

**Submission
No 128**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

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Mr Edmond Atalla MP
Chair
Committee on Law and Safety

Submission to the Committee on Law and Safety Inquiry into the use of slogans that are directed at certain communities to intimidate those communities and instil fear of violence.

INTRODUCTION

I am disturbed by the decision of both the Premier and this Committee to place undue focus on the slogan "Globalise the Intifada" as it presupposes that this one slogan is the most serious threat to maintaining social harmony and cohesion and this emphasis, in effect, is anti-Palestinian. To have an Inquiry that at the outset can be perceived as being anti-Palestinian is, in itself, an attack on social harmony and cohesion and potentially discriminatory.

RESPONSE TO EACH OF 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.

It is well accepted that "Globalize the intifada" is a slogan that has been used to advocate for international support of Palestinian resistance against Israeli occupation as well as various other causes users of the phrase see as tied to the Palestinian cause. As you should be aware, the Arabic word *intifada* means 'a shaking off' and can refer to a popular uprising or rebellion. In the context of the Israeli-Palestinian conflict, *intifada* refers to Palestinian resistance against Israeli occupation.

It is used as a rallying cry for resistance against what pro-Palestinian campaigners see as "colonial violence and oppression".

According to the Encyclopedia Britannica “Globalize the Intifada”, in which “intifada” refers to the 1987–93 and 2000–05 Palestinian uprisings in the West Bank and the Gaza Strip, is a slogan adopted by some pro-Palestinian activists calling for international pressure on Israel to prioritize human rights and self-determination for the Palestinian people. Why should a slogan calling for human rights and self-determination be banned?

There is no empirical evidence to support the spurious claims that the use of the slogan “Globalize the Intifada” has directly or indirectly resulted in violence against Jewish people, places of worship or community gatherings.

The main criticisms of the use of the slogan “Globalize the Intifada” come from Zionist/Israeli groups and supporters of Zionism/Israel who seek to demonise any support for the Palestinian cause.

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.

Again, this term of reference demonstrates that the outcome of this Inquiry is predetermined. By referring to “Globalize the Intifada” as being inherently hateful by nature it is implied that the Committee believe this to be the case prior to any submissions being received, any evidence given at hearings and any research being undertaken by the Committee Secretariat.

Existing laws to deal with hate speech are adequate in my opinion.

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

There can be no doubt that there is a need to protect communities from hatred, intimidation and violence. But can or should this be achieved by prioritising the needs of one sector of the community over all others?

By adopting this approach, the NSW Government runs the risk of breeding resentment against the Jewish community who are often perceived as being treated favourably in comparison to other community groups. Whether this perception is valid or not it should be taken into consideration when framing laws. By proposing to ban a slogan used by Palestinian supporters, the Government must accept that they will be viewed by a sector of the community as being discriminatory and this will not help to make the Jewish community in NSW any safer which is a legitimate priority following the terrorist attack at Bondi Beach.

d) Australian and international examples of best practice to combat the use of such slogans, including measures and approaches taken in the United Kingdom.

Referring to measures taken in the United Kingdom is akin to a self-fulfilling prophecy. It is well reported that the use of the slogan “Globalise the Intifada” has resulted in the arrest of campaigners under the UK Public Order Act (1986). The actions of the Metropolitan Police in respect of their handling of the vast and frequent pro-Palestinian marches in London is problematic with allegations of a heavy-handed approach and breaches of the law.

e) The Australian Constitution and the implied freedom of political communication.

The attempts by the NSW Government to prohibit peaceful demonstrations and declare the slogan “Globalize the Intifada” as being hate speech are unwarranted and appear to be at the personal whim of the Premier. These restrictions on free speech and the freedom of assembly are also not in accord with the National Platform of the Australian Labor Party of which the Premier is a member.

f) Existing offences and other measures in New South Wales and Commonwealth legislation, including offences and measures that have been announced.

No comment.

g) Any other related matters.

By demonising pro-Palestinian supporters, by prohibiting peaceful protest and inhibiting free speech, the NSW Government is undermining social harmony and cohesion. It is the responsibility of the Government to work for all the people of NSW and not to introduce laws which discriminate against certain sectors of the community.

CONCLUSION

I do not support the introduction of further laws on hate speech.

I request that my submission be published with my contact details withheld.