their nature that they lead to incitement of hatred and threaten community safety, is through
 - (i) Education; and
 - (ii) proportionate incitement to hatred laws; and
 - (iii) not through criminalising contested speech or specific words that carry many meanings.
- (p) The submission from Alliance Against Islamophobia to this inquiry makes a very good point regarding the use of slogans such as “Jai Shri Ram” and, in certain contexts, “Har Har Mahadev.” Extant research does demonstrate the weaponised use by far-right Hindutva actors as ritualised chants accompanying mob intimidation, forced chanting, and lynching-associated violence, particularly against Muslims and Christian minorities. In these contexts, the slogans function as signals of dominance and imminent harm, understood by targeted communities as precursors to violence rather than as political expression. Here there is intent to harm people based on protected attributes, and incitement to hatred laws may be used. For law-and-safety purposes, both scenarios demonstrate why slogans must be assessed through intent, context, conduct, and impact, rather than literal wording alone.
- (q) New South Wales already criminalises incitement to violence and, more recently, incitement to racial hatred. If law enforcement authorities genuinely consider the phrase “globalise the intifada” to constitute hate speech or to incite violence, prosecution could be pursued under existing offences. The apparent reluctance to do so strongly suggests that the phrase does not meet the relevant statutory thresholds, **most likely because it is not directed against an identifiable racial group**. That, in turn, indicates that the expression is properly characterised as **political speech**, not hate speech.
- (r) AMAN does not consider existing criminal incitement to racial hatred laws in NSW to be a proportionate response given the lack of broader human

rights protections in NSW and has voiced these concerns before as part of a joint community submission².

- (s) AMAN considers that any attempt to criminalise protest chants will likely face successful challenge on constitutional grounds.

5. THE NEED TO PROTECT COMMUNITIES FROM HATRED, INTIMIDATION AND VIOLENCE

5.1 Sources of racist nationalism and what they say about Muslims

- (a) Alarmingly, since 7 October 2023, AMAN has observed anti-Islam mobilisation frames being actively deployed not only in fringe online spaces but also across mainstream social media platforms and traditional media outlets.
- (b) This concerning development leads AMAN to conclude that Australia faces a credible risk of a mass-casualty event akin to the Christchurch massacre, perpetrated by an Australian actor on Australian soil.
- (c) AMAN has undertaken the following analysis to illustrate the extent to which **mainstream media and public commentary** must be recognised as significant influences shaping the current threat environment. Below are examples of speech from *The Australian*, *Herald Sun*, *Daily Telegraph*, and *Sky News Australia*, organised by the racist nationalist message they convey. These examples are not isolated but reflect a pattern of messaging.
 - (i) Incompatibility and inferiority of Muslims and Islam with Australia
 - (A) Australia's multiculturalism policy that allowed Muslim immigration is damaging Australia; previous waves of immigrants integrated, while Muslims do not and pose a threat to Australian social cohesion and "*an active hostility to, and incessant attack on, the Australian community*".³
 - (B) "Jews have never been so terrified to live here, and not because it's neo-Nazis bashing them, screaming outside their synagogues, waving flags of Islamist terrorist groups or bellowing: "Where's the Jews?" No, that's extremist Muslims."⁴ (The parties to this submission note that this assertion was made without reference to any arrests,

² Joint Community Submission coordinated by AMAN to NSW Supreme Court Justice, the Honourable John Sackar AM KC to review **Criminal Law Protections for the Incitement of Hatred** under the NSW Anti-Discrimination Act. [Submission Review of Criminal Incitement of Hatred laws.docx](#) (5 August 2025)

³ Henry Ergas and Alex McDermott, "Gough Whitlam's Multiculturalism Experiment Has Failed Australia", *The Australian* (online, 27 January 2025)

⁴ Andrew Bolt, "This Four Corners show is about a couple of dozen people I would consider fools, following some creed about a master race", *Herald Sun* (16 February 2025)

investigations, or evidentiary basis. It is a serious claim advanced in the absence of substantiating facts.)

