

Jewish Council of Australia Submission
to the Royal Commission into
Antisemitism and Social Cohesion

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1 Introduction

1. The Jewish Council of Australia (**Jewish Council**) is Australia's largest progressive Jewish organisation. We have approximately 2,500 Jewish supporters across all States and Territories and represent a significant and growing proportion of Jewish people who support human rights, Palestinian freedom and justice, and are not represented by legacy pro-Israel Jewish organisations.
2. Founded in February 2024, the Jewish Council provides an independent, expert progressive Jewish voice to government, media and institutions, drawing on expertise in Jewish history, policy, human rights law and education. We have grown into a broad communal organisation, comprising over 20 local groups nationally, including youth branches, and grassroots interfaith networks.
3. The Jewish Council welcomes the opportunity to make a submission to the Royal Commission on Antisemitism and Social Cohesion (**Commission**). This submission addresses broad themes – the structural drivers of antisemitism, the evidence on effective responses, and the framework within which those responses should sit. It reflects the voices of thousands of Australian Jews who are too often excluded from dominant conversations about antisemitism: Jews who understand that our safety cannot be separated from the safety and dignity of all communities.
4. This submission is grounded in an understanding of antisemitism as a form of racism encompassing discrimination, prejudice, hostility or violence against Jews as Jews.¹ Two important contemporary drivers of antisemitism in Australia include the growth of far-right, neo-Nazi and conspiracist movements, which represent a significant and often overlooked threat to Jewish communities, and the aggressive actions of the State of Israel and conflation of Jewish identity with Israel – a conflation that the State of Israel itself has long cultivated and which causes direct harm to Jewish people worldwide when they are blamed for Israel's actions. History consistently shows us that Jewish people's safety is indivisible from the safety of other racialised communities and cannot come at their expense.
5. The antisemitic terrorist attack at Bondi in December 2025 was a devastating reminder of the dangers of antisemitism. This massacre has had a profound impact, both directly and indirectly, on all of our members. Yet, as our community mourned, the attack was quickly politicised, and the weeks that followed saw a marked rise in Islamophobia, anti-Palestinian and anti-Arab racism as Muslim and Arab communities were scapegoated and civil liberties curtailed. When responses to antisemitism are weaponised for political ends, they deepen division and put all communities at risk.
6. In the aftermath of Bondi, the Jewish Council launched a public petition calling on political leaders to “stand strong against those who are weaponising the Bondi massacre to push bigotry, hatred and division”. The petition was clear: “pitting Jewish

¹ This understanding is drawn from the definition of antisemitism set out in the Jerusalem Declaration on Antisemitism, ‘The Jerusalem Declaration on Antisemitism’ (25 March 2021) <<https://jerusalemdeclaration.org/wp-content/uploads/JDA-English.pdf>> (**JDA**), discussed in more detail at Section 3.3.1. below. As set out in that section, the Jewish Council recommends that the Commission have regard to the JDA. See also: *Jones v Toben* [2002] FCA 1150, which confirmed that Jews are a group of people with a common ‘ethnic origin’, such that antisemitism complaints may be brought under s 18C of the *Racial Discrimination Act 1975* (Cth).

safety against Palestinians, Muslims and migrant communities, and eroding all of our civil liberties, doesn't make Jews safer — it makes the real fight against antisemitism harder". Over 64,000 Australians, including thousands of Australian Jews, signed it, showing the broad support we have amongst Jews and the broader community.²

7. Central to the politicisation of antisemitism is the conflation of Jewish identity with the State of Israel and Zionism³ — to cast criticism of Israel as antisemitic and to use this to silence pro-Palestinian voices. We ask the Commission to reject this conflation. It undermines the fight against antisemitism, reinforces antisemitic tropes, and divides Jewish communities. There is a diversity of views among Australian Jews. Globally, Jewish communities are moving away from support for Israel and Zionism. The Commission must ensure its recommendations do not harm or exclude those who are currently, or wish to be, critical of the State of Israel and Zionism.
8. The Commission must also ensure its recommendations are anti-racist and preserve Australians' rights to lawful protest, advocacy and political dissent. Such an approach is consistent with the understanding of social cohesion as "the national consensus in support of democracy, freedom and the rule of law", and "the strongest defence against antisemitism and other forms of religious and ideologically motivated extremism".⁴ Our collective freedom and dignity is undermined, not strengthened, by coercive responses that stifle advocacy and pit communities against one another.
9. In summary, the Jewish Council submits that the Commission should recommend responses to antisemitism that are historically grounded, democratic and evidence-based, built on cross-community solidarity and an anti-racist framework that ensures safety and equality for all. It should not recommend approaches that conflate antisemitism with criticism of Israel, restrict lawful protest, or treat any one section of the Jewish community as speaking for all Jews. Such approaches cause direct harm to Palestinians and their allies, and also limit the democratic rights and political agency of Jewish people.

2 The Diversity of the Jewish Community

2.1 Role and purpose of the Jewish Council

10. The Jewish Council was established in February 2024 and has quickly grown to become Australia's largest progressive Jewish organisation, with members and supporters in all States and Territories. We are a registered charity whose work is almost entirely volunteer-run. Our Executive and Advisory Councils include academics, lawyers, writers, publishers and teachers — all proud Jewish people, some of them Israeli Australians, descendants of Holocaust survivors and survivors of pogroms who found refuge in Australia.

² Jewish Council of Australia (**Jewish Council**), 'Over 60,000 Australians Call for Unity as Leaders Politicise Bondi Ahead of National Day of Mourning', (Media Release, 21 January 2026) <<https://www.jewishcouncil.com.au/2026/01/2987>>.

³ What is meant by "Zionism" in this submission is addressed at Section 2.2.1.

⁴ Commonwealth, Royal Commission on Antisemitism and Social Cohesion, 'Letters Patent' (8 January 2026) (**Letters Patent**).

11. Our name honours the Jewish Council to Combat Fascism and Anti-Semitism, founded in Melbourne in 1942, which had widespread Jewish support throughout the 1940s. That earlier Jewish Council saw racism and fascism as threats that could only be defeated through solidarity with progressive forces and other oppressed people, rather than by supporting a foreign nation state.⁵ That tradition of solidarity — of grounding the fight against antisemitism in shared struggle with other communities facing oppression — is central to the Jewish Council’s purpose and approach.
12. Our Statement of Core Principles affirms:

*We are proud Jewish people in Australia with diverse histories, traditions and politics. We are committed to the values of tikkun olam (repairing the world), calling out injustice, challenging assumptions and promoting debate. We reject the assertion that Jews and the State of Israel are one and the same, or that all Jewish people support, without criticism, the actions of the Israeli government and military... Jewish safety is not at odds with Palestinian freedom. We support calls for freedom, equality and justice for all Palestinians and Israelis. We reject any claim that this call is racist or antisemitic, or that it is antisemitic to criticise Israel’s conduct... The only way to effectively fight antisemitism is by committing to work in solidarity with other groups facing bigotry and discrimination to fight all forms of racism.*⁶

13. The Jewish Council represents many Australian Jews whose views have been denigrated and marginalised by legacy pro-Israel Jewish organisations. Most of our members are not affiliated or represented by the Executive Council of Australian Jewry (ECAJ), the NSW Jewish Board of Deputies or the Jewish Community Council of Victoria — bodies that have themselves repeatedly made clear they do not represent Jews who are critical of political Zionism (as explained further in Section 2.2.2 below). Our members describe the Jewish Council as providing a safe and affirming community they otherwise lacked:

My views and affiliations have shifted over time, particularly since 7 October. As the public positions of many established Jewish institutions became more rigid and exclusionary, it became clearer to me that they did not reflect the diversity of Jewish opinion in Melbourne.

– Hannah, Melbourne

JCA is a place where you realise that the Judaism you have always practised is right, that blind support for war crimes is not part of your faith.

– Peter, Melbourne

14. Although the Jewish Council was founded primarily as an advocacy organisation, it quickly became clear that a significant constituency of progressive Australian Jews were in need of community, organisation and representation. As more members signed on to our Statement of Core Principles and connected with us at events, we began organising grassroots activities, including discussion and reading groups and religious events such as communal Pesach seders. Over the past two years, the Jewish Council

⁵ Max Kaiser, *Jewish Antifascism and the False Promise of Settler Colonialism* (Palgrave Macmillan, 2022), ch 3.

⁶ Jewish Council, ‘Who We Are’ <<https://www.jewishcouncil.com.au/who-we-are>>.

has held over 20 in-person events in Melbourne, Sydney and Brisbane — including political talks, musical concerts, Jewish festivals and social gatherings — attracting hundreds of Jewish attendees.

15. Following the Bondi massacre in December 2025, we co-hosted multiple interfaith vigils with speakers including Jewish people impacted directly by the attack, as well as from the Australian National Imams Council, the Islamic Council of Victoria, the Victorian Council of Churches, and Indigenous and Palestinian communities.⁷ Those events affirmed that solidarity across communities is both possible and necessary.
16. Our organisation, with the help of our allies, has had a uniquely successful capacity to bring together communities that have been pitted against each other in recent years. As one member reflected:

I have witnessed first-hand how the Jewish Council has helped to create connection across different cultures and groups. At the Passover Seder they held last year I remember looking around the room and being grateful to see so many Jews of all ages, genders, and sexualities, coming together in solidarity with Palestinians. At their Sukkot event in 2025 I was moved to tears listening to First Nations elders, Palestinian advocates and Jewish leaders talk about solidarity between our communities and mutual respect and care for each other.

