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Submission to the NSW Legislative Assembly Committee on Law and Safety Inquiry - Measures to prohibit slogans that incite hatred

Jewish Voices of Inner Sydney (JVOIS) are a diverse group of Jewish residents of inner Sydney who support human rights for all people and oppose antisemitism, exceptionalism and racism in all its forms.

We are making this submission because we oppose, in the strongest terms, the rushed introduction of laws that limit political speech and that are clearly targeted at advocacy for freedom and justice for Palestinians.

We understand that there is a sense of urgency following the terrible attack on our community at Bondi but this process is not in the interests of Jews living in NSW or of the broader community.

Introduction of laws that limit the civil liberties of Australians must be done carefully, in a way that does not curtail other important rights, and be based on evidence of effectiveness and proportionality. This process fails on all counts.

Without evidence, media and politicians have drawn a straight line from peaceful pro-Palestinian protest for freedom and justice to the actions of violent extremists. We are extremely distressed by this terrible political distortion of peaceful protest aimed at ending Israel's genocide of Palestinians in Gaza.

We contend that just because some members of the Jewish community interpret speech calling for Palestinian human rights as incitement to violence, this does not make it so – it is only how they understand it. Unfortunately, what their interpretation shows are the internal prejudices of some Jewish people and of misinformation that's been promoted within our community. This does not mean that some people in the Jewish community are not concerned or fearful of pro-Palestine chants, but that the solution to their fear lies in education and building bridges between communities, not in suppressing speech.

We strongly believe that the drivers of racism in Australia are structural, starting with the country's colonial history of genocide and dispossession of Aboriginal and Torres Strait Islander peoples, and longstanding racism against non-white immigrants and refugees. We maintain that the only effective way to address all forms of racism including antisemitism is by anti-racist education and effective government campaigns and by working with communities and supporting them, and not by ad hoc and repressive criminalisation of legitimate calls for human rights.

We support the Australian Human Rights Commission's National Anti-Racism Framework that targets structural racism and urge the NSW Government to assist the Australian Government to implement it as a matter of urgency.

Individual testimonies

Some of our members have offered the following testimony of their lived experiences of attending rallies and participating in the sort of speech that this inquiry may propose to criminalise. Our members do this in spite of the personal risk involved. Public expression of

Jewish solidarity with Palestinians has meant that many of us have been targeted with threats and slurs by members of our community.

Testimony of Tanya Ignatova:

I've attended many rallies, with and without my young children, walking alone or with Jewish blocks. That is to say that we've never hidden the fact that we are Jewish and that my understanding of the chants is grounded in real life experience. The slogans and chants used at these marches have never intended to intimidate or make anyone feel unwelcome. We've never felt unsafe at rallies nor felt that it was not an appropriate place for children. In fact many children are at the rallies weekly and the atmosphere is always kind and welcoming. It is clear that chants like "long live the intifada" and "resistance is justified when Palestine is occupied" focus on uprising and resistance against struggle, the struggle being the continued occupation, dispossession, killing and brutalising of Palestinians by the Israeli army. On no occasion have I ever heard any chants or even quieter conversations at rallies about Jews. It is incomprehensible to believe the criticism levelled at Israel's conduct over the last 2+ years, criticism of the decades-long subjugation of Palestinians and the calls to resist against this oppression is in any way antisemitic.

Testimony of David Fonteyn:

As a Jewish person, I'm proud to have attended rallies in support of Palestine and Gaza and against the brutal oppression being waged by Israel. I have never felt unwelcome at these rallies as a Jewish person and have never felt that the rallies, the slogans, the speeches were against the Jewish community in this country but about pressuring the Australian government to act to uphold human rights and international laws.

Testimony of Sandra Nadel:

Having attended numerous rallies in support of Palestinian rights, I find it difficult to understand how these collective calls for freedom could be interpreted as anything other than a sincere appeal for peace. As a Jewish woman and the daughter of Polish Holocaust survivors, I march with pride alongside the many groups and individuals demanding an end to the genocide. Chants such as "from the river to the sea, Palestine will be free" are expressions of a desire for freedom, human rights, and equality, and I am proud to use this slogan myself. Claims that such slogans are inherently antisemitic are frequently used as a tactic to delegitimize and silence calls for an end to the genocide.