- (C) “Muslims are unable to or fail to separate their ‘frustration with Israel’s actions... from an *ugly* hatred of all Jews...Antisemitism is “a thoroughly Muslim problem”.⁵
 - (D) “The vile anti-Semitic outbursts of two nurses at Bankstown Hospital this week were evidence that Australia’s bold multicultural experiment is failing. For decades, we convinced ourselves that Australian multiculturalism was different from that of Germany, France or Sweden, where ethnic enclaves had been petri dishes of hostility [later clarifying he is referring to Arab Muslims].”⁶
- (ii) An inherent link between Muslims to terrorism and crimes
- (A) Islam is “an ideology that is producing extremists⁷” that has “so often inspired violence around the globe.”⁸
 - (B) “Since October 7, there has been deafening silence across much of Australia’s Muslim community.”⁹ (Collective guilt or blame attribution based on religion.)
 - (C) Muslims must be denied a platform by Australian political leadership because, unless they denounce terrorism, they likely support terrorism: “there is nothing to talk about with those who cannot separate their religion from terrorism”.¹⁰ (Collective guilt or blame attribution based on religion.)

⁵ Dr Tanveer Ahmed, “Facing up to harsh realities of Muslim anti-Semitism”, The Daily Telegraph, 19 February 2025.

⁶ Nick Cater “Bankstown nurses’ vile outburst lifted the lid on the ‘banal evil’ that walks our streets after Australia imported a culture steeped in anti-Semitic hatred” Sky News Australia (18 Feb 2025)

⁷ For example, see: James Macpherson “Albanese’s New Orlean terrorist attack response criticised” Sky News Australia (2 Jan 2025).

⁸ For example, see: James Macpherson “Albanese’s New Orlean terrorist attack response criticised” Sky News Australia (2 Jan 2025).

⁹ For example, see: Zaina Cheema, “We can’t turn a blind eye to extremist antisemitic hate at home” *The Australian* (9 November 2023).

¹⁰ For example, see: Clarissa Bye, “Jewish leaders claim Australian Muslims clerics yet to condemn savage Hamas terrorists” *The Daily Telegraph* (25 October 2023).

- (D) Muslims follow and uphold the example of Prophet Mohammed (peace be upon him) who was a “slaughterer” of Jews. ¹¹This is deeply offensive to Muslims. ¹²
- (E) “Muslim mobs now scream insults and attack Jews”¹³
- (F) “It wasn’t because of a fear that a pack of Jews would be running wild and attacking people. Jews are not the threat”¹⁴
- (G) “Of course, let’s again say what we non-Muslims always do: that most Muslims here want only peace. That these two nurses don’t represent the great majority of Muslims. But note who hasn’t said that. Not one of our main Muslim groups. Not the Australian Federation of Islamic Councils, the Australian National Imams Council, the Alliance of Australian Muslims, or the Australian Muslim Advocacy Network. Their silence screams. Contrast: if Jewish doctors were filmed claiming - even as a “joke” - they’d kill Muslim patients, I’d guarantee every big Jewish organisation would damn them. So why haven’t Muslim groups done the same?”¹⁵ (Collective guilt or blame attribution based on religion.)
- (H) “Yes, I’d fallen for a bait-and-switch from the taxpayer-funded ABC, **distracting you yet again from the real threat**. Just consider the past few days. Last Thursday, in Munich, an Afghan refugee shouting “Allahu Akbar” drove his car into a crowd, killing a mother and her child and injuring another 35 people. On Friday, in Athens, two Israel tourists speaking Hebrew were followed by two Arabs, one from Gaza, who stabbed them. On Saturday, in Austria, a Syrian refugee stabbed five strangers, killing a 14-year-old boy, while also reportedly crying “Allahu Akbar”. Arrested, he grinned and raised his index finger in the Islamic sign: Allah is the only god. Also on Saturday, in Gaza, Islamist terrorists released the latest three of the Jewish hostages they kidnapped 16 months ago and starved and tortured. Yet here we had health and government officials claiming how shocked they were - and surprised! - **that two Muslim**

¹¹ Tanveer Ahmed, “Facing up to harsh realities of Muslim anti-Semitism”, The Daily Telegraph, 19 February 2025.