— Phoebe, Melbourne

17. Since our establishment, the Jewish Council has become a significant public voice on Jewish history and diversity, anti-racism, antisemitism, Palestinian human rights and the protection of democratic freedoms. We have given evidence at multiple parliamentary inquiries whose recommendations our evidence informed,⁸ are regularly consulted by government bodies and multicultural forums, and have collaborated with human rights organisations including Amnesty International, Human Rights Watch, Liberty Victoria and the NSW Council for Civil Liberties, as well as peak Islamic, Christian and interfaith bodies⁹ and other progressive Jewish organisations.¹⁰ We have also run public campaigns opposing the genocide in Gaza and calling for sanctions on the Israeli government, placing statements signed by hundreds of Jewish Australians as full-page advertisements in *The Age* and *The Sydney Morning*

⁷ Adeshola Ore, “‘We Are All Human Beings First’: Jews and Muslims Embrace at Vigils for Those Killed in Bondi Beach Terror Attack”, *The Guardian* (17 December 2025)

<<https://www.theguardian.com/australia-news/2025/dec/17/bondi-beach-terror-attack-vigil-jews-muslims-embrace-ntwnfb>>.

⁸ These include: Senate Legal and Constitutional Affairs References Committee inquiry into right wing extremist movements in Australia, June 2024; Senate Legal and Constitutional Affairs Legislation Committee inquiry into the Coalition’s Commission of Inquiry into Antisemitism at Australian Universities Bill 2024 (No. 2), September 2024; New South Wales Legislative Council Portfolio Committee No 5 inquiry into antisemitism in New South Wales, May 2025; and New South Wales Legislative Assembly Committee on Law and Safety inquiry into measures to combat right-wing extremism in New South Wales, February 2026.

⁹ These include: Anglican Church (South Queensland); Australian Federation of Islamic Councils; Australian Muslim Advocacy Network; Australian National Imams Council; Australian Palestine Advocacy Network; Columban Centre for Christian-Muslim Relations; Islamic Council of Victoria; Islamophobia Register Australia; and Victorian Council of Churches.

¹⁰ These include: Australian Jewish Democratic Society; Doykeit Magandjin; Emet Australia; Jews Against the Occupation ’48; Jews for Justice; Jews for Palestine WA; Jewish Voices of Inner Sydney; Jewish Women for Peace.

*Herald*¹¹ and photographs of hundreds of Jewish Australians in the *Daily Telegraph* and *Herald Sun*.¹²

2.2 Global Jewish communities are increasingly rejecting Israel and Zionism

18. Any inquiry into antisemitism must engage with the full diversity of Jewish cultural, religious and political life and resist flattening Jewish communities into a stereotypical and politically uniform community. Jewish people, like all ethnic communities, have political agency and complex and contested internal divisions. In recent years Jewish communities have become increasingly polarised around the State of Israel. Israel's genocide in Gaza has led thousands of Australian Jews and much of the global Jewish diaspora¹³ to question the ethics of Israel's policies as well as Israel's founding state ideology and connection to Jewishness.
19. International survey data confirms that non-identification with Zionism and criticism of Israel are increasingly widespread among Jewish communities globally. In the United States, a 2025 survey conducted by the Jewish Federations of North America (**JFNA**) — the umbrella body of hundreds of American and Canadian Jewish federations — found that a majority of American Jews did not identify as 'Zionist'. It found that just 37% of American Jews identified as Zionist, and among Jews aged 18 to 34, 14% identified as anti-Zionist, and 69% of all respondents agreed that they "sometimes find it hard to support actions taken by Israel or its government".¹⁴ In the United Kingdom, the Institute for Jewish Policy Research (**JPR**) found in its 2025 survey that among Jews aged 20–29, almost half (44%) identified as anti-Zionist or non-Zionist,¹⁵ and 51% of respondents across all age groups said the war in Gaza clashed with their Jewish values.¹⁶ A separate JPR survey conducted in June–July 2024 found that 74% of British Jews described "Israel's situation" as "bad" or "very

¹¹ Jewish Council, '500+ Jewish Australians Take Out Newspaper Ad Saying NO to Ethnic Cleansing of Palestinians' (Media Release, 24 February 2025) <<https://www.jewishcouncil.com.au/2025/02/500-jewish-australians-take-out-newspaper-ad-saying-no-to-ethnic-cleansing-of-palestinians>>.

¹² Jewish Council, 'Jewish Council Launches Ad Campaign Demanding Government Sanction Israel for Genocide, Condemns Australian Complicity' (Media Release, 18 September 2025) <<https://www.jewishcouncil.com.au/2025/09/jewish-council-launches-ad-campaign-demanding-government-sanction-israel-for-genocide-condemns-australian-complicity>>.

¹³ The term 'diaspora', has a variety of spiritual, historical and political meanings that is not necessarily about dislocation from a State. Instead, many Jewish thinkers conceive of this term as the experience of carrying culture, memory and belonging across borders. For Jewish communities, it reflects centuries of connection to one another while living in many different countries and societies. See, eg: Daniel Boyarin, *The No-State Solution* (Yale University Press, 2023); Alan Wolfe, *At Home in Exile: Why Diaspora is Good for the Jews* (Beacon Press, 2014); Robert Marx, *The People in Between: The Paradox of Jewish Interstitiality* (Cover to Cover Publishing, 2014); and David Kraemer, *Embracing Exile: The Case for Jewish Diaspora* (Oxford University Press, 2025).

¹⁴ Jewish Federations of North America, *Survey of Jewish Life Since October 7th*, 'Israel Conversations' (March 2025), 3, 6 <https://www.jewishdatabank.org/api/download/?studyId=1277&mediaId=bjdb%5cJFNA_2025_Survey_of_Jewish_Life_since_October_7_-_Israel_Conversations.pdf>.

¹⁵ Jonathan Boyd, *Two Years After the October 7 Attacks: British Jewish Views on Antisemitism, Israel and Jewish Life* (Institute for Jewish Policy Research, October 2025), 19 (Figure 17) <<https://www.jpr.org.uk/reports/two-years-after-october-7-attacks-british-jewish-views-antisemitism-israel-and-jewish-life>>.

¹⁶ *Ibid*, 23 (Figure 21).

bad”,¹⁷ and that 65% strongly disapproved of Israel’s current Prime Minister, Benjamin Netanyahu.¹⁸ Most recently, in May 2026, new data from the United States found that nearly half of US Jews under 35 support the replacement of Israel with a binational democratic state, representing support of a core anti-Zionist demand.¹⁹ While there have not yet been any equivalent surveys conducted in Australia post-October 7 2023, and there is therefore no equivalent data about the Australian Jewish community, they provide a useful indication of sentiment across the Jewish diaspora.

2.2.1 *Zionism: definition, history and Jewish opposition*

20. The Macquarie Dictionary defines Zionism as the “worldwide movement founded with the purpose of establishing a national home for the Jewish people in Palestine, which now provides support to the State of Israel”.²⁰ Under this definition, Zionism is not simply an abstract set of beliefs but a political movement relating to specific historical events — the formation of the State of Israel and its consequences, and contemporary advocacy for its state institutions. It originated as a European response to the antisemitism faced by the Jewish diaspora in majority Christian nations, but it was never the only response.
21. Conflict over Zionism within Jewish communities is as old as the movement itself. In 1897, the same year the World Zionist Congress was established, working-class Jews in Eastern Europe founded the Jewish Labour Bund, which opposed Zionism on the principle of Doikayt (“hereness”) — the insistence that Jews’ home was wherever they lived.²¹ The Bund grew to become the largest Jewish organisation in Poland by the 1930s and continues to exist today, with a significant centre in Melbourne.²² In Australia, Zionism was for the most part a fringe movement within the Jewish community prior to Israel’s establishment. Sir Isaac Isaacs, the first Australian-born Governor-General, was a leading Jewish opponent of Zionism.²³ The dominant mid-century Jewish political organisation — the Jewish Council to Combat Fascism and Anti-Semitism — espoused broad anti-racist politics rather than emphasising pro-Israel advocacy.²⁴ It was only after the formation of the State of Israel, and particularly after the 1967 war, that pro-Israel and Zionist advocacy came to dominate major Jewish organisations.²⁵

¹⁷ Carli Lessof and Roy Shinar Cohen, *What Do Jews in the UK Think About Israel and its Leaders, and How Has This Changed Since October 7?* (Institute for Jewish Policy Research, September 2024), 4 (Figure 2) <<https://www.jpr.org.uk/reports/what-do-jews-uk-think-about-israel-and-its-leaders-and-how-has-changed-october-7?s=09>>.

¹⁸ *Ibid*, 6 (Figure 4).

¹⁹ Arno Rosenfeld, ‘Nearly half of young US Jews want to replace Israel with binational state, poll finds’, *Forward*, <<https://forward.com/news/827329/poll-american-jews-binational-state-anti-zionism/>>.

²⁰ *Macquarie Dictionary* (online ed) ‘Zionism’.

²¹ Molly Crabapple, *Here Where We Live Is Our Country: The Story of the Jewish Bund* (Random House, 2026).

²² David Slucki, *The International Jewish Labor Bund after 1945: Toward a Global History* (Rutgers University Press, 2012) ch 5.

²³ Derek McDougall, ‘Revisiting the Anti-Zionism of Sir Isaac Isaacs, Australia’s First Native-Born Governor-General—and a Jew’ (2025) *The Australian Journal of Politics & History* (Early View).

²⁴ Max Kaiser, above n 5, ch 3.

²⁵ Max Kaiser, ‘Jews, antisemitism and power in Australia’ (2024) 83(3) *Meanjin* 110.

