

INQUIRY INTO ANTISEMITISM IN NEW SOUTH WALES

Organisation: Jews Against the Occupation '48

Date Received: 6 April 2025



NSW Legislative Council

Portfolio Committee No. 5 Justice and Communities

Inquiry into antisemitism in New South Wales

Michelle Berkon

for Jews Against the Occupation '48

To Members of Portfolio Committee No. 5,

Jews Against the Occupation '48 was founded in 2003 to advocate for a just peace for all people living between the Jordan River and the Mediterranean Sea. We are deeply concerned that the findings of this inquiry will be skewed by its reliance on a highly problematic definition of antisemitism, and that these findings will be used to stifle public discourse on Israel-Palestine and curtail the democratic right to peaceful protest.

PREAMBLE

Any discussion on antisemitism must be based on an accurate and non-politicized definition of this form of racism. Currently, Australia lacks such a definition. Instead, antisemitism is defined in a way that makes Judaism a political rather than a religious-cultural identity.

In 2021, Australia formally endorsed the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism. In February this year, Universities Australia (UA) finally succumbed to Zionist pressure and announced that its 39 members, which include all 38 public universities, would adopt a definition of antisemitism that "aligns closely with the International Holocaust Remembrance Alliance definition." (1)

Both the International Holocaust Remembrance Alliance (IHRA) and the Universities Australia definitions embrace "the new antisemitism" which transmutes the definition of antisemitism from "discrimination against, denial of, or assault upon the rights of Jews to live as equal members of whatever society they inhabit" into "discrimination against, denial of, or assault upon the right of the Jewish people to live as an equal member of the family of nations, with Israel as the maliciously-targeted 'collective Jew among the nations'." (2)

The IHRA definition of antisemitism has been thoroughly refuted by Jewish Australian academic Peter Slezak (3) and its key drafter, Kenneth Stern, has condemned its weaponization against academic freedom and political speech. (4) Many respected legal experts, human rights groups, Jewish Holocaust scholars, Palestinian academics and public intellectuals, and progressive

Jewish organizations have expressed alarm about the definition itself and its use to stifle academic freedom and public discourse.

Several of its illustrative examples are problematic, or contain deeply problematic assumptions.

- Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

I will address these points as follows:

- Self-determination is a right accorded to ethnic groups with historic ties to a particular place. Jews are not an ethnic group, but a religious-cultural minority with diverse ethnic identities. (5) While most of Israel's founders were Ashkenazi Jews from Eastern and Central Europe, they are "far from the only ethnic branch of Judaism." (6) The Mizrahi Jews of West Asia (The Middle East) are another distinct ethnic branch dating from Late Antiquity. (7) The Sephardic Jews of Spain and North Africa constitute yet another. Aside from these major ethnicities, smaller branches exist and/or existed in Ethiopia, Georgia, India, and China.(8)
- The existence of "a" State of Israel might not have been a racist endeavour. However, the existence of "the" State of Israel demonstrably is. The Zionist project was conceived as a settler colony, entrenched through land acquisition and economic marginalisation of the indigenous Arabs, established as a state through ethnic cleansing, and is maintained via legal discrimination against non-Jews throughout all the territory it controls.
- For Israel, the expectation that it should adhere to international law is "requiring of it a behaviour not expected or demanded of any other democratic nation".
- Israel is not a democratic nation. It is recognised by key human rights organisations as practising the crime of apartheid.
- When Israeli politicians employ dehumanising language and advertise genocidal intent, its military and security apparatus carries out actions comparable to other genocidal regimes in history, including the Nazi regime, it is reasonable and historically imperative to draw the comparison. (9) Years before the First Intifada (1987–1993), Yeshayahu Leibowitz, an Orthodox Jewish Israeli public intellectual, polymath, professor, and writer

on Jewish thought, described Israeli conduct in the Occupied Palestinian Territories as "Judeo-Nazi." (10) Tragic irony is a literary technique, not a crime.

- Indeed, Jews should not be held collectively responsible for Israel's actions. This places the onus on Israel to cease claiming that it speaks and acts for Jews collectively, on Jewish representative bodies to cease their conflation of Judaism and Zionism, and on synagogues to return to their role as places of worship and Jewish culture and cease their enmeshment with Israel. It also requires all institutions to reject definitions of antisemitism that refer to Israel.

The Universities Australia definition also contains deeply problematic statements:

- Criticism of Israel can be antisemitic when [...] it calls for the elimination of the State of Israel.
- All peoples, including Jews, have the right to self-determination.
- For most, but not all Jewish Australians, Zionism is a core part of their Jewish identity.
- Substituting the word "Zionist" for "Jew" does not eliminate the possibility of speech being antisemitic.