¹² For a comparable case, where such kind of speech about a sacred figure to Aboriginal people was regarded as racial hatred: *Corunna & Ors v West Australian Newspapers Ltd* (2001) EOC ¶93-146

¹³ Andrew Bolt, “‘Appalling failure’: Andrew Bolt calls for Penny Wong to apologise to Australian Jews” *Sky News Australia* (15 November 2023)

¹⁴ Andrew Bolt, “‘Appalling failure’: Andrew Bolt calls for Penny Wong to apologise to Australian Jews” *Sky News Australia* (15 November 2023)

¹⁵ Andrew Bolt, “This Four Corners show is about a couple of dozen people I would consider fools, following some creed about a master race”, *Herald Sun* (16 February 2025)

nurses, one a refugee from Afghanistan and the other born here, were filmed boasting they'd kill Jewish patients. To be surprised is amazing. Don't our officials see what's going on around the world? Didn't they notice five Australians have already been killed in terrorism attacks by Muslims we'd taken in as refugees?"¹⁶ (Collective guilt or blame attribution based on religion.)

- (I) "I assume it's for the same reason they don't damn Hamas or Hezbollah. For the same reason the then mufti of Australia, Sheik Taj El-Din Hilaly, praised as "god's work against oppressors" the September 11 attacks by al-Qa'ida that killed almost 3000 American civilians. It's tribalism, reinforced by a militant religion. My tribe, right or wrong. Touch one, touch all."¹⁷ (Collective guilt or blame attribution based on religion.)

- (iii) The parties making this submission note that Muslim organisations in Australia are uniquely and unjustly expected to publicly denounce foreign political groups or governments in order to prove their humanity and loyalty to the broader society. No other community is subjected to such a burden of collective accountability. This expectation is grounded in the dehumanising assumption that Muslims bear collective responsibility for the actions or alleged actions of individuals who share their faith, and that Islam inherently instructs its followers to engage in terrorism or violence. This perception is largely driven by the widespread public *misunderstanding* that Islam itself is a primary cause or motive for terrorism. So long as this narrative remains alive at the official level, the resulting dignity harm inflicted upon the Muslim community will persist and the threat environment will continue to grow.

- (iv) Silencing criticism and the preferential treatment of Muslims.
 - (A) The government lacks "moral clarity" and "see[s] the Muslim vote in key electorates as critical to its chances of re-election."¹⁸

 - (B) Muslims are "*untouchable*" for political reasons. But that should be "*junked*" and their culture should not be

¹⁶ Andrew Bolt, "This Four Corners show is about a couple of dozen people I would consider fools, following some creed about a master race", *Herald Sun* (16 February 2025)

¹⁷ Andrew Bolt, "This Four Corners show is about a couple of dozen people I would consider fools, following some creed about a master race", *Herald Sun* (16 February 2025)

¹⁸ Rita Panahi, "Wong's appalling snub of Israel no surprise" *Herald Sun* (27 February 2025)

“uncritically embraced”, otherwise “civility” will not “survive”.¹⁹

- (C) “Really? Our Prime Minister talks up **exaggerated or imagined anti-Muslim incidents (which would be deplorable if they were happening.)** This seems to be an obvious hedge against a Muslim backlash for condemning anti-semitism. **It is invertebrate leadership.** Remember the political left and anti-Western brigade warned about an Islamophobic reaction after 9/11 and it did not happen. They warned of the same after the Iraq and Afghanistan wars. Still nothing. After the Bali bombings and the rise of Islamic State, and after domestic terror plots were thwarted, and after the Lindt Cafe siege in Sydney, we always heard the warnings about Islamophobia being on the rise. **But this hate fails to materialise.** The Lindt Cafe siege looms large for me, partly because I walked out of that cafe a minute or two before the terrorist locked everyone in, but also because of the “**I’ll ride with you**” **disgrace.** A do-gooder convinced the siege would lead to an Islamophobic backlash **invented a story** about a woman in a hijab being abused on public transport. This prompted a Twitter campaign where people used the “#Illridewithyou” hashtag to demonstrate their virtue. Despite this all being based on a lie, the NSW police set up a taskforce to tackle Islamophobia. And while we had an official response against an **imaginary backlash**, the innocent hostages were being held at gunpoint by the madman – two never made it home.”²⁰
- (D) *That's something our multiculturalist politicians and ABC journalists never wanted you to believe. SBS even destroyed footage it filmed of Hilaly praising that September 11 mass murder of Americans, telling me it would give us the "wrong idea". Nonsense. In fact, our taxpayer-funded multicultural broadcaster was worried we'd get the right idea and realise multiculturalism had turned toxic. And the ABC is still at it, with extremely rare exceptions.*²¹
- (E) “Islamist extremists in Gaza, Iran, Indonesia, Afghanistan and elsewhere will be delighted by the response of the political left in Western countries.”²²

¹⁹ Henry Ergas and Alex McDermott, “Gough Whitlam's Multiculturalism Experiment Has Failed Australia”, *The Australian* (online, 27 January 2025)

²⁰ For example, see: Chris Kenny, “Complacency exposes the fragility of democracy” *The Australian* (8 November 2023).