22. Even amongst supporters of Zionism, its definition is not uniform. The 2025 JFNA survey found that American Jews, irrespective of their support for Zionism, had a range of views about what the term actually means.²⁶ The JFNA’s Chief Impact Officer, Mimi Kravetz, acknowledged that the term had undergone “definition creep”, complicating any effort to treat Zionist identification as a stable measure of Jewish political opinion.²⁷ Martin Buber, one of the most influential Jewish thinkers of the twentieth century, opposed a Jewish majority state and, in 1925, co-founded Brit Shalom, which advocated binational statehood with equal rights for Jews and Palestinians.²⁸ By today’s definitions, he would be understood as anti-Zionist.
23. Anti-Zionism is equally not a monolithic position. Jewish Voice for Peace, one of the largest Jewish organisations in the United States, defines it as “a loose term referring to criticism of the current policies of the Israeli state, and/or moral, ethical, or religious criticism of the idea of a Jewish nation-state”, noting that “there has been debate, criticism and opposition to Zionism within Jewish thought for as long as it has existed”.²⁹ Jewish Voice for Peace notes that anti-Zionists span a wide spectrum — “from religious and secular progressives who view opposition to Zionism as an anti-racist praxis, to ultra-Orthodox Jews who oppose Jewish dominion until the time of the Messiah, to anarchist Jews who oppose the very concept of nation-states”.³⁰ Most contemporary anti-Zionists advocate not for the elimination of Jewish life in the region but for a democratic binational or unitary state in which Jews and Palestinians have equal rights.³¹ The Jerusalem Declaration on Antisemitism (**JDA**), drafted in 2021 by over 200 scholars of Jewish studies, affirms that supporting such arrangements — “whether in two states, a binational state, unitary democratic state, federal state, or in whatever form” — is not antisemitic.³²
24. When considering definitions of Zionism, the perspectives of Palestinians — history’s primary victims of its implementation — are critically relevant. Over more than a century, the Zionist movement has systematically displaced Palestinians through programs of exclusively Jewish land purchase, forced expulsion, the establishment of a separatist economy, violent dispossession as in the Nakba of 1948, and continuing military occupation and dispossession to the present day.³³ Nearly all Palestinians have

²⁶ Jewish Federations of North America, *Survey of Jewish Life Since October 7th*, ‘Zionism Findings’ (March 2025), 5.

²⁷ Mimi Kravetz, ‘The “Zionism” Gap: What JFNA Data Really Shows about Jews, Israel and Zionism Today’, *Jewish Telegraphic Agency* (4 February 2026) <<https://www.jta.org/2026/02/04/ideas/the-zionism-gap-what-data-really-shows-about-jews-israel-and-zionism-today>>.

²⁸ Martin Buber, ‘The National Home and National Policy in Palestine (October 1929)’ in Paul Mendes-Flohr (ed), *A Land of Two Peoples: Martin Buber on Jews and Arabs* (University of Chicago Press, 2005) 81–91.

²⁹ Jewish Voice for Peace, ‘Our Approach to Zionism’ <<https://www.jewishvoiceforpeace.org/resource/zionism/>>.

³⁰ Ibid. On ultra-Orthodox anti-Zionism, see, eg, Yakov M Rabkin, *A Threat from Within: A Century of Jewish Opposition to Zionism* (Zed Books, 2006).

³¹ See, eg, Ali Abunimah, *One Country: A Bold Proposal to End the Israeli-Palestinian Impasse* (Holt, 2006), Ofer Neiman, ‘Zionism’s Opponents Favor an Egalitarian State, Not Israel’s Hate, Exclusion and Violence’, *Haaretz* (29 May 2026) <<https://www.haaretz.com/opinion/2026-05-29/ty-article-opinion/.premium/zionisms-opponents-favor-an-egalitarian-state-not-hate-exclusion-and-violence/0000019e-73d8-dc57-a7be-fff9ff690000>>.

³² JDA.

³³ See, eg, Patrick Wolfe, ‘Purchase by Other Means: The Palestine Nakba and Zionism’s Conquest of Economics’ (2012) 2(1) *Settler Colonial Studies* 133–171; Nur Masalha, *The Palestine Nakba: Decolonising History, Narrating the Subaltern, Reclaiming Memory* (Zed Books, 2012) 19–87; Shira

a personal or familial experience of dispossession or massacre connected to the 1948 establishment of the State of Israel. The 1964 Palestine National Charter defines Zionism as “a colonialist movement in its inception, aggressive and expansionist in its goals, racist and segregationist in its configurations and fascist in its means and aims”.³⁴ While Zionism’s characterisation as ‘settler-colonialist’ is debated today, it is consistent with how many historically-influential Zionist leaders and institutions described their own movement.³⁵ President Herzog, for example, has praised “settlement” in the West Bank as a “cornerstone of Zionism and Judaism,” and describes them as “Israel’s defensive shield”.³⁶ In his 1896 seminal modern Zionism text *Der Judenstaat* (A Jewish State), Theodor Herzl referred to “important experiments in colonization” occurring in Palestine.³⁷

25. The diversity of definitions of both Zionism and anti-Zionism confirms that treating either as a single, uniform ideology — let alone treating Zionism as a universal marker of Jewish identity — is historically and empirically untenable. The Commission must take this complexity seriously, and resist any framework that treats support for Zionism as either universal among Jews or as inherently part of Jewish identity.

2.2.2 Australian Jewish attitudes towards Israel and Zionism

26. The Jewish Council represents a substantial and growing constituency of Australian Jews who are critical of the State of Israel and Zionism. This is consistent with patterns documented across comparable diaspora communities, which all indicate a shift away from support for the State of Israel and Zionism.
27. The most recent representative survey of Australian Jews, *Gen17 Australian Jewish Community Survey* (**Gen17**), conducted in 2017, found that 32% of respondents either did not identify as Zionist or did not know.³⁸ That survey’s methodology selected heavily for communally-engaged respondents, and the researchers themselves acknowledged that “no amount of census weighting can adjust for this type of self-selection bias”, meaning Gen17’s findings likely understate non-identification with Zionism in the broader Australian Jewish population.³⁹

Robinson, *Citizen Strangers: Palestinians and the Birth of Israel’s Settler State* (Stanford University Press, 2013) 4.

³⁴ Permanent Observer Mission of Palestine to the United Nations New York, *The Palestinian National Charter* (1964)

<<https://web.archive.org/web/20090512175429/http://www.un.int/palestine/PLO/PNA2.html>>.

³⁵ Theodor Herzl, *Der Judenstaat* (1896) ch 1; Ze’ev Jabotinsky, *The Iron Wall* (1923); Chaim Weizmann, *Trial and Error: The Autobiography of Chaim Weizmann* (Harper & Brothers, 1949), 244. On the Jewish Colonial Trust and Colonisation Department of the Jewish Agency, see Derek J Penslar, *Zionism and Technocracy: The Engineering of Jewish Settlement in Palestine, 1870–1918* (Indiana University Press, 1991) chs 2–3.

³⁶ Jeremy Sharon, ‘Herzog praises “settlement” as Israel’s defensive shield, drawing rebuke from Peace Now’, *Times of Israel* (6 May 2025) <https://www.timesofisrael.com/liveblog_entry/herzog-praises-settlement-as-israels-defensive-shield-drawing-rebuke-from-peace-now/>.

³⁷ Theodor Herzl, above n 35.

³⁸ David Graham and Andrew Markus, *Gen17 Australian Jewish Community Survey: Preliminary Findings* (Australian Centre for Jewish Civilisation, Monash University, 2018), 61,

<https://www.monash.edu/_data/assets/pdf_file/0009/1531791/gen17-initial-findings-report-online-version-final-22_3.pdf>.

³⁹ *Ibid*, 82.

28. There are no recent surveys of the Australian Jewish population, conducted post-October 7 2023, that are comparable to those undertaken overseas and outlined at paragraph 19 above. However, given the dramatic shift in Jewish opinion internationally since October 2023, it is highly likely that criticism of Israel and Zionism is now considerably more widespread among Australian Jews.
29. The lived experience of supporters of the Jewish Council and the thousands of Jewish people who have participated in our events and campaigns indicate that a major shift is underway in how Australian Jews view Israel and Zionism. In interviews conducted by Leia Greenslade and Linda Briskman in 2025, Jewish respondent Adina commented:

*If you'd ask me 7–8 years ago...the words genocide or apartheid? I was like, there's no way that's happening. But if you look at the bare bones of it...and it's not just the past two years. It's the past 80 years. It is there. It is undoubtedly an apartheid state, undoubtedly a genocide that is taking place right now.*⁴⁰

30. Despite this diversity, many legacy Jewish institutions do not represent non-Zionist Jews and have explicitly disparaged Israel-critical Jews. For example, ECAJ's constitution lists as one of its three objects "[t]o support and strengthen the connection of Australian Jewry with the State of Israel"⁴¹ and it describes its work as including "encouraging support for Zionism in Australia".⁴² In a March 2026 social media post, ECAJ described Israel-critical Jews as a "modern plague".⁴³
31. On 8 February 2025 Mark Leibler, National Chairman of the Australia/Israel & Jewish Affairs Council (**AIJAC**) and Senior Partner of Arnold Bloch Leibler, made a public social media statement on X in which he said: "*Nothing, but nothing, is worse than those Jews who level totally unfounded allegations of genocide and ethnic cleansing against the State of Israel. They are repulsive and revolting human beings. Their relatives who were murdered by the Nazis – the role models for Hamas – will undoubtedly be turning in their graves. Their avowed anti Zionism is clearly no more than a cover for the reality that they are vicious antisemites.*"⁴⁴
32. This diversity is also not reflected in how governments engage with the Jewish community. Government consultation on antisemitism has been conducted overwhelmingly through legacy pro-Israel organisations — principally ECAJ, which has made clear it does not represent Israel-critical Jews — while progressive Jewish organisations receive no government funding
33. and are routinely excluded from policy processes.

⁴⁰ Leia Greenslade and Linda Briskman, *Not in Our Name: Jewish Australians Speak Out* (Report, March 2026), 13.

⁴¹ Executive Council of Australian Jewry (**ECAJ**), 'ECAJ constitution' (12 March 2025) <<https://www.ecaj.org.au/document/ecaj-constitution-12-march-2025/>>.

⁴² ECAJ, 'About ECAJ: Our work' <<https://www.ecaj.org.au/about/>>.