I will address these points as follows:

- No state, including the State of Israel, has a presumptive right to exist. International law accords this right to peoples, not states. Throughout history, including recent history, states have come and gone. Israel's existence was premised on the dispossession of Palestinians, and it maintains its existence through their ongoing dispossession and oppression. Its insistence on a presumptive right to exist is intended to erase public discourse on the actual rights of Palestinians. (11)
- As stated above, self-determination is a right accorded to ethnic groups with historic ties to a particular place. Jews are not an ethnic group, but a religious-cultural minority with diverse ethnic identities.
- About 70% of Jewish Australians identify as Zionist (12) However, the fact that a large percentage of a population adheres to a particular ideology does not make it acceptable. Judaism is an ancient religion shared by people of diverse cultures and ethnicities. Zionism is a very recent political ideology with its roots in Evangelical Christian theology and European imperialism, not the religion of Judaism.
- Substituting "Zionist" for "Jew" when adjacent speech dehumanises or vilifies Jews is antisemitic. Condemning Israel and Zionism in terms that accurately identify their attributes without using language that dehumanises or vilifies Jews, is not.

The adoption of any definition of antisemitism that conflates Judaism and Zionism legitimises allegations of antisemitism by Jews whose religious-cultural identity is secure, but who are uncomfortable because the political ideology to which they subscribe is being refuted, and the state which they support is being exposed for its crimes.

TERMS OF REFERENCE

Antisemitism in New South Wales, in particular:

(a) the causes underlying the increasing prevalence and severity of antisemitic incidents across the state

The perception of an increase in the prevalence and severity of antisemitic incidents is created by a fallacious definition of antisemitism (see preamble). This misapprehension skews our understanding of the causes underlying actual antisemitism. A complicating factor is the political weaponization of antisemitic attacks.

There is no question that actual antisemitism exists. Those of us active on social media can attest to the prevalence in certain circles of vile antisemitic slurs and tropes. These circles are overwhelmingly the preserve of far-right nationalists and white supremacists. Nevertheless, blame, both overt and implied, is directed at the pro-Palestine movement, which is explicit in its rejection of racism, including antisemitism, and where any suggestion of antisemitism is shut down. It is worth noting that such antisemitic comments are rarely intended as such, but are themselves the result of the conflation of Judaism and Zionism.

It is important to note that anti-Zionist Jews experience vilification, harassment, and assault. Zionist Jews deny our Jewishness, insult us as “kapos,” Nazis, and “kaffirs,” call for us to be raped by Hamas, and have even expressed regret that our families survived the Nazi genocide. We understand that, while our Jewish identity is in focus, we are targeted for our politics.

A further complicating factor is the antisemitism fomented by Israel's campaign to dominate the Jewish diaspora. A recent example is the key role played by Israelis in designing Hungarian leader Victor Orban's antisemitic attack on Jewish philanthropist George Soros. (13) Earlier this year, an MP from the ruling Likud party, Dr Edy Cohen, tweeted on X in Arabic: "The Protocols of the Elders of Zion are actually being implemented in practice. We are who will rule the world with wisdom and not force, with guile and not with arrogance." (14) Such opportunistic circulation of antisemitic tropes is appalling.

The alacrity with which NSW Premier Minns (15), PM Albanese (16), and Coalition Leader Peter Dutton (17) leapt on the antisemitism bandwagon during the recent spate of antisemitic incidents is telling. Far from assuaging Jewish fears, these politicians exploited these incidents to further their own pre-existing agendas. Minns has long wanted to shut down environmental defence and pro-Palestine protests, Albanese wants to justify and deflect from his government's

appalling record on Palestine, and Dutton is eager to deepen community tensions as fuel for racist election pitches.

Recommendation: An accurate assessment of the scale and nature of antisemitic incidents requires a clear understanding of the meaning of antisemitism. NSW policymakers must adopt a definition of antisemitism that decouples Jewish identity from allegiance to a political ideology and restores its meaning as hostility toward and/or discrimination against Jews as a religious-cultural group. From this sound base, an accurate assessment of Jewish experiences of antisemitism can be developed.

(b) record levels of antisemitism on university campuses and in schools undermining student safety

The perception of record levels of antisemitic incidents on university campuses rests on a fallacious definition of antisemitism (see preamble) and misrepresented data.