²¹ Andrew Bolt, “This Four Corners show is about a couple of dozen people I would consider fools, following some creed about a master race”, *Herald Sun* (16 February 2025)

²² For example, see: Chris Kenny, “Complacency exposes the fragility of democracy” *The Australian* (8 November 2023).

- (v) Threat to Christianity, the “West” and secularism
- (A) “The much derided “clash of civilisations” remains a central challenge for Western countries.”²³
- (B) “It would be something anti-American, anti-Australian, anti-capitalist or **anti-Christian**. Or global warming, the scare exploited by the Left to attack the West, hated by people scared of freedom and individuality...“Have these Palestinian supporters asked themselves why so many of their protests are aggressive”²⁴; “it’s no coincidence that pro-Palestinian protests here are so likely to be violent, destructive, abusive and threatening...This really is a clash of civilisations, with many on the identity-politics Left on the side of barbarity and genocide”²⁵; “But facts don’t count to **enemies of the West**, which got wickedly rich by inventing logic and the scientific method. And **when facts and reason don’t count**, what else do have but lies, violence and victimhood to get your way?”²⁶
- (C) “**shares a hatred of the West** and its most distinctive values freedom and **individuality**”.²⁷
- (D) “hate-rallies”; are “on the side of mass-murdering, head-hacking pack-raping terrorists”; They do not “care about freedom, democracy and peace”;²⁸
- (E) “now serious people who understand our civilization is under **threat here as well as the Western civilization** not just Jews”²⁹

²³ For example, see: Chris Kenny, “Complacency exposes the fragility of democracy” *The Australian* (8 November 2023).

²⁴ Ibid.

²⁵ For example, see: Andrew Bolt, “Why are pro-Palestine please for peace lost in so much hate?” *Herald Sun* (22 November 2023)

²⁶ For example, see: Andrew Bolt, “Why are pro-Palestine please for peace lost in so much hate?” *Herald Sun* (22 November 2023)

²⁷ For example, see: Andrew Bolt, “Many protestors are seemingly unfazed that this war was started by the Hamas terrorist group” (29 October 2023)

²⁸ For example, see: Andrew Bolt, “Don’t the Left care About freedom, democracy and peace?” *Herald Sun* (19 November 2023)

²⁹ For example, see: Andrew Bolt, ‘Appalling failure’: Andrew Bolt calls for Penny Wong to apologise to Australian Jews” , *Sky News Australia* (15 November 2023) .

- (F) That the situation in Gaza represents a “**clash of civilisations**” which cannot be solved by “some peace deal”.³⁰

5.2 Principles for addressing hate in a consistent manner

- (a) The above discourse is set out to make two important observations.
- (b) First, any credible assessment of the threat environment must take into account the full information landscape, including the pervasive influence of mainstream media in promulgating hatred.
- (c) Second, the challenges posed by hate and intimidation cannot be properly addressed by criminal laws. Because in practice, racist or exclusionary nationalism (excluding Muslims) is openly promoted on national television, in tabloids, and in broadsheet media, not only in the dark corners of the web or through hate crimes. This kind of hatred will never be prosecuted by police against those in media and politics, and therefore, we anticipate there will always be an inconsistency in protections and enforcement, as some forms of hatred are regarded as more socially and politically acceptable.

5.3 Perceptions of the Muslim community

- (a) Successive social cohesion surveys have shown that Australian Muslim communities receive, by far, the least positive views and the most negative views from surveyed Australians compared to any racial or religious group.³¹ Just under one in four Australians have a positive view of Muslims, and 29% hold negative views.³²

5.4 Impact on Muslim communities

- (a) Terrorism concern diminishes the cognitive ability of Australians to accept positive messages about Muslims, regardless of whether they are right or left wing, and regardless of how much knowledge they possess about Islam or how many Muslims they know.³³
- (a) The latest “Islamophobia in Australia” report³⁴ includes multiple reports of school children being bullied by peers explicitly due to being Muslim or because they supported Palestine:

³⁰ For example, see: Andrew Bolt, “A sick cultural problem in Gaza”, *Sky News* (25 February 2025)

³¹ Australian Cohesion Index 2023.