⁴³ @Ecajnz (Executive Council of Australian Jewry), 'Ten Modern Plagues: 5 – Jews who only identify as Jews for the purpose of attacking Israel and the Jewish community' (Instagram, 30 March 2026) <<https://www.instagram.com/p/DWe6tUFEQ-o/>>.

⁴⁴ A copy of this post, which has since been removed, was tendered as part of the NSW Legislative Council Inquiry into Antisemitism in New South Wales:

<<https://www.parliament.nsw.gov.au/lcdocs/other/21800/X%20post%20%E2%80%93%20Mark%20Leibler.%208%20February%202025.pdf>>.

34. The Jewish Council, despite being the largest progressive Jewish organisation in the country, was not consulted by the Australian Special Envoy to Combat Antisemitism (**ASECA**) in developing her Plan to Combat Antisemitism (**ASECA Plan**), has never been invited to participate in government roundtables on antisemitism, and operates almost entirely on volunteer labour and donations. This structural exclusion produces responses to antisemitism that treat the Jewish community as a political monolith, reinforcing the inaccurate and harmful conflation of Jews and Israel. It also enables legacy organisations to marginalise dissenting voices — including through public campaigns to discredit organisations like the Jewish Council — without accountability.
35. The Commission must ensure that its processes and recommendations do not compound this marginalisation, which limits the political agency of Jewish people.

2.3 Our members strongly identify with their Jewishness

36. The research of Leia Greenslade and Linda Briskman helps to explain the Jewish Council's constituency, and the diversity of Australian Jewish life more broadly. In 2025, Greenslade and Briskman surveyed 384 Australian Jews who oppose Israeli Government policies and conducted 30 in-depth interviews among Jewish Australians who publicly identified as holding views against Israeli actions in the Occupied Territories.⁴⁵ The study does not claim broader representativeness of Australian Jews as a whole, but provides the most detailed empirical picture available of Israel-critical Jewish Australians.
37. Respondents came from diverse Jewish backgrounds: 46% identified as culturally Jewish, 20% as moderately observant, and 19% as secular, spanning non- and post-denominational, Reform, Modern Orthodox, Orthodox, Chabad and ultra-Orthodox traditions.⁴⁶ Jewish identity remained strong across the sample: 40% said it was central to their self-conception, while only 3% said it was not important; 64% attended Passover Seders, 39% observed regular Shabbat meals, and 35% attended High Holiday synagogue services.⁴⁷ Holding dissenting views carried significant personal costs: 67% experienced negative impacts within their families and 60% faced tension among friends.⁴⁸ The Jewish Council was the largest single organisation represented among respondents, with 48% identifying as members.⁴⁹ Many participants described the events of October 7 2023 and the aftermath as deepening, rather than weakening, their Jewish identity, with some reporting they made connections with the Jewish community for the first time through organising activities opposing Israel's violence towards Palestinians.⁵⁰
38. This research directly contradicts the assumption that Israel-critical Jews are secular or unaffiliated, and establishes that criticism of Israel is not a marker of weak or marginal Jewish identity. It also speaks to the personal cost of dissent within Jewish communal life — a cost the Jewish Council's members know well.

⁴⁵ Leia Greenslade and Linda Briskman, above n 40, 7.

⁴⁶ Ibid, 8.

⁴⁷ Ibid, 9.

⁴⁸ Ibid, 10.

⁴⁹ Ibid, 9.

⁵⁰ Ibid, 13–14.

39. One respondent quoted in the report spoke of the fear of this backlash and self-censorship:

*The mainstream Jewish orgs in Australia don't represent my views. But I think people don't disagree with them out of fear. They know what would happen if they did... they'd likely be shunned.*⁵¹

Recommendation 1: The Commission should recognise the political and religious diversity of the Australian Jewish community, including that a growing number of Jews oppose Israel's campaigns of violence towards Palestinians and political Zionism.

Recommendation 2: The Commission should recommend that:

- (a) government bodies and institutions consulting on antisemitism and implementing measures to combat antisemitism be required to engage with diverse Jewish voices, including those critical of Israel and Zionism; and
- (b) government funding for the Jewish community should be allocated on an equitable basis that does not privilege any single political orientation within the community.

3 Defining Antisemitism

3.1 Antisemitism must be understood and addressed as a form of racism

40. Antisemitism is a form of racism — discrimination, prejudice, hostility or violence against Jewish people because they are Jews.⁵² This is reflected in Australia's legal framework for addressing racism, which can be – and is – used to address antisemitism.⁵³
41. Antisemitism cannot be understood or addressed in isolation from other forms of racism. Antisemitism is a specific racialisation — one historically entangled with other racisms, shaped by common ideological and political conditions, and most effectively addressed through holistic anti-racist frameworks and coalitions. Racism in Australia is not a series of isolated incidents but a systemic phenomenon embedded in the laws, institutions, and cultural norms that shape everyday life. All forms of racism in Australia are shaped by Australia's colonial history, with First Nations peoples bearing its most enduring burden. Separating the struggle against antisemitism from struggles against other racisms risks misunderstanding antisemitism, weakening anti-racist

⁵¹ Ibid, 14.

⁵² JDA.

⁵³ Section 18C(1)(b) of the *Racial Discrimination Act 1975* (Cth) makes offensive conduct unlawful if done "because of the race, colour or national or ethnic origin" of the person or group targeted. The Australian Human Rights Commission (AHRC) defines racial discrimination as "when a person is treated less favourably because of their race, ethnic origin or the country where they were born": AHRC, 'Racial Discrimination' <<https://humanrights.gov.au/resource-hub/by-resource-type/publications/race/racial-discrimination>>.

coalitions, and enabling accusations of antisemitism to be used to target Palestinians, Arabs and Muslims.⁵⁴

42. This understanding is reflected in the Australian Human Rights Commission's (AHRC) National Anti-Racism Framework (NARF) and Seen and Heard: Hearing Perspectives of Racism in Australia Report (**Seen and Heard Report**), which, in its community consultation process, identified antisemitism, anti-Palestinian racism, anti-Arab racism and Islamophobia as interconnected and simultaneous harms affecting Australian communities. The AHRC noted the "diversity, distinction and overlap between communities", and concluded that "acknowledging these forms of harm does not equate them, nor does recognising one diminish the significance of another."⁵⁵

Recommendation 3: The Commission should characterise antisemitism as a form of racism and should recommend that it be addressed through the same frameworks that apply to other racisms, including by fully adopting and funding the NARF (**Annexure F**).

3.2 Definitions of antisemitism which conflate it with criticism of Israel and Zionism are harmful and counterproductive

43. The Letters Patent establishing the Royal Commission note that the Australian Government has adopted the International Holocaust Remembrance Alliance (IHRA) non-legally binding working definition of antisemitism (**IHRA working definition**).⁵⁶ The Jewish Council welcomes Commissioner Bell's statement that "it is uncontroversial that criticism of the policies that may be pursued by the government of Israel from time to time is not, of itself, antisemitic",⁵⁷ and welcomes the Commission's indication that it is open to receiving submissions on the IHRA working definition.
44. Definitions that conflate criticism of Israel with antisemitism are harmful and counterproductive. They suppress political speech and debate, deepen division between communities, and risk intensifying the very antisemitism they purport to address. The IHRA working definition, as currently applied, and the Universities Australia definition, are the most significant examples of this problem.
45. Below, several avenues are proposed to address this problem, including the adoption of clearer and more accurate definitions, and the alternative "overlapping consensus" approach (addressed at Section 3.3.3).

⁵⁴ Glynis Cousin and Robert Fine, 'A Common Cause: Reconnecting the Study of Racism and Antisemitism' (2012) 14(2) *European Societies* 167; Nira Yuval-Davis, 'Antisemitism is a Form of Racism – or is it?' (2024) 58(4) *Sociology* 779; David Feldman, 'Antisemitism, Racism and Anti-Racism', *History Workshop* (8 October 2024) <<https://www.historyworkshop.org.uk/anti-racism/antisemitism-racism-and-anti-racism/>>; David Feldman, Ben Gidley and Brendan McGeever, *Facing Antisemitism: The Struggle for Safety and Solidarity* (Runnymede Trust, 2025) 20–24.

⁵⁵ AHRC, *Seen and Heard: Hearing Perspectives on Racism in Australia* (Report, 2024) 7 (**Seen and Heard Report**); *National Anti-Racism Framework* (Report, November 2024) 8 (NARF).

⁵⁶ Letters Patent (8 January 2026).

⁵⁷ Royal Commission on Antisemitism and Social Cohesion, Transcript of Hearing, 24 February 2026, 41–43 (Commissioner Bell).

3.2.1 Conflationary definitions harm Jewish people and undermine the fight against antisemitism

46. As set out in Section 2 above, a substantial and growing proportion of Jews are critical of Israel and do not identify as Zionist. Definitions that treat criticism of Israel as presumptively antisemitic, and which treat Israel as a stand in for the ‘collective Jew’, harm Jews as they reinforce the conflation of Jewish identity with Israel that is itself a driver of antisemitism (discussed in more detail in Sections 5.3 and 6 below), and treat the political views of Israel-critical Jews as disloyal or otherwise contrary to their Jewish identity.
47. In a recent decision involving the application of s18C of the *Racial Discrimination Act* 1975 (Cth), the Federal Court of Australia affirmed the distinction that such definitions elide, finding that:

*The ordinary, reasonable listener would understand that not all Jews are Zionists or support the actions of Israel in Gaza and that disparagement of Zionism constitutes disparagement of a philosophy or ideology and not a race or ethnic group. Needless to say, political criticism of Israel, however inflammatory or adversarial, is not by its nature criticism of Jews in general or based on Jewish racial or ethnic identity.*⁵⁸

48. Conflating antisemitism with criticism of Israel also undermines the credibility of antisemitism complaints. When incident reports include lawful criticism of Israel within their definition of antisemitism — as discussed at Section 6 below — public trust in those reports erodes, making it harder to mobilise responses to genuine antisemitism.
49. Conflation damages social cohesion: when antisemitism frameworks are perceived as protecting Israeli state interests, they trigger “competitive victimhood” dynamics that increase rather than reduce antisemitic hostility.⁵⁹ The cross-community solidarity that evidence identifies as the most effective tool for reducing antisemitism is undermined, not strengthened, by conflation (see Section 7.1 below).
50. The far-right also exploits this conflation directly. As documented at Section 5.1 below, far-right actors in Australia and the United States have used the equating of the State of Israel with Jewish people to encourage antisemitism, by treating any Jew as responsible for Israeli government conduct.⁶⁰

3.2.2 The IHRA working definition

51. The IHRA working definition provides:

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism

⁵⁸ *Wertheim v Haddad* [2025] FCA 720, [107].