Testimony of Jesse McNicoll:

I have attended most of the rallies at Hyde Park wearing a T-shirt that says in bold capitals "JEWS SAY NO TO GENOCIDE". As someone who visibly identifies myself as a Jew at the rallies I have only experienced love and acceptance from all the people I have marched with. In fact many people, mostly Palestinians, have literally embraced me – usually accompanied by weeping.

As someone who was exposed to third-hand intergenerational trauma, echoes from the Holocaust in which most of my maternal line was murdered, I brought a lot of misconceptions and prejudice to the pro-Palestine movement. I assumed violent intent – I could not have been more wrong. The people I have met want peace and freedom and justice for everyone from the River to the Sea and all of the "slogans" that are used at the protests, all of which I now use myself, are expressions of that heartfelt desire and are not intended to intimidate or create fear of violence for anyone.

These experiences have caused me to reflect that almost all Jewish Australians, people like me, have been subject to intense programming from a young age that creates, in us, racist prejudice against Palestinians and other Arab peoples. This prejudice includes assumptions of hatred and violent intent toward Jews both here in Australia and in historical Palestine. The racism and prejudice in my community, and the fear it causes in us, is created and perpetuated by organs of the state of Israel and pro-Israel legacy Jewish organisations and Jewish media both Australian and international. These groups tell stories to Jewish Australians that are intended to create and reinforce fear and hatred of Palestinian and Arab people. The stories are that Palestinian and Arab people want to harm us. To overcome the fear that calls by Palestinian and pro-Palestinian advocates for peace and justice creates in us requires Jews to de-program ourselves and break with Jewish groups and media that promote racism and fear in our community. Legislating against calls for peace, freedom and justice for all will not address the issues that afflict my community.

Criminalising political speech that supports Palestinian liberation is fundamentally misguided and is doing the work of pro-Israel lobbyists who want to keep Jews living in fear. They want to use that fear as a tool to suppress advocacy for Palestinian human rights.

Testimony of Alyosha Jacobson:

I have attended several Palestinian rallies, carrying a sign identifying myself as a Jewish person and calling for an end to the war in Gaza. I attended with small children. I was always greeted by marked warmth and gratitude from the community of protestors. At no point did I ever hear any antisemitic comments, only calls for equal rights for Palestinians. There were chants such as 'from the river to the sea, Palestine will be free' but I was told that this meant freedom and equal rights for Palestinians, not the eradication of Israel. In the context of a mass slaughter of Palestinians, aid workers, journalists, and the history of displacement, I understand there is anger. There needs to be justice for all. I hope that the government will stand firm against this absurd and manipulative conflation of antisemitism with upholding human rights for Palestinian people.

Testimony of Michael Garbutt:

During one march in Sydney in support of Palestinian rights, I walked with a Jewish block carrying a large banner that clearly identified us as Jews in solidarity with Palestinians. At one point, a group of us stood beside the main demonstration holding the banner for passing demonstrators to read. As marchers passed and read the banner, we were met not with hostility but with warmth—nods, words of support, and deeply moving expressions of solidarity. It directly contradicts the claim that these marches are inherently antisemitic. Solidarity with Palestinians and opposition to antisemitism can and do coexist in practice.

Testimony of Hayim Dar:

I have attended a number of Palestinian support rallies, both as an individual (including with my young child) and as part of the healthcare workers contingents. I have never felt targeted as a Jew, and never felt unsafe. The rallies feature many slogans, and some others may be shouted by the crowd but not initiated by the speakers/organisers. None of the slogans I have heard have called for violence or discrimination against the Jewish community or Australian Jews. In fact, the protest movement over dozens of events have been incredibly well disciplined in their messaging, never making Jewish people the target, but focussing on Israel the state and those of any religion who actively support / defend her.

I understand that calls to dismantle the Zionist project of Jewish-privileged statehood are confronting to some Jewish people, but it would be incorrect to view these calls as anti-Jewish given the context of Israeli state persecution of non-Jews in Palestine/Israel – rather these are political statements against a state system of deep inequality and violence. In the same vein, slogans such as “death to the IDF” are similarly directed at the military actions (including massacres of civilians and genocide as assessed by human rights groups and scholars) of a foreign state, irrespective of that some Jews in Australia may identify with the IDF as a source of pride or ‘Jewish protection’.