³² Ibid.

³³ Matteo Vergani, Fethi Mansouri, Liliana Orellana (2022) Terrorism concern and persistence of negative attitudes towards Islam and Muslims. *Community and Applied Social Psychology*. Volume 32, Issue 6

³⁴ Carland, S. Alziyadat, N., Vergani, M. & O’Brien, K. (2025) Islamophobia in Australia Report V, Sydney: Islamophobia Register Australia

“I started wearing the hijab at the start of this year and ever since I’ve been experiencing racist jokes and comments, like, ‘towel head’, ‘bomber’, ‘9/11’, ‘Taliban’, ‘stupid hijabi bitch’, and I have had pork thrown at me.” incident # 2162

- (b) Such bullying incidents would sometimes escalate to physical assaults on school children:

“My son was targeted by nine boys from his school. He has been harassed both physically and verbally while being at this High school. They kept calling him “terrorist, bomber, Osama bin laden” and they also physically attacked him.” incident # 3063

- (c) The report *Supporting Muslim Families and Children in Dealing with Islamophobia* (2020), produced by the Australian Muslim Women’s Centre for Human Rights and the Alfred Deakin Institute, identifies the role of political and media discourse in fuelling and normalising Islamophobia. It notes that “fear mongering tactics of right-leaning politicians, groups and the media... contribute to the normalisation of Islamophobia through conflating terrorism with Islam and portraying Muslims as the enemy within” (p. 3). This framing has had a profound effect on public perceptions and the everyday experiences of Muslim communities. Citing a 2017 study by Ewart, Cherney and Murphy, the report highlights that Australian Muslims are “highly critical” of news media for its “perceived biases, stereotypical representations,” and for reinforcing narratives that portray Muslims as inherently threatening or disloyal (p. 5).³⁵

5.5 Collective blame

- (a) Muslims are frequently collectively blamed and apportioned guilt with respect to the crimes or alleged crimes committed by certain individuals identifying as members of that faith.
- (b) This is perpetuated by all Australian Governments, including the NSW Government, by referring to ISIS ideology as religiously motivated.
- (c) We note that academic research points to different religious communities and their involvement in extremism, including
- (i) “how neo-biblical discourse is used to legitimate Israeli militant ultranationalism” .³⁶

³⁵ Asha Bedar and Nesreen Bottrill, ‘Supporting Muslim Families and Children in Dealing with Islamophobia’ (Research Report, Australian Muslim Women’s Centre for Human Rights and Alfred Deakin Institute Deakin University, October 2020).

³⁶ Michele Grossman and H.A. Hellyer, ‘Introduction: Remapping the terrain of religion, radicalization and extremist violence’ in Michele Grossman and H.A Hellyer (eds), *Rethinking Religion and Radicalization, Terrorism and Violence Twenty Years After 9/11* (Bloomsbury, 2025) 3, 12.

- (ii) “how far right extremism and aggressive religious nationalism intersect... in India and Sri Lanka”.³⁷
 - (iii) “extreme or militant right spans religious faiths and ideological orientations, including Hinduism, Christianity and Judaism”³⁸
 - (iv) “the growing appeal and take-up of Orthodox Christianity” speaking of Lydia Khalil chapter. “orthodoxies of religion and politics that Khalil notes are used to ‘justify, actualize and sustain’ far-right political and ideological positions and actions.”³⁹
 - (v) “the increasing integration of religious beliefs by far-right movements can be traced through the ‘specific ways in which religious sentiments, symbols, themes, and traditions are employed to (1) facilitate recruitment (2) solidify ideological commitment and solidarity (3) justify acts of violence by far right actors and/or (4) gain greater social currency with wider audiences on various societal issues”.⁴⁰
- (d) Would Australia, as a pluralistic country, be content to label numerous religions as motivating terrorism, whether it is Judaism, Buddhism, Hinduism, or Christianity? If that is not acceptable, why is it for Islam?