Before the UA announcement, only five Australian universities had adopted the IHRA definition of antisemitism, and by April 2023, six universities had publicly rejected it. The about-face is the result of a concerted campaign by Zionist MPs, both Jewish and non-Jewish (18), and Zionist organisations. (19)

In early 2023, the Zionist Federation of Australia (ZFA), whose stated purpose is “advocating for the State of Israel on behalf of the Jewish community,” commissioned an inquiry into antisemitism on Australian university campuses. It focused on antisemitism, exclusion, Holocaust denial, and “matters relating to Israel.” Invitations were sent out via both the ZFA and the Australasian Union of Jewish Students’ (AUJS), whose constitution includes a commitment to Zionism. According to the ZFA, the 563 respondents represented approximately 7% of Jewish students enrolled or recently enrolled at an Australian university. Of these, around 64% claimed to have experienced antisemitism on campus. That is, 64% of 7% of Jewish students affiliated with Zionist organisations experienced some form of antisemitism according to a definition of antisemitism which includes “matters relating to Israel.”

The ZFA misrepresented this data as showing that “two-thirds of Australian Jewish university students have experienced antisemitism on campus.” It distributed this spurious claim to every Australian university, and repeated it in its submission to the August 2023 Senate Inquiry into Antisemitism at Australian Universities. (20)

There is no credible independently-sourced evidence of record levels of antisemitism on university campuses or in schools, let alone any undermining of student safety.

Recommendation: The scope and nature of antisemitism on university campuses must be assessed on the basis of a depoliticized definition of antisemitism and independently sourced, rigorously evaluated data. Jewish sensitivity to political slogans, flyers, and events must not be

mischaracterized as experiences of antisemitism. While schools and universities must adopt firm positions on racism, they must protect academic freedom and the right to political dissent in all peaceful forms.

(c) the threat to social cohesion in New South Wales presented by antisemitism

Social cohesion thrives when all members of society feel equally respected and valued. Clearly, racism threatens social cohesion. However, equally clearly, exceptionalising and prioritising one form of racism over others undermines the perception of equality, creating resentment, which undermines social cohesion.

When our governments and academic institutions focus their concern on antisemitism while the self-defined "Jewish State" is under investigation by the International Court of Justice for atrocity crimes, potentially genocide, in Gaza, and Zionist Jewish organisations are enthusiastically supportive, this places Jewish individuals in the cross-hairs of this resentment.

Furthermore, when so-called "antisemitism" is weaponized against Australians exercising their democratic freedoms, this confirms antisemitic tropes, and places Jews at risk of antisemitic vilification and attack.

Exceptionalising and prioritising antisemitism feeds suspicion of Jews through reinforcing the classic antisemitic trope of insidious Jewish power, thus creating a breeding ground for antisemitic conspiracy theories that endanger not only Jews but society as a whole.

Recommendation: Social cohesion is far too important to become a political tool used, with no apparent appreciation of irony, to undermine inter-communal trust and respect. NSW policy must emerge from consultation with all communities, and reflect a clear understanding of the vulnerability of and threat to each community as represented by credible independent data.

(d) how community safety might be enhanced, on behalf of the Jewish community of New South Wales

Community safety can be enhanced only when all communities are equally secure and their needs are equitably addressed. It follows that community safety can never be enhanced by pitting communities against one another.

While there is no credible evidence of a rise in antisemitism, evidence of racist vilification, harassment, loss of employment, and physical attacks against Muslims, Arabs, and Palestinians is mounting daily, and racism against First Nations peoples continues unabated. Exceptionalising and prioritising one community based on the misrepresentation of the threat to that community, especially at the expense of addressing actual violence experienced by other communities, is a recipe for community tension.

Antisemitic attacks were used as a pretext for introducing and passing anti-protest laws after they were known to have been unrelated to any protest activity. This points to the cynical weaponization of Jewish community sensitivity and fears for political gain. (21) Repression of protest and dissent in the name of Jewish safety can only cultivate antisemitism.

Recommendations: NSW community safety policies must reflect an appreciation of the fact that the safety of all communities is intertwined. The perceived interests and demands of one community must not be prioritised over any other, as this creates the very resentment that has the potential to shatter inter-community trust. They must ensure that all communities are, and are known to be, equally valued.

(e) ways to improve security arrangements around synagogues

A fairly universal understanding of a place of worship is a space sacred to communities and individuals of shared faith and cultural identity. As such, they deserve protection. However, when they compromise their sanctity through the nature of events held on their premises, and the nature of the discourse they encourage, they arguably forfeit this protection.

Almost all synagogues in NSW incorporate support for Israel into their religious, cultural, and educational services. Congregations pray for the State of Israel and the Israeli Defence Force (IDF), celebrate Israel's Independence Day as though it were a Jewish festival, teach the Zionist narrative on Israel-Palestine to children in Sunday School, host Zionist youth leaders who romanticise their military service and inculcate Jewish teenagers with Zionist zeal, and facilitate contact with organisations that run Birthright trips.