⁵⁹ Georgios Antoniou, Elias Dinas and Spyros Kosmidis, ‘Collective Victimhood and Social Prejudice: A Post-Holocaust Theory of Anti-Semitism’ (2020) 41(5) *Political Psychology* 861.

⁶⁰ Ben Lorber, ‘The Right’s Anti-Israel Insurgents’, *Jewish Currents* (15 May 2024) <<https://jewishcurrents.org/the-rights-anti-israel-insurgents>>.

*are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.*⁶¹

52. Beyond the harms of conflation, the IHRA working definition has significant technical deficiencies and a well-documented history of misuse and harm to Palestinian political expression and human rights advocacy. These issues have been identified by eminent legal practitioners, scholars, human rights organisations and by the definition's own lead drafter, Kenneth Stern.⁶²
53. In May 2026, major Australian public broadcasters ABC and SBS declined to adopt the IHRA working definition, citing its ambiguity as a weakness. The ABC eschewed the IHRA working definition in favour of its own internal guidelines on hate speech, which it stated were "*clear and unambiguous*". Those guidelines include a principle that criticism of Israel is only considered antisemitic if the target of that criticism shifts from Israel to Jews.⁶³
54. SBS similarly preferred its own internal style guide to the IHRA working definition, emphasising its mandate of "*strengthening social cohesion*".⁶⁴
55. The IHRA working definition has been central to international pro-Israel advocacy efforts to conflate criticism of Israeli state policy with antisemitism in order to repress and chill advocacy for Palestinian human rights. Pro-Israel lobby groups have sought to reconceptualise antisemitism as the "demonisation" of Israel understood as a "collective Jew", a significant departure from antisemitism's historical definition as racial hatred against Jews.⁶⁵ The use of the IHRA working definition to undermine academic freedom and freedom of expression more broadly is well-documented internationally.⁶⁶
56. Professor Feldman opines that amongst the IHRA working definition's flaws are that it has "contributed to the breakdown in consensus over antisemitism", in that it gives rise to the accusation that the charge of antisemitism is being weaponised by pro-Israel groups, in turn corroding the social agreement needed to effectively combat antisemitism.⁶⁷

⁶¹ International Holocaust Remembrance Alliance, 'Non-Legally Binding Working Definition of Antisemitism' (26 May 2016) <<https://holocaustremembrance.com/resources/working-definition-antisemitism>>.

⁶² Kenneth Stern, 'I Drafted the Definition of Antisemitism. Rightwing Jews are Weaponising It', *The Guardian* (13 December 2019) <<https://www.theguardian.com/commentisfree/2019/dec/13/antisemitism-executive-order-trump-chilling-effect>>.

⁶³ Amanda Meadea, 'ABC and SBS Refuse to Adopt Antisemitism Definition Used by Royal Commission', *The Guardian* (19 May 2026) <<https://www.theguardian.com/media/2026/may/19/abc-own-antisemitism-definition-over-bondi-royal-commission-ntwnfb>>.

⁶⁴ *Ibid.*

⁶⁵ Antony Lerman, *Whatever Happened to Antisemitism?: Redefinition and the Myth of the 'Collective Jew'* (Pluto Press, 2022).

⁶⁶ European Legal Support Centre (**ELSC**) and British Society for Middle Eastern Studies (**BRISMES**), *Freedom of Speech and Academic Freedom in UK Higher Education: The Adverse Impact of the IHRA Definition of Antisemitism* (Report, September 2023) (**ELSC/BRISMES Freedom of Speech and Academic Freedom Report**); Sheryl Nestel and Rowan Gaudet, *Unveiling the Chilly Climate: The Suppression of Speech on Palestine in Canada* (Independent Jewish Voices Canada, October 2022).

⁶⁷ Report of Professor David Feldman dated 12 June 2026 (**Feldman Report**), 29 [108].

57. Far from imprecision being a strength, the definition's fatal weakness is its ambiguity.⁶⁸ That ambiguity leaves the IHRA working definition vulnerable to misapplication and weaponisation, and offers little practical guidance to institutions seeking to apply it, or found policy on it.

3.2.2.1 The core definition is unclear

58. The core definition, set out at paragraph 51 above, is vague and apt for misapplication. Legal scholars have observed that the phrase "a certain perception" is impermissibly vague, and "may" renders the definition of little value if it means "possibility", since antisemitism "may be expressed as hatred towards Jews but may also be expressed in other (unspecified) ways".⁶⁹

59. By hinging on "hatred", the IHRA working definition also "falls short of capturing those who express only hostility or prejudice, or who practice discrimination".⁷⁰ Further, the definition considers antisemitic, acts against Jewish institutions and property, independent of the Jewishness of those institutions or property. In doing so, it ignores the critical issue of whether those acts targeted or intended to target Jews or Jewishness at all.

60. This definitional ambiguity "leaves the door ajar both for those who wish to mobilise the definition for unfounded accusations of antisemitism and for instances of antisemitism that are not covered by the definition to go unchallenged".⁷¹

3.2.2.2 The Israel-related examples suppress Palestinian human rights advocacy

61. The IHRA working definition includes specific examples that blur the line between expressing hatred towards Jewish people and criticising the State of Israel and policies of the Israeli government. Of the eleven illustrative examples that accompany the IHRA working definition, seven relate to Israel. They include treating the existence of Israel as "a Jewish collectivity", characterising criticism of Israel's founding as a denial of Jewish self-determination and applying "double standards" to Israel. Scholars have noted that the Israel-related examples effectively "transform Israel into an avatar of Jewish identity", treating the State of Israel as coextensive with Jewish people, such that criticism of the state presumptively becomes criticism of the people.⁷² The practical consequence is that Palestinians and pro-Palestinian advocates, including

⁶⁸ Ibid, 26 [95].

⁶⁹ Hugh Tomlinson KC, 'In the Matter of the Adoption and Potential Application of the International Holocaust Remembrance Alliance Working Definition of Anti-Semitism' (8 March 2017), 3 [7] <<https://freespeechonisrael.org.uk/wp-content/uploads/2017/03/TomlinsonGuidanceIHRA.pdf>>.

⁷⁰ Geoffrey Robertson KC, 'Anti-Semitism: The IHRA Definition and Its Consequences for Freedom of Expression' (31 August 2018) 6, [12] <https://prc.org.uk/upload/library/files/Anti-Semitism_Opinion_03.09.18eds.pdf> 5–6. Robertson KC also observes that it is unclear whether the core definition requirement of 'hatred towards Jews' is a prerequisite before any illustrative example is deemed antisemitic — an "important, but unaddressed, question" that creates further scope for misuse: 11–12 [19].

⁷¹ Jan Deckers and Jonathan Coulter, 'What Is Wrong with the International Holocaust Remembrance Alliance's Definition of Antisemitism?' (2022) 28(4) *Res Publica* 733, 734. See also Feldman Report, 26–30.

⁷² Neve Gordon, 'Antisemitism and Zionism: The Internal Operations of the IHRA Definition' (2024) 33(3) *Middle East Critique* 345, 350. See also Rebecca Ruth Gould, 'The IHRA Definition of Antisemitism: Defining Antisemitism by Erasing Palestinians' (2020) 91(4) *The Political Quarterly* 825.

those simply describing their own experience of displacement and dispossession, risk being labelled antisemitic for doing so.

62. The seventh example provides that it is antisemitic to deny “the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour”. This example contains a fundamental logical fallacy and is in tension with international law’s recognition of the Palestinian people’s equivalent right to self-determination.⁷³ Self-determination is a right held by a people, not by any particular state.⁷⁴ Palestinian people’s equivalent right to self-determination is not acknowledged in the example. To criticise the circumstances of a state’s establishment is to subject a historical and political act to scrutiny. It is not, as a matter of logic, to deny a right to people of that state. A person may simultaneously affirm the Jewish people’s entitlement to self-determination and maintain that the establishment of the State of Israel involved the racist dispossession of another people; these positions are not contradictory. A definition that collapses this distinction risks misidentifying as antisemitic what is in substance a political or historical judgment and critically, not an attack on Jews as Jews, or on Jewishness.
63. Professor Feldman highlights the mistaken implication that Jewish self-determination is indistinguishable from the State of Israel.⁷⁵ He opines that the seventh example is particularly problematic:

This illustrative example is especially problematic because, as a matter of historical fact, the State of Israel has discriminated systematically against its Palestinian population ever since it was created in 1948. This is a vast subject but here it will suffice to point out that in 1949 just 13.5 per cent of land in Israel was in Jewish hands whereas by the 1960s this figure stood at 93 per cent. As part of this process between 50 and 60 per cent of Arab-held land was expropriated by the state, nearly all of which was earmarked for Jewish use.

...

