

**Submission  
No 110**

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

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## **Submission to Parliamentary Inquiry Measures to prohibit slogans that incite hatred**

Thank you for this opportunity to respond to the dilemma we face as a state and as nation, which is both hatred and the incitement of hatred. Imagine if we had this opportunity on a two-yearly basis – it may even start a national conversation and begin a desperately needed education for all of us.

My name is Dr. Julie Macken, and I work as a Justice and Peace Facilitator with the Justice and Peace Office of the Sydney Archdiocese. Preventing the rise of hatred and spread of racist speech is my job.

As a result of my job, and the obligations imposed by Catholic social justice teaching, I have of course regularly attended the Sydney rallies in support of Palestine over the last two and a half years. I consider my attendance to be a moral obligation. When a state as powerful as Israel is committing genocide, it is my obligation to stand in solidarity with the devastated Palestinian community.

On those rallies I have never heard hate speech in any form and certainly no antisemitic sentiments or speech. Before I address the detail, I need to say how alarmed I was that the NSW police gave neo-Nazi approval to rally in front of Parliament House – and apparently without a whisper of concern from the Special Envoy to Combat Antisemitism, Jillian Segal, or indeed the Premier Chris Minns until the media pressured him to respond. This matters because it suggests this Committee and the legislation being pushed through is all about targeting supporters of Palestine, not neo-Nazi or other White supremacists' groups. Many people across NSW are concerned with the NSW government's priorities.

If the Minns government is going to start banning language, it is imperative he understand the meaning of the language he is banning. "Intifada" literally means to 'shake off'. To shake off the oppression, the abuse, the cruelty of the oppressor. In this instance it means shaking off the genocidal intent of the Israeli government. Why on earth would the Premier of NSW think it will create a more harmonious state if he prevents people calling for a shaking off the brutality inflicted on them by Israel. The Premier has never offered any evidence, let alone logic or understanding of how this would be achieved by banning language. Remember many of our forebears died fighting for right to live free and speak freely, Premier Minns could at least bother himself to produce some evidence that banning language makes people feel safer.

'Globalize the intifada' is a call to international solidarity and call to everyone to speak out in defence of the powerless and oppressed. Again, it is unclear why banning such a term would make people feel safe or create a sense of solidarity and compassion within our state – the Premier needs to provide some kind of evidence that can be tested publicly, before he decides what we can say, indeed what I can say, and what we can't. I cannot underscore what a scandal it is for another human being to seek to gag another. As a woman I can assure I do not accept any man's right to determine what I can say and what I can't.

Framing the term intifada as 'threatening safety' can be seen as a way to delegitimise Palestinian resistance entirely, it also has echoes of coercive control, making the banning ever more concerning and truly threatening people's sense of safety.

The phrase 'from the River to the Sea'; refers to the geographic area between the Jordan River and the Mediterranean Sea - essentially historic Palestine, which now includes Israel, the West Bank, and Gaza. My question to the Premier is does he intend to prevent Israeli citizens or people of the Jewish faith from using this term? Because they believe they have a historical right to use that phrase as well.

The Committee has also been asked to consider not just a number of phrases and whether the state should exercise its force to ban those sentences, but also whether these phrases pose a threat to community cohesion and safety and the importance of maintaining social harmony and cohesion.

There is no doubt that banning phrases that call for solidarity and a hope to live free from brutality and cruelty will cause social disruption. That is so obvious my greater concern is that perhaps this is the desired outcome according to the NSW Premier.

As a multicultural nation we must support the most vulnerable and recognise their ties to their culture. It is important to note that criticism of Israel, a country carrying out war crimes, is not antisemitic. In fact, connecting Jewish people with a country that refuses to adhere to international law, is deeply antisemitic.

If the Premier bans these words and phrases the Committee needs to investigate how many dollars of our taxes, he intends to spend policing these bans. And how long will people like me be imprisoned for when we insist on our right to speak? How many new prisons is he planning to build to accommodate people who refuse to be silenced by the state of NSW. These are critical questions for the Premier to answer because he can be assured thousands of people, like me, will refuse to be gagged by him.

Finally, the Committee is tasked with investigating how to prevent hate speech. I would argue we already have existing laws to prevent hate speech. If, for example, neo-Nazis stand outside the NSW Parliament holding a sign that reads – stop the Jewish lobby – this is antisemitic. It would be advisable that that the Committee concentrate on these Slogans, just at would be helpful if the NSW Police did not give approval neo-Nazi performances like these.

There is no doubt antisemitism exists, as does racism in all its forms, but attempting to draw a link between the peaceful rallies for Palestine and this form of racism is disingenuous and a political ploy that should be rejected by all right-thinking people.

This kind of cynical deployment of state power destroys trust within the community and suggests the NSW government is not serious about building a compassionate, united community.

If the Committee, and the Premier are serious about protecting communities from hatred, intimidation and violence. they can begin by removing the millions of guns in NSW. The Committee could ask the Premier to stop trying to get votes by demonising peaceful protestors – this is extremely destructive in the current climate. Simply there has been no hatred, intimidation or violence at any of the pro-Palestine rallies.

The NSW Parliament and state laws should be focused on neo-Nazi and right wing hate speech.

I would implore the Committee to reflect on the approach taken in the United Kingdom. It is an approach that has shattered communities, may yet produce the deaths of protestors and has stripped the government of any legitimacy. It has destroyed any remaining trust in the UK Labour government.

The NSW government is considering extremely dangerous and repressive measures to fix a problem that is only resolved by calm, inclusive consultations. Given the current situation in Palestine - the massive civilian casualties in Gaza, the humanitarian crisis, continued settlement expansion in the West Bank, and what many international observers and human rights organizations describe as systematic oppression, the least we can do as a country is to mobilise in support of Palestine and all those who care about justice and universal human rights.

Yours, Dr. Julie Macken