5.6 Official labels contribute to the threat environment

- (a) Judicial officers, government ministers, security officials and media commentators who borrow the language of the law are *highly authoritative speakers* and use ‘powerful mechanisms of dissemination’.⁴¹
- (b) Both public office and researcher speakers have authority over Australian audiences derived from public office because they carry ‘epistemic’ authority,⁴² meaning that Australian audiences depend on them for ‘information deemed credible’, especially in a field as complex, secretive and serious as terrorism. This means that what those in public office (such as police, ASIO, government ministers, and judges) say matters and has the power to set the norms of what is considered factual and undisputed.
- (c) Australia currently requires a religious, ideological, or political motive for terrorist acts. Legal experts have been attuned to problems with this

³⁷ Ibid 11.

³⁸ Ibid 13.

³⁹ Ibid.

⁴⁰ Ibid 12.

⁴¹ Jonathan Leader Maynard and Susan Benesch, “Dangerous Speech and Dangerous Ideology: An integrated Model for Monitoring and Prevention” (2016) 9(3) *Genocide Studies and Prevention: An International Journal*, 77.

⁴² John Hardwig. 1985. “Epistemic Dependence.” *Journal of Philosophy* Vol. 82, No. 7, 335-349 cited in Maynard and Benesch, 77.

framing. The former Chief Justice of the Australian High Court, Gerard Brennan⁴³, along with the former Independent National Security Legislation Monitor, Bret Walker SC⁴⁴, have emphasised that ‘religious cause’ links an entire religious community with terrorism and, through alienation and stigmatisation, is counterproductive.

- (d) But more than that, as mentioned above, official rhetoric and state-sanctioned labelling have played a central role in shaping and reinforcing public perceptions in a way that serves recruitment for racist nationalist and ISIL-like organisations.
- (e) Official rhetoric and state-sanctioned labelling has helped recruitment for racist nationalism by:
 - (i) Constructing an association between Muslim identity and terrorism; and
 - (ii) Therefore, framing Muslims and Islam as inherently incompatible with Australian values and society.
- (f) Over the past decade, anti-Islam movements have been the predominant force behind the growth of white supremacist movements in Australia.⁴⁵
- (g) Similarly, it has helped ISIL, Al-Qaeda and other listed terrorist organisations that argue that being a true Muslim involves engaging in terrorist acts. Former INSLM Bret Walker SC, in his 2012 review said:⁴⁶

A sound policy reason for removing the motivation element from Australia’s definition is to avoid **glamorizing the accused and his or her “cause”**. Alleged terrorists should not be given the opportunity to claim they committed their murderous act for a noble cause eg that they were killing for God. Australia is required under international law to criminalize all forms of terrorism “regardless” of motivation.⁴⁷

⁴³ Brennan CJ, G, “Liberty’s threat from executive power.” *Sydney Morning Herald*, July 6, 2007, <https://www.smh.com.au/national/libertys-threat-from-executive-power-20070706-gdqjxj.html>.

⁴⁴ Brett Walker, former INSLM, [INSLM Annual Report 2012](#), 115,118.

⁴⁵ William Allchorn, Centre for Analysis of Radical Right (CARR)- Hedayah, Radical Right Counter Narratives Project, *Australian Radical Right Narratives and Counter Narratives in the Age of Terrorism* (Full Report, 22 March 2021), 8.

⁴⁶ Brett Walker, former INSLM, [INSLM Annual Report 2012](#), various passages.

⁴⁷ See also: Grossman and Hellyer (n 35) 6.

“it is also important to acknowledge that such agendas are not exclusively deployed only by political or social discourses bent on (re)shaping narratives about the socio cultural ‘other’ - they can also be used by terrorists and propagandists as a form of superficial justification for violent radicalization when in fact their motives are both more profane and more banal than this would suggest.”

- (h) This framing does not explain the political motivations of ISIS or Al-Qaeda or other listed terrorist organisations. It repeatedly collapses any distinction between persons who believe in those listed terrorist organisations and persons who believe in Islam.
- (i) In the Federal Court judgment of *Wertheim v Haddad*⁴⁸, speech by Mr Haddad that said there was no difference between Zionists and Jews and proceeded to attack Zionists was found to constitute unlawful hatred because it had collapsed the religious and racial identity of Jews with the political identity of Zionists.