It is not unreasonable and not, on the face of it, antisemitic for anyone to call the State of Israel a ‘racist endeavour’. Some scholars, moreover, have argued that Zionism took this shape before the creation of the State of Israel and so was bound to turn out that way. It should be clear, therefore, that the illustrative example presents a threat to evidence-based discussion and legitimate protest regarding the impact of Zionism and the State of Israel on the Palestinian population.⁷⁶

⁷³ See the 2020 open letter of 122 Palestinian and Arab academics, journalists and intellectuals warning against the IHRA working definition: ‘Palestinian Rights and the IHRA Definition of Antisemitism’, *The Guardian* (29 November 2020)

<<https://www.theguardian.com/news/2020/nov/29/palestinian-rights-and-the-ihra-definition-of-antisemitism>>.

⁷⁴ *International Covenant on Civil and Political Rights*, opened for signature 16 December 1966, 999 UNTS 171 (entered into force 23 March 1976) art 1.

⁷⁵ Feldman Report, 27 [102].

⁷⁶ *Ibid*, 27–28 [103]–[104].

64. As Neve Gordon has noted, under the IHRA working definition any Palestinian or pro-Palestinian who says that Israel is a racist endeavour because it “systematically bestows rights on Jews denied to Palestinians” can be cast as an antisemite.⁷⁷
65. In a joint letter to the UN Secretary-General, Human Rights Watch and other civil society organisations observed that the eighth example, applying double standards to Israel by requiring of it a behaviour not expected or demanded of any other democratic nation, “suggests that it is antisemitic to evaluate Israel as anything but a democracy, also when assessing its actions in the Occupied Palestinian Territory, where it has for more than half a century governed millions of Palestinians who have no say on the most consequential issues affecting their lives”.
66. In its 2024 advisory opinion, the International Court of Justice (ICJ) found that Israel’s policies in the Occupied Palestinian Territories breach the Convention on the Elimination of All Forms of Racial Discrimination, including its prohibitions on racial segregation and apartheid.⁷⁸ Supporters of Israel have argued that the ICJ’s findings fall foul of the IHRA examples.⁷⁹ While the Jewish Council rejects that position, that they are even arguably caught by them is the problem. A definition serious about distinguishing antisemitism from criticism of a state would not place a finding by the world’s principal international tribunal anywhere near its boundary.
67. A number of highly respected academics and historians have expressed concern about how the IHRA framework has been politically weaponized to punish universities and silence critics of Israel, which ultimately distracts from the real, dangerous threat of actual antisemitism.⁸⁰
68. The European Legal Support Centre (ELSC) analysed 53 cases across Austria, Germany and the United Kingdom in which individuals were accused of antisemitism between 2017 and 2022 on the basis of the IHRA working definition. Those targeted were overwhelmingly Palestinians and Jewish activists advocating for Palestinian rights and, although most allegations were unsubstantiated, they reported suffering impacts including stress, anxiety and reputational damage.⁸¹

⁷⁷ Neve Gordon, ‘On Antisemitism and Human Rights’ (2024) 21(5) *The International Journal of Human Rights* 578, 589.

⁷⁸ *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem (Advisory Opinion)* [2024] ICJ Rep 753.

⁷⁹ In 2022, the World Jewish Congress suggested that accusing Israel of apartheid can constitute antisemitism when applied as a “double standard”, see World Jewish Congress, ‘Antisemitism Defined: Double Standards Against the State of Israel’ (4 May 2022) <<https://www.worldjewishcongress.org/en/news/defining-antisemitism-double-standards-against-the-state-of-israel>>. Elliot Abrams, Senior Fellow for Middle Eastern Studies at the Council on Foreign Relations in Washington DC, has stated “In this context it’s worth remembering the IHRA definition of antisemitism, which includes ‘the targeting of the state of Israel’ by for example ‘Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation’. By this definition, this advisory opinion qualifies as antisemitic.”: Elliott Abrams, ‘Injustice, Israel, and the “International Court of Justice’ (20 July 2024) Council on Foreign Relations, <<https://www.cfr.org/articles/injustice-israel-and-international-court-justice>>.

⁸⁰ See, eg, Professor Mark Mazower, Professor of History, Columbia University in his book *On Antisemitism: A Word in History* (Allen Lane, 2025) chs 7–10.

⁸¹ ELSC, *Suppressing Palestinian Rights Advocacy through the IHRA Working Definition of Antisemitism* (Report, June 2023). The ELSC’s director stated that the policy the European Commission had been promoting and implementing on the basis of the IHRA working definition was “highly detrimental to fundamental rights and fostering anti-Palestinian racism”: Giovanni Fassina,

69. In Australia, research published in 2024 shows that the IHRA working definition has created what scholars have described as a “Palestine exception” to free speech and academic freedom — a climate in which critical analyses of Israel that centre settler colonialism and anticolonialism are labelled antisemitic, and in which Palestinian scholars and students face complaints and disciplinary proceedings for teaching and writing about their own history.⁸² The Final Report of the People’s Inquiry into Campus Free Speech on Palestine, which heard testimony from students and staff at 21 Australian universities, provides numerous examples of the censorial impact of the IHRA and related policies on Pro-Palestinian speech as well as a profound chilling effect on research, activism and classroom discussion.⁸³
70. The breadth of international opposition to the IHRA working definition reflects these concerns. In 2020, 122 Palestinian and Arab academics, journalists and intellectuals wrote an open letter expressing their concerns about the IHRA working definition.⁸⁴ In 2022, 128 scholars, including leading Jewish academics, urged the United Nations not to adopt the definition, describing it as “vague and incoherent”, “divisive and polarising”, and warning that it had been “weaponised” to “shield the Israeli government from accountability for its actions.”⁸⁵ The following year, in 2023, 104 human rights organisations — including Amnesty International and Human Rights Watch — urged the United Nations not to adopt the definition, warning that it had been “used to wrongly label criticism of Israel as antisemitic, and thus chill and sometimes suppress non-violent protest, activism and speech critical of Israel and/or Zionism”.⁸⁶

3.2.2.3 The Israel-related examples create confusion about when criticism of Zionism is antisemitism

71. The IHRA working definition does not expressly mention Zionism. The confusion it creates about criticism of Zionism arises not from its text but from how its Israel-related examples have been applied in practice — in particular, the first example, which treats Israel as “a Jewish collectivity”, and the seventh, which frames criticism of Israel’s establishment as a denial of Jewish self-determination. As Professor Feldman has explained, the seventh example “*mistakenly implies that Jewish self-*

quoted in Areeb Ullah, ‘IHRA Antisemitism Definition “Suppressing Palestinian Advocacy in Europe”’, *Middle East Eye* (8 June 2023) <<https://www.middleeasteye.net/news/ihra-definition-antisemitism-used-suppress-criticism-israel-and-free-speech-across-europe-says>>.

⁸² Lana Tatour, ‘Censoring Palestine: Human Rights, Academic Freedom and the IHRA’ (2024) 30 (1) *Australian Journal of Human Rights* 106, 107–8. See also Palestine Legal and the Center for Constitutional Rights, *The Palestine Exception to Free Speech: A Movement Under Attack in the US*, (September 2015); Sheryl Nestel and Rowan Gaudet, *Unveiling the Chilly Climate: The Suppression of Speech on Palestine in Canada* (Independent Jewish Voices, October 2022), 16.

⁸³ James McVicar, Gill Boehringer, Linda Briskman and Patricia Fox, *Erasure in the Academy: Surveillance, Punishment and Silencing on Palestine* (Final Report of the People’s Inquiry into Campus Free Speech on Palestine, May 2026) <<https://www.palestineinquiry.com/final-report>>.

⁸⁴ ‘Palestinian Rights and the IHRA Definition of Antisemitism’, *The Guardian* (30 November 2020) <<https://www.theguardian.com/news/2020/nov/29/palestinian-rights-and-the-ihra-definition-of-antisemitism>>.

⁸⁵ ‘128 Scholars Ask UN Not to Adopt IHRA Definition of Anti-Semitism’, *Al Jazeera* (3 November 2022) <<https://www.aljazeera.com/news/2022/11/3/128-scholars-ask-un-not-to-adopt-ihra-definition-of-anti-semitism>>.

⁸⁶ Human Rights Watch et al, ‘Human Rights and other Civil Society Groups Urge United Nations to Respect Human Rights in the Fight Against Antisemitism: Open Letter to United Nations Secretary-General António Guterres and Under Secretary-General Miguel Ángel Moratinos’, 20 April 2023.

determination is indistinguishable from the State of Israel".⁸⁷ While this doesn't matter much in everyday speech, "the case is different once this error is enshrined in a disciplinary or speech code".⁸⁸

72. As explained at Section 2 above, Zionism is a political ideology that does not have one fixed definition nor a fixed relationship to Jewish identity. Anti-Zionism and antisemitism "are categorically different" concepts.⁸⁹ It is well documented that the IHRA working definition's Israel-related examples have been applied to suppress criticism of Zionism, rather than anti-Jewish racism, across multiple jurisdictions.⁹⁰
73. This conflation operates in two directions with respect to Jewish people. It treats support for Zionism as an inherent component of Jewish identity, such that criticism of Zionism is confused with criticism of Jews. It also exposes Jewish people who are critical of Zionism to accusations that they are "self-hating" or not authentically Jewish — precisely the lateral violence experienced by many of the Jewish Council's members and documented at Section 5.2.4 below.
74. The Jewish Council shares concerns that anti-Zionist rhetoric can, in some instances, be used to mask antisemitism, as we are increasingly seeing in the case of the 'America-First' far-right.⁹¹ This makes it all the more important to have definitional clarity and distinction between criticism of Israel and genuine antisemitism. As Stern has stated, "the remedy for antisemitism is not to engage in the mirror image adoption of a binary definition, one that defines all anti-Zionism as antisemitic".⁹² The test must always be whether speech conveys animus toward Jewish people as Jewish people, not whether it is critical of a political ideology or a state.

⁸⁷ Feldman Report, 27 [102].