This activity has not ceased in the light of findings against Israel of unlawful occupation, apartheid, and genocide, issued by the United Nations (UN) and key human rights organisations including Amnesty International, Human Rights Watch, and Israel's own B'Tselem. Nevertheless, synagogues freely carry on these activities without impediment.

However, when, in the midst of Israel's horrendous military onslaught in Gaza and violent depredations in the West Bank, not to mention territorial aggression in Lebanon and Syria, synagogues host celebrations of Israeli institutions and individuals directly involved in the dispossession and oppression of Palestinians, they must face the justified anger of Australians exercising their democratic freedom to protest.

This is not an assault on the sanctity of a place of worship but the expression of outrage that a place of worship is being used for profane purposes. Jewish Australians should not be protected from Australian democracy in action, which includes protest and free speech.

Recommendation: Security arrangements for synagogues must prevent property damage and ensure the safety of congregants and other attendees. However, they must not mischaracterize legitimate political action as racism, incitement, or violence. In the absence of any evidence that

synagogues or their congregants and/or attendees face an actual threat to their safety from protesters, the anti-protest laws must be repealed and evidence-based security measures put in place that do not infringe upon Australians' right to protest and dissent.

(f) arrangements to protect individuals from the practice of "doxing" and

(g) privacy arrangements around public information that may identify an individual or their address, such as land title records and electoral roll information

The need to protect individuals from the publication of personally identifiable information without their consent, even if this information has been obtained legally from public databases and social media websites, would appear to be incontestable. However, there are circumstances wherein an individual forfeits, to varying degrees, their right to privacy. For example, public figures and criminals are subject to public scrutiny.

When individuals within a group conspire to undermine the rights of others, such as by using professional networking to deprive them of their livelihoods, by conspiring to produce biased educational materials, or by exerting covert influence on public institutions, there must be a mechanism by which these individuals can be held to account.

Recommendation: NSW anti-doxing and other privacy-protection measures must balance personal rights and social responsibility. They must reflect the understanding that the right to privacy is not an absolute right but a conditional one, and measures to protect individual privacy must also ensure that this right is not used in bad faith.

(h) the role of the Sydney Jewish Museum in providing Holocaust education for students

The Sydney Jewish Museum states that it exists to "commemorate the six million Jewish people who were murdered and provide important messages to future generations." (22)

However, its message is stunted by the weaknesses inherent in its narrow focus.

- The museum exceptionalizes the Nazi genocide against the Jews of Europe. Yet Jews are far from the only group subjected to persecution and genocide. Wikipedia lists about seventy genocides from 1200 to 2025. (23) Even the Nazi genocide swallowed not only the Jews of Europe, but also the Sinti and Roma Peoples. Genocide is accurately defined as a crime against humanity, each genocide a manifestation of a deeply anti-human impulse. If genocide education is to be of value to future generations, it must be framed as such. Otherwise it serves only as a headstone, lamenting a particular loss.
- The laser focus on the Holocaust also narrows Jewish identity to a single ethnicity, the Ashkenazi Jews of Eastern and Central Europe. Antisemitism played a harrowing role in Ashkenazi life, but it was only "a European malady" (24), sown and cultivated by the Christian Church, and adopted by secular authorities. Jews whose migrations over

millennia saw them settle in the pluralistic societies of North Africa, the Arab world, Iran, the Subcontinent, and Asia (25), lived mostly secure lives, enjoying rights and protections beyond imagining for those of us who endured centuries of persecution in Europe. In fact, their populations were periodically swelled by Jews fleeing persecution in Europe. Jewish communities of West Asia (The Middle East) were completely blindsided by the antisemitism imported into Muslim societies (26) during the 1930s and 1940s to drive flagging immigration to Israel.

- Furthermore, the Holocaust focus narrows even Ashkenazi experience. After the Enlightenment, the same sociopolitical transformation that increasingly opened European society to Jewish participation also prompted critique of socioeconomic relationships. The vast majority of Jews were working class, and naturally aligned themselves with social justice struggles. In fact, Jews have played a disproportionate role in social justice struggles around the globe, from London's East End and the Bolshevik Revolution to the US civil rights movement and the struggle against South African apartheid. In all of these liberation movements, as in the movement for the liberation of Palestine, Jews have been included, supported, and valued. (27) The museum completely ignores this history, culture, and experience.