5.7 How terrorism conflation dehumanises Muslims

- (a) Research from the fields of atrocity prevention⁴⁹, counterterrorism and countering violent extremism⁵⁰ shows that **dehumanising rhetoric** about a group based on protected attributes is often co-present and a precursor to atrocities and violence against a targeted outgroup.
- (b) Official and media rhetoric conflating Islam with terrorism, viscerally portrays Muslims on account of their religious beliefs as not deserving to be treated equally to other humans because they lack qualities intrinsic to humans.
- (c) A terrorism attack conjures images of a heinous and abhorrent act, the targeting of innocent civilians. Every time there is a report of terrorism that involves such images, and is connected to Islam by official or media labels, this creates a visceral association – by visceral, we mean that it creates a sense of disgust and deep panic. Each time there is this experience, official labels and categories have worked to reframe that heinous violence as part of a religious agenda.
- (d) Over time, this reframing inadvertently **presents** Muslims as a class

⁴⁸ *Wertheim v Haddad* (No 2) [2025] FCA 820

⁴⁹ Maynard and Benesch (n40).

⁵⁰ Dehumanisation is a core element of right-wing extremism, including exclusionary nationalism: Department of Security Studies and Criminology (2020, October 9) Mapping networks and narratives of online right-wing extremists in New South Wales (Version 1.0.1). Sydney: Macquarie University.

There is significant research supporting the treatment of dehumanising material as an appropriate intervention point to protect communities from a range of movements that seek to violently deny diversity: Christchurch Call Advisory Network, Report to the Christchurch Call, 12 September 2022, <[CCAN-Report-on-Anti-Dehumanization-Policy.pdf \(christchurchcall.network\)](#)>; Risius M, Blasiak K, Wibisino S, Jabri-Markwell R, Louis W (2021) Dynamic Matrix of Extremisms and Terrorism (DMET): a continuum approach towards identifying different degrees of extremisms. Report to the Global Internet Forum to Counter Terrorism.

- (i) are polluting, despoiling, or debilitating⁵¹ **the broader Australian society**.
 - (ii) have a diminished capacity for human warmth and feeling or to make up their own mind, reason, or form their own individual thoughts⁵²;
 - (iii) homogeneously pose a powerful threat or menace to **broader Australian society**, posing overtly or deceptively,⁵³
 - (iv) are to be held responsible for and deserving of collective punishment for the specific crimes, or alleged crimes of some of their “members”;⁵⁴
 - (v) are inherently criminal, dangerous, violent or evil by nature;⁵⁵
 - (vi) prey upon their children, the aged, and the vulnerable;⁵⁶
 - (vii) are inherently primitive, coarse, savage⁵⁷, and
 - (viii) are a group who must be excised or exiled from the community or nation.⁵⁸
- (e) We refer to the definition of dehumanising material as provided in the published⁵⁹ definition of the Australian Muslim Advocacy Network (AMAN). The definition universally applies to all human groups on the basis of protected attributes. This definition has also been used as a measure of online hatred in other reports.⁶⁰

⁵¹ Drawn from definition of “dehumanisation” from Leader Maynard, Jonathan and Benesch, Susan (n 40).

⁵² Drawn from Haslam, Nick. (2006). Dehumanization: An Integrative Review. *Personality and social psychology review* : an official journal of the Society for Personality and Social Psychology, 10. 252-64. 10.1207/s15327957pspr1003_4.

⁵³ Maynard, Jonathan Leader and Susan Benesch. (n40), 70.

⁵⁴ Maynard, Jonathan Leader and Susan Benesch. (n40) 70.

⁵⁵ Supreme Court of Canada in *Saskatchewan (Human Rights Commission) v. Whatcott* 2013 SCC 11, [2013] 1 S.C.R. 467.

⁵⁶ Ibid.

⁵⁷ Haslam (n51) 258.

⁵⁸ Nicole Asquith, “Verbal and Textual Hostility Framework” (2013).

⁵⁹ <https://www.aman.net.au/policy-brief-combatting-online-dehumanisation-of-minorities/>

⁶⁰ Purpose (2023), Online Hate Speech in Australia: Part 2. Appendix A, p50
<https://www.purpose.com/wp-content/uploads/2023/09/Online-Hate-Speech-in-Australia_Part_2_2023_Purpose.pdf>