⁸⁸ *Ibid.*

⁸⁹ JDA, Frequently Asked Questions.

⁹⁰ For example, in Germany, following the government's adoption of anti-BDS resolutions citing the IHRA working definition in 2019, Jewish Voice for Peace had its bank account closed and American rapper Talib Kweli had his scheduled performance at a music festival in Düsseldorf cancelled because of his refusal to denounce BDS: Rebecca Ruth Gould, 'The IHRA Definition of Antisemitism: Defining Antisemitism by Erasing Palestinians' (2020) 91(4) *The Political Quarterly* 825, 828. Since 2019, prominent artists and academics in Germany have been smeared with accusations of antisemitism and had their events cancelled or defunded due to their involvement with or support of BDS — including Jewish Israeli artists declared 'antisemites' and defunded: Bernardo Kaiser, 'The IHRA Definition and Its Use to Suppress Criticism of Israel in Europe', *Al-Majdal* (BADIL Resource Centre for Palestinian Residency and Refugee Rights) <<https://badil.org/publications/al-majdal/issues/items/3491.html>>. In the United Kingdom, the ELSC and BRISMES documented that the IHRA working definition had been used to prevent scholars from teaching settler colonial studies and to label academic frameworks for understanding Israel's occupation as antisemitic: ELSC/BRISMES Freedom of Speech and Academic Freedom Report, 26; and BRISMES reported that such frameworks were also being conflated with support of terrorism: BRISMES, 'Statement on Settler Colonialism, Decolonisation and Antisemitism' (19 February 2024) <<https://www.brismes.ac.uk/news/brismes-statement-on-settler-colonialism-decolonisation-and-antisemitism>>. In Australia, the IHRA working definition has been invoked to label the teaching of Patrick Wolfe's foundational settler colonial studies text as antisemitic: Lana Tatour, 'Censoring Palestine: Human Rights, Academic Freedom and the IHRA' (2024) 30 (1) *Australian Journal of Human Rights* 106, 110.

⁹¹ Ben Lorber, 'The Right's Anti-Israel Insurgents', *Jewish Currents* (15 May 2024).

⁹² Kenneth S Stern, 'A Bad Deal: By Adopting the IHRA Definition of Antisemitism, Universities are Sacrificing Academic Freedom', *Knight Columbia* (5 September 2025) fn 13 <<https://knightcolumbia.org/content/a-bad-deal-why-using-the-ihra-definition-of-antisemitism-on-campus-is-incompatible-with-academic-freedom-and-students-right-to-open-inquiry>>.

75. As will be expanded upon below, there are better, clearer definitions that can and should be adopted in favour of the IHRA working definition.

Recommendation 4: The Commission should clarify that criticism of Zionism that is not motivated by animus toward Jewish people is not racist or antisemitic.

3.2.2.4 The illustrative examples were not adopted by the IHRA Plenary

76. The IHRA's decision-making body, the IHRA Plenary, did not adopt the eleven illustrative examples as part of the IHRA working definition. This is because member countries were only able to reach consensus on adopting the IHRA working definition by excluding the examples. Senior IHRA officials and pro-Israel groups have been accused of misrepresenting the Plenary's decision by pressuring governments to adopt the examples as part of the definition.⁹³ In 2025, Stern stated that its adoption as an official definition by countries such as Australia is a "disaster", that it had been "weaponised" by right-wing pro-Israel groups and warned against the ASECA's proposal to withhold or terminate public funding as a means of cracking down on speech categorised as antisemitic when applying the Israel-related examples.⁹⁴

3.2.2.5 The status of the examples in Australia is unclear

77. It is unclear whether, in adopting the IHRA working definition, Australian governments have also adopted the illustrative examples. The ASECA's Plan to Combat Antisemitism states that the Australian Government has endorsed the IHRA working definition "including its illustrative examples".⁹⁵ However, a statement by the Secretary of the Australian Government Attorney-General's Department to the Senate Legal and Constitutional Affairs Legislation Committee, made in the context of discussing the Commission's Letters Patent, indicates that the core "definition only" has been adopted, and not the examples.⁹⁶ Similarly, an Australian Public Service circular from February 2026 makes reference only to the definition, and not the examples.⁹⁷

78. This uncertainty causes real harm. Institutions and individuals that treat the examples as adopted, when it is not clear that they have been, are suppressing lawful political speech on a false basis. Palestinians who describe their own experience of displacement and Palestine solidarity advocates who criticise the State of Israel risk being falsely labelled antisemitic by institutions applying examples that are not endorsed by the Australian Government. The Australian Government should be clear in rejecting the IHRA working definition's examples, rather than allowing this misleading and

⁹³ Jamie Stern-Weiner, 'The Politics of a Definition: How the IHRA Working Definition of Antisemitism Is Being Misrepresented' (Free Speech on Israel, April 2021)

<<https://freespeechonisrael.org.uk/wp-content/uploads/2021/04/The-Politics-of-a-Definition.pdf>>.

⁹⁴ 'Antisemitism definition's lead drafter has a message for Australia', *Breakfast*, ABC Radio National (14 July 2025) <<https://www.abc.net.au/listen/programs/radionational-breakfast/kenneth-stern-message-for-australia/105527600>>.

⁹⁵ ASECA, ASECA Plan (Report to the Australian Government, 10 July 2025), 6 <<https://www.aseca.gov.au/sites/default/files/2025-07/2025-aseca-plan.pdf>>.

⁹⁶ Evidence to Senate Legal and Constitutional Affairs Legislation Committee, Parliament of Australia, 9 February 2026, 38 (Katherine Jones PSM).

⁹⁷ Australian Public Service Commission, *Circular 2026/01: Working Together to Combat Antisemitism in the APS* (9 February 2026) <<https://www.apsc.gov.au/resources/circulars-guidance-and-advice/circular-202601-working-together-combat-antisemitism-aps>>.

dangerous ambiguity to continue. The Jewish Council urges the Commission to recommend that Australian governments urgently clarify this position.

Recommendation 5: The Commission should recommend that Australian governments and institutions reject the IHRA working definition as a tool for defining antisemitism and regulating speech or conduct.

3.2.3 *The Universities Australia definition of antisemitism*

79. In February 2025, Universities Australia endorsed its own working definition of antisemitism, which it developed for incorporation into relevant complaints schemes and disciplinary processes, with the intention of providing it to the Tertiary Education Quality and Standards Agency for potential incorporation into the Higher Education Standards Framework (**Universities Australia definition**).⁹⁸ The Universities Australia definition was developed by a working group comprising members of the Group of Eight universities, the ASECA Jillian Segal, and Associate Professor David Slucki, Director of the Australian Centre for Jewish Civilisation at Monash University.
80. The Universities Australia definition provides that antisemitism is “discrimination, prejudice, harassment, exclusion, vilification, intimidation or violence that impedes Jews’ ability to participate as equals in educational, political, religious, cultural, economic or social life”, and specifies that it can manifest in “negative, dehumanising, or stereotypical narratives about Jews” as well as “hate speech, epithets, caricatures, stereotypes, tropes, Holocaust denial, and antisemitic symbols”. It further states that while criticism of Israel is “not in and of itself antisemitic”, it “can be antisemitic when it is grounded in harmful tropes, stereotypes or assumptions and when it calls for the elimination of the State of Israel or all Jews or when it holds Jewish individuals or communities responsible for Israel’s actions”. The definition asserts that “[a]ll peoples, including Jews, have the right to self-determination” and that “[f]or most, but not all Jewish Australians, Zionism is a core part of their Jewish identity”.
81. The Jewish Council strongly opposes the Universities Australia definition. In our view, the definition is dangerous, politicised and unworkable. The definition’s assertion that for most Jewish Australians “Zionism is a core part of their Jewish identity” is particularly concerning: as set out in Section 2 above, Zionism is a modern political ideology of Jewish nationalism, not an intrinsic part of Jewish identity, and there is a long history of Jewish opposition to it. By adopting this definition, universities are taking and promoting the view that a national political ideology is a core part of Judaism and engaging in the dangerous and potentially stigmatising exercise of affixing a political affiliation to a diverse community.
82. Also particularly concerning is the Universities Australia definition’s assertion that “calls for the elimination of the State of Israel” are antisemitic. This implies that advocating for a binational or unitary state in the place of Israel, even with full civil equality for all who live there, is itself antisemitic. The definition risks capturing any speech or protest legitimately calling for alternative political structures in the region. Per Professor Feldman:

⁹⁸ Universities Australia, ‘Statement on Racism’ (Media Release, 27 February 2025) <<https://universitiesaustralia.edu.au/media-item/statement-on-racism/>>. The full text of the Universities Australia definition is set out in this statement.

...like the IHRA working definition the UA definition is problematic. It states that criticism of Israel can be antisemitic ‘when it calls for the elimination of the State of Israel or all Jews’. In this phrase, extraordinarily, the definition erases any distinction between calling for the elimination of a person and a state. Further, it takes the position that anti-Zionism (‘calls for the elimination of the State of Israel’) is necessarily antisemitic.⁹⁹

83. Professor Feldman concludes that in doing so, “[l]ike the IHRA working definition, the UA document threatens to undermine academic freedom and lawful freedom of expression”.¹⁰⁰ Indeed, the definition has attracted broad opposition from academics, unions, human rights organisations and scholarly bodies. The National Tertiary Education Union (NTEU) opposes the definition, noting that it was developed without appropriate consultation with staff, students and stakeholders representing diverse Jewish and Palestinian voices, and that it would codify antisemitism in a manner not applied to any other form of racism or discrimination. The NTEU has called on Universities Australia to withdraw the definition until wider consultation has been undertaken, and has stated that it will reject any changes to enterprise agreements or policies that have the potential to undermine academic freedom.¹⁰¹ Amnesty International Australia described the definition as “a direct attack on fundamental freedoms, stifling freedom of speech, expression, assembly, academic debate, and protest”, warning that it dangerously conflates legitimate criticism of Israel with antisemitism.¹⁰² The Executive Committee of the Australian Historical Association has expressed concern that the definition “places new limits on scholarly scrutiny and criticism of Israel and Zionism by Australian academics”.¹⁰³ The International Australian Studies Association has stated that the definition “has the potential to place unreasonable constraints on scholarly scrutiny and evaluation of Israel and Zionism by Australian academics.”¹⁰⁴
84. The definition was endorsed without meaningful consultation with Palestinian groups or diverse Jewish groups who are critical of Israel, including the Jewish Council, many of whose members do not consider Zionism as part of their Jewish identity. The Jewish Council has been engaging with the Vice Chancellors of various universities and understands that most have not adopted the definition into university policy due to the concerns outlined above.

