

**Submission
No 124**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

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Re: NSW Parliament Inquiry into Banning Protest Slogans

Dr Andrew Brooks

I am writing to express my opposition to current proposals to ban or criminalise protest slogans, including phrases such as ‘globalise the intidada’ and ‘from the river to the sea.’ I write as an area expert, an academic staff member at the University of New South Wales whose research focuses on race, racism, and anti-racism, as well as social movements and protest. At the outset, I wish to reject the NSW government’s moves to equate the antisemitic massacre at Bondi Beach on December 14, 2025 with the Palestine solidarity movement, a peaceful protest movement that has seen thousands of people across the country come together to oppose the genocide inflicted on Gaza and the West Bank by Israel. This groundless conflation will fuel anti-Palestinian racism, Islamophobia, anti-Arab racism, and antisemitism while also undermining the rights of protesters and the principle of democratic protest. The mass protest movement that has arisen in solidarity with Palestinians is a broad and inclusive coalition that calls for an end to mass death and suffering. The proposal to ban protest slogans represents a dangerous limitation of legitimate political expression and should be abandoned as a matter of urgency. In the submission that follows I address the inquiry terms of reference set forth by The Committee on Law and Safety.

Community cohesion and safety

The proposal to ban political slogans such as ‘globalise the intifada’ and ‘from the river to the sea’ should be understood as the repression of legitimate political speech. These slogans have been used in peaceful protest to express opposition to the ongoing violence inflicted on Gaza and the West Bank, to express solidarity with Palestinian people living under settler colonial occupation, to call for institutional and governmental divestment from organisations complicit in genocide and apartheid, and to call for justice. There is no evidence that such slogans pose a threat to community safety. In fact, the suppression of legitimate forms of protest should be understood as a threat to the functioning of democratic society in ways that pose a threat to the long-term safety of all NSW residents.

Here I want to draw attention to the mobilisation of an ill-defined conception of social cohesion in order to suppress and repress political dissent. The language of social cohesion appeals to an idea of unity whose meaning is assumed before the phrase is even uttered. Following the Bondi massacre, the phrase has come to signify the fantasy of a nation without political and social conflict, an assimilationist projection that is both naive and dangerous. The language of social cohesion consistently positions social conflict as external, rather than recognising dissent as a feature internal to all societies. The right to assemble and express dissent is a crucial feature of democracies and has driven important social change including women's suffrage, Indigenous civil rights, and queer liberation. Urgent work remains to be done in order to produce justice and equality, and this relies on the freedom of assembly and protest. The proposal to ban protest slogans is an attempt to repress the sizable segment of population that has taken the principled stand of acting in solidarity with Palestinian people subjected to apartheid rule. Such measures set a dangerous precedent that moves us closer to authoritarian futures.

Claims that slogans are “inherently hateful”

The positioning of these slogans as inherently hateful is a willful misreading. Intifada simply means uprising Arabic, signifying Palestinian opposition to colonial disposition, apartheid rule, state violence, and enduring inequality. As the political analyst Yousef Munayyer has written, the phrase ‘from the river to the sea’ is a slogan that calls for ‘a state in which Palestinians can live in their homeland as free and equal citizens, neither dominated by others nor dominating them.’¹ The claim that these slogans are inherently hateful relies upon racism and Islamophobia in which calls for equality are supplanted by racist projections of violent intent.

The positioning of these slogans as inherently hateful should be understood in relation to the mobilisation of ‘ambient antisemitism’ and the weaponisation of cultural and psychosocial safety. The authors of a Monash Initiative for Rapid Research into Antisemitism (MIRRA) report define ambient antisemitism as ‘a climate marked by anti-Israel hostility that, while not necessarily inherently antisemitic, creates an environment that feels unwelcoming and unsafe for many Jewish stakeholders.’² The problematic term is used to describe actions or speech which cannot be said to be antisemitic but instead is perceived to contribute to an ill-defined environment of unsafety. As the scholar David Brophy notes in a recent essay

¹ Yousef Munayyer, ‘What Does “From the River to the Sea” Really Mean?’, *Jewish Currents*, 11 June 2021, <https://jewishcurrents.org/what-does-from-the-river-to-the-sea-really-mean>

² David Slucki et al, ‘Antisemitism in the Cultural and Creative Industries,’ *Monash Initiative for Rapid Research into Antisemitism Report*, p. 32.

in Overland, the term works to widen the scope of what might be antisemitic, accepting feelings of discomfort in place of empirical evidence of wrongdoing.³

The highly problematic concept of ambient antisemitism follows the weaponisation of cultural and psychosocial safety. These important principles – the former originally conceptualised in order to call attention to the way structures such as colonisation can negatively impact health outcomes of Indigenous people and other minorities and the latter to describe the way social environments such as workplaces can produce psychological trauma through things like unsustainable workloads, low job control, lack of role clarity, the absence of appropriate training and support structures, poor organisational justice, inadequate recognition mechanisms, and so on – are currently being appealed to in order to enact censorship and quell political disagreement. The mobilisation of these concepts by Zionist organisations inverts the original intent of these frameworks by emphasising individual feelings and obscuring structural relations of inequality and domination.