Recommendation: The museum should either be renamed the "Sydney Jewish Holocaust Museum" or its scope should be widened to encompass the full spectrum of Jewish experience. While it was established as a memorial to the Jews who perished in the Nazi genocide, it has expanded over the years to include Judaica and Australian Jewish history. If it is to live up to its tagline, "Where history has a voice," (29) it must showcase the diversity of Jewish ethnicities in Australia, and their varied histories and cultures in their home countries around the globe. If it is to live up to its stated aim to "provide important messages to future generations," (29) it must universalise its message, thereby subverting antisemitic tropes of Jewish exceptionalism, and accurately representing the rich and diverse histories, cultures, and experiences of Jewish people.

CONCLUSIONS

We submit that it is incumbent on the Committee to:

- Cultivate a strong understanding of the distinction between Judaism and Zionism;
- Evaluate all submissions in light of their use of a problematic definition of antisemitism and/or reliance on flawed data; and
- Frame its findings in terms that reject the politicization of antisemitism, accord equal respect and protection to all vulnerable communities, and enshrine protest and freedom of political expression as fundamental democratic rights.

The Committee should advise policymakers to:

- Adopt a definition of antisemitism that restores its meaning as hostility toward and/or discrimination against Jews as a religious-cultural group;
- Ensure that policy is informed by credible data which is independently sourced, and rigorously analysed and interpreted; and
- Frame policy in terms that ensure the safety and wellbeing of all communities while protecting democratic rights and freedoms.

References

1. <https://www.smh.com.au/national/toxic-environment-unis-told-to-adopt-controversial-definition-of-antisemitism-20250212-p5lbk7.html>
2. <https://www.opendemocracy.net/en/new-antisemitism/>
3. <https://www.abc.net.au/religion/how-should-antisemitism-be-defined/12999818>
4. <https://www.middleeastmonitor.com/20201211-ihra-definition-of-anti-semitism-has-been-weaponised-warns-lead-drafter/>
5. <https://www.myjewishlearning.com/article/sephardic-ashkenazic-mizrahi-jews-jewish-ethnic-diversity/>
6. <https://www.historynewsnetwork.org/article/are-jews-a-race-or-a-religion>
7. <https://www.myjewishlearning.com/article/who-are-mizrahi-jews/>
8. <https://www.historynewsnetwork.org/article/are-jews-a-race-or-a-religion>
9. <https://mondoweiss.net/2023/12/i-used-to-think-the-term-judeo-nazis-was-excessive-i-dont-any-longer/>
10. <https://www.middleeastmonitor.com/20181112-chomsky-echoes-prominent-israeli-warns-of-the-rise-of-judeo-nazi-tendencies-in-israel/>
11. <https://aeon.co/essays/what-exactly-does-it-mean-to-say-a-state-has-a-right-to-exist>
12. <https://michaelwest.com.au/report-conflates-australias-wave-of-antisemitism-with-israel-war-critics/>
13. <https://www.buzzfeednews.com/article/hnsgrassegger/george-soros-conspiracy-finkelshtein-birnbaum-orban-netanyahu>
14. <https://alakhra.substack.com/p/edy-cohen-true-face-of-zionism>
15. <https://www.smh.com.au/politics/nsw/premier-was-quick-to-call-caravan-plot-terror-it-matters-when-he-knew-it-was-a-con-job-20250312-p5lixb.html>
16. <https://www.thenewdaily.com.au/news/politics/australian-politics/2025/03/12/albanese-caravan-terror-hoax>
17. <https://www.thenewdaily.com.au/news/politics/australian-politics/2025/03/11/peter-dutton-dural-caravan-hoax>
18. <https://www.smh.com.au/politics/federal/unis-targeted-in-bipartisan-push-to-define-antisemitism-20240611-p5jkk7.html>

19. <https://michaelwest.com.au/manufactured-antisemitism-universities-relied-on-fudged-numbers/>
20. <https://michaelwest.com.au/manufactured-antisemitism-universities-relied-on-fudged-numbers/>
21. <https://johnmenadue.com/post/2024/12/adass-israel-synagogue-is-not-your-political-football/>
22. <https://sydneyjewishmuseum.com.au/our-story/>
23. https://en.wikipedia.org/wiki/List_of_genocides
24. [Avi Shlaim on Arab-Jews, Zionism and Israel](#)
25. [The forgotten history of Arab Jews](#)
26. [Avi Shlaim on Arab-Jews, Zionism and Israel](#)
27. [The Jewish Radical Tradition: Revolutionaries, Resistance](#)
28. <https://sydneyjewishmuseum.com.au/our-story/>
29. <https://sydneyjewishmuseum.com.au/our-story/>