Since many in the Jewish community largely deny the reality that Israel operates a continuing regime of inequality and violence viz the Palestinian population, they therefore tend to perceive attacks against Israel as attacks against its Jewish characteristics, rather than its violations of human rights. It is for this reason that I believe many in the Jewish community find Palestinian advocacy confronting, uncomfortable or scary. However, discomfort is not the same as danger, and attempts to restrict pro-Palestinian political speech because some of it makes some Jewish people uncomfortable is deeply unjust and undemocratic. It is even more unjust because Palestinians under Israeli control are actually in constant and acute danger, so limiting the freedoms to speak up for them because of the discomfort it may cause some Jewish people in Australia is doubly obscene.

Testimony of a JVOIS member who does not wish to be identified:

The conflation of hate and slogans associated with the Palestine movement is disingenuous and inaccurate. As a Jewish resident of Sydney who has attended numerous protests against Israel's actions, I have not experienced any form of hate from the Palestine movement. I have only experienced love and genuine openness and curiosity. As the Palestinian community leader Sara Saleh said at a vigil for those who lost their lives to the Bondi terror attack: "I stand unconditionally with Jewish people. I want them to feel safe just as much as we Palestinians want to feel safe in this world."

Examples of slogans and their meaning

We would like to share our understanding of two of the most important "slogans" used by the pro-Palestine movement although the use of "Globalise the Intifada" is not common in Australia.

**"From the River to the Sea - Palestine will be free!
From the Sea to River - Palestine will live forever!"**

This slogan is used frequently and internationally as a call for equal rights and sovereignty for Palestinians living throughout historic Palestine. The river is the Jordan River and the sea is the Mediterranean with a small border at the Red Sea. Some 2.7 million Palestinians living in the West Bank and East Jerusalem have been under harsh Israeli military occupation since 1967 with no access to civil rights that are enjoyed by Israelis living in the same area in illegal settlements. The Gaza Strip prior to the Israeli genocide was and still is completely controlled by Israel including all borders, incoming aid and infrastructure, and all access for Palestinians and non-Palestinians. Within Israel, Palestinians face systemic discrimination with more than 50 laws that discriminate against Palestinian citizens of Israel, based solely on their ethnicity, making them second or third class citizens in their own homeland.

The slogan does not mean that Jews should be forced to leave historical Palestine. Instead it means all people should have equal rights and be free from oppression and fear of violence.

"Globalise the Intifada"

The slogan "Globalise the Intifada" is not commonly used in Australia at pro-Palestine rallies.

The term 'intifada' is an Arabic word which translates literally as "a shaking off" and generally refers to a popular uprising, rebellion, or resistance movement. It is a term that has been used to describe not only the Palestinian resistance of the First and Second Intifadas but other social and political uprisings and it does not inherently imply violence.

Examples of other events referred to as intifada include:

- The Iraqi Intifada of 1952 against the monarchy.
- "Bread riots" in Egypt in 1977.
- Various protests during the Arab Spring movement (e.g., in Tunisia and Yemen).
- The 1943 Warsaw Ghetto Uprising, which the US Holocaust Museum's Arabic website translated using the word "intifada" – see screen capture.

[Screen capture, not reproduced here: the US Holocaust Memorial Museum's Arabic-language page, annotated "This reads as the 'Warsaw Intifada'" and "The NSW govt is criminalising the Arabic language".]

The slogan is a call for global support for the Palestinian resistance against Israeli war crimes and ongoing occupation (colonisation) and land theft. This call is for solidarity and for support to inform more people about the need for freedom and justice for Palestinians. This is a call to also end the complicity of governments worldwide.

Conclusion

Jewish Voices of Inner Sydney affirm our opposition to racism and violence and support for free speech.

We urge the members undertaking this inquiry not to propose laws that curtail Australians' implied right to political speech.

Any laws that are proposed must not create a framework in which speech can be criminalised through regulation without significant public scrutiny and review.

If the NSW Government proceeds to criminalise speech that supports Palestinian human rights it will make Jewish Australians less safe by increasing community resentment towards us.

We urge the members of the inquiry to provide us with the opportunity to testify in person.

ENDS