There is no evidence that slogans such as the ‘globalise the intifada’ or ‘from the river to the sea’ are inherently hateful. We must reject the positioning of these slogans as hateful via appeals to individual feelings of discomfort or ambient perceptions of unwelcoming environments. Political disagreement or offence must not be criminalised, to do so would be to erode foundational principles of democratic society. More than this, the criminalisation of such slogans would enshrine anti-Palestinian racism into legislation, a move that the NSW Government must not undertake.

Protecting communities from hatred and violence

All communities deserve protection from vilification, intimidation, and violence. Existing NSW legislation sufficiently covers harmful conduct and racial discrimination. Antisemitism should not be treated as an exceptional form of racism but rather must be combatted as part of coalitional approaches to ending all forms of racism. The banning of political and protest slogans relies upon the highly problematic International Holocaust Remembrance Alliance (IHRA) definition of antisemitism, which equates legitimate criticism of Israel (a nation state) and Zionism (a political ideology) with antisemitism (a form of racism against Jewish people). Contra the aims of protecting communities from hatred and violence, the perpetuation of this problematic definition fuels anti-Palestinian racism and Islamophobia and moves to criminalise legitimate critique of a nation state currently engaged in what the Israeli human rights

³ David Brophy, ‘Universities and the arts after Bondi: from definitions to “ambient antisemitism”,’ *Overland*, 9 January 2026, <https://overland.org.au/2026/01/universities-and-the-arts-after-bondi-from-definitions-to-ambient-antisemitism/>

group B'Tselem has labelled a genocide.⁴ The move to ban these protest slogans reproduces the racist notion that Palestinian identity and politics are inherently violent, and widens this racist determination to criminalise anyone who chooses to stand in solidarity with the Palestinian cause and against the ongoing dispossessive violence of the Israeli nation state.

Better approaches than banning slogans

Community-led coalitional anti-racism initiatives and education programs are more effective ways to address rising racism than banning protest slogans and suppressing political disagreement and dissent. We must invest in racial literacy initiatives that help to educate the public about what race is and more importantly what race does. The banning of protest slogans calling for an end to racialised domination and oppression will impede and restrict anti-racist movements across the country, escalating tensions rather than reducing them. We must work to understand the structural causes of racism, moving away from narratives of individual prejudice in order to show how histories of colonial capitalism rely on racial division. The production of anti-racist futures requires investment in racial literacy programs and these should be produced in consultation with all negatively racialised segments of the population.

Free political expression

Political expression opposing colonial occupation, apartheid, genocide, and state violence should be protected rather than targeted. The banning of protest slogans will restrict protest, ushering us toward heightened censorship and eroding democratic ideals. Should these measures be implemented, they will almost certainly lead to heightened confrontations between people wishing to democratically express political dissent and police in ways that undermine community safety.

I recommend to the committee that:

1. No additional political slogans or symbols be banned or criminalised, including those associated with Palestinian advocacy.
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. Palestinian

⁴ B'Tselem, 'Our Genocide,' July 2025, https://www.btselem.org/sites/default/files/publications/202507_our_genocide_eng.pdf

symbols, slogans and expressions of solidarity be explicitly recognised as protected political communication, not hate speech.

3. Legislation and guidance clearly distinguish between universally recognised hate symbols and political expression opposing occupation, apartheid or state violence.
4. Existing criminal law continues to address genuine threats of violence or intimidation without expanding into content-based regulation of political speech.
5. Protest rights and political expression be clearly protected within NSW criminal and public order law.
6. NSW Government acknowledges and rejects the racial discrimination inherent in selectively policing Palestinian political expression. NSW Government ensures any guidance to police and public authorities is content-neutral, evidence-based, and designed to prevent discriminatory enforcement against Palestinians and those advocating Palestinian rights.
7. Community education and dialogue initiatives be prioritised over broad prohibitions or expanded police powers.
8. NSW Government rejects the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism, which conflates legitimate criticism of Israel and Zionism with antisemitism.

Sincerely,

Dr Andrew Brooks