⁹⁹ Feldman Report, 30 [111].

¹⁰⁰ Ibid.

¹⁰¹ National Tertiary Education Union, ‘NTEU Statement on Universities Australia definition of antisemitism’ (11 March 2025)

<https://www.nteu.au/News_Articles/National/NTEU_statement_on_Universities_Australia_definition_of%20antisemitism.aspx>.

¹⁰² Amnesty International Australia, ‘Australian universities’ decision to adopt contested definition of antisemitism is an attempt to stifle freedom of expression across campuses nationwide’ (27 February 2025) <<https://www.amnesty.org.au/australian-universities-decision-to-adopt-contested-definition-of-antisemitism-is-an-attempt-to-stifle-freedom-of-expression-across-campuses-nationwide/>>.

¹⁰³ Australian Historical Association, ‘Statement of Universities Australia’s Definition of Antisemitism’ (27 February 2025) <https://theaha.org.au/wp-content/uploads/2025/02/AHA-Statement-on-UAS-Definition-of-Antisemitism_February-2025.pdf>.

¹⁰⁴ International Australian Studies Association, ‘Statement on Universities Australia’s Definition of Antisemitism’ (5 May 2025) <<https://inasa.org/wp-content/uploads/2025/05/InASA-Opposes-Universities-Australias-Definition-of-Antisemitism.pdf>>.

Recommendation 6: The Commission should recommend that Australian universities reject the Universities Australia definition and replace it with an approach that addresses all forms of racism equally, is developed through meaningful consultation with affected communities (including Palestinian groups and diverse Jewish voices), and does not conflate criticism of Israel or Zionism with antisemitism or otherwise restrict academic freedom and freedom of expression.

3.3 The Commission should have regard to other definitions of antisemitism

85. There are other definitions and documents which provide a more accurate and less harmful understanding of antisemitism than the IHRA working definition, in particular, the JDA and the Nexus Document. Both reflect a clearer and more legally coherent approach that focuses on animus toward Jews as Jews, rather than toward the State of Israel, and both have been developed specifically to address the deficiencies of the IHRA working definition.¹⁰⁵ That those definitions have been developed specifically to remedy the IHRA working definition’s deficiencies is a further indictment of the IHRA working definition.

3.3.1 *The Jerusalem Declaration on Antisemitism*

86. The JDA was commissioned by the Van Leer Jerusalem Institute and released in March 2021. It was coordinated and authored by a group of academics and has around 370 expert signatories, many of whom are scholars of Jewish studies, Israel studies and Middle Eastern studies.¹⁰⁶ Its preamble states that the IHRA working definition “has caused confusion and generated controversy, hence weakening the fight against antisemitism”, and proposes the JDA as an alternative, noting that institutions that have already adopted the IHRA working definition “can use our text as a tool for interpreting it”.

87. The JDA defines antisemitism as “discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish institutions as Jewish)”.¹⁰⁷ This aligns clearly with general definitions of racism¹⁰⁸ and avoids the vague and contested language of the IHRA working definition. Crucially, it draws in the essence of antisemitism missing from the IHRA definition; hostility towards Jews as Jews (or *for the reason that they are Jews*).¹⁰⁹

88. The JDA also includes specific guidance on what is and is not antisemitic in the context of Israel and Palestine. It specifies that the following examples, among others, are not antisemitic on their face:

Supporting the Palestinian demand for justice and the full grant of their political, national, civil and human rights, as encapsulated in international law.

¹⁰⁵ Feldman Report, 30–31 [112]–[117].

¹⁰⁶ JDA, ‘About’ <<https://jerusalemdeclaration.org/>>.

¹⁰⁷ JDA.

¹⁰⁸ Including the understanding of racial discrimination being “based on race, colour, descent or national or ethnic origin” as set out in the *Racial Discrimination Act 1975* (Cth).

¹⁰⁹ Brian Klug, ‘Interrogating “new anti-Semitism”’ (2013) 36 *Ethnic and Racial Studies* 468, 471.

Criticizing or opposing Zionism as a form of nationalism, or arguing for a variety of constitutional arrangements for Jews and Palestinians in the area between the Jordan River and the Mediterranean. It is not antisemitic to support arrangements that accord full equality to all inhabitants “between the river and the sea,” whether in two states, a binational state, unitary democratic state, federal state, or in whatever form.

Evidence-based criticism of Israel as a state. This includes its institutions and founding principles. It also includes its policies and practices, domestic and abroad, such as the conduct of Israel in the West Bank and Gaza, the role Israel plays in the region, or any other way in which, as a state, it influences events in the world. It is not antisemitic to point out systematic racial discrimination. In general, the same norms of debate that apply to other states and to other conflicts over national self-determination apply in the case of Israel and Palestine. Thus, even if contentious, it is not antisemitic, in and of itself, to compare Israel with other historical cases, including settler-colonialism or apartheid.

Boycott, divestment and sanctions are commonplace, non-violent forms of political protest against states. In the Israeli case they are not, in and of themselves, antisemitic.

Political speech does not have to be measured, proportional, tempered, or reasonable to be protected under Article 19 of the Universal Declaration of Human Rights or Article 10 of the European Convention on Human Rights and other human rights instruments. Criticism that some may see as excessive or contentious, or as reflecting a “double standard,” is not, in and of itself, antisemitic. In general, the line between antisemitic and non-antisemitic speech is different from the line between unreasonable and reasonable speech.¹¹⁰

3.3.2 The Nexus Document

89. The Nexus Project is an American non-profit organisation dedicated to combating antisemitism, whose Nexus Task Force “examines the issues at the intersection of antisemitism, Israel, freedom of speech, and pluralistic democracy”.¹¹¹ The Nexus Document defines antisemitism as consisting of “anti-Jewish beliefs, attitudes, actions or systemic conditions”, including “negative beliefs and feelings about Jews, hostile behaviour directed against Jews (because they are Jews), and conditions that discriminate against Jews and significantly impede their ability to participate as equals in political, religious, cultural, economic, or social life”.¹¹² Two of the Nexus Document’s authors wrote that it was intended to address weaknesses in the IHRA working definition.¹¹³
90. The Nexus Document also provides specific guidance on what is not antisemitic in the context of Israel and Zionism:

¹¹⁰ JDA.

¹¹¹ Nexus Project, ‘The Nexus Task Force’ <<https://nexusproject.us/nexus-task-force/>>.

¹¹² Nexus Project, ‘The Nexus Document: Understanding Antisemitism at its Nexus with Israel and Zionism’ (February 2021) <<https://nexusproject.us/nexus-resources/the-nexus-document/>>.

¹¹³ Feldman Report, 31 [116].

As a general rule, criticism of Zionism and Israel, opposition to Israel's politics, or nonviolent political action directed at the State of Israel and/or its politics should not, as such, be deemed antisemitic.

Using accusations of antisemitism as a tool to suppress criticism of Israel is dangerous on many levels. It distracts attention from bona fide antisemitism, infringes on the principle of freedom of expression, and militates against constructive dialogue and debate among people with differing opinions.

Even contentious, strident, or harsh criticism of Israel for its policies and actions, including those that led to the creation of Israel, is not per se illegitimate or antisemitic.

Opposition to Zionism and/or Israel does not necessarily reflect specific anti-Jewish animus nor purposefully lead to antisemitic behaviors and conditions. For example, someone might oppose the principle of nationalism or ethnonationalist ideology. Similarly, someone's personal or national experience may have been adversely affected by the creation of the State of Israel. These motivations or attitudes towards Israel and/or Zionism do not necessarily constitute antisemitic behavior.

Paying disproportionate attention to Israel and treating Israel differently than other countries is not prima facie proof of antisemitism. There are numerous reasons for devoting special attention to Israel and treating Israel differently, e.g., some people care about Israel more; others may pay more attention because Israel has a special relationship with the United States and receives \$4 billion in American aid.¹¹⁴

91. Unique to the Nexus Document is an acknowledgment that one form of antisemitism is “Denigrating or denying the Jewish identity of certain Jews because they are perceived as holding the “wrong” position (whether too critical or too favorable) on Israel”.¹¹⁵ This is particularly relevant to the ways in which the Jewish identity of the Jewish Council's members is frequently denigrated by ideological opponents, and the harm this does (as discussed in Section 5.2.4).
92. While targeted at the United States context, the Nexus Document provides a definition and commentary that have broader application and can assist in understanding and combating antisemitism in Australia. Notably, Kenneth Stern is an ex officio member of the Nexus Task Force.¹¹⁶ It is also notable that, in 2023, the United States National Strategy to Counter Antisemitism, which did not adopt a singular definition, expressly “welcome[ed] and appreciat[ed]” the Nexus Document.¹¹⁷

¹¹⁴ Nexus Project, ‘The Nexus Document: Understanding Antisemitism at its Nexus with Israel and Zionism’ (February 2021).

¹¹⁵ Ibid.

¹¹⁶ Nexus Project, ‘Task Force Member: Kenneth Stern’ <<https://nexusproject.us/individuals/kenneth-stern/>>.

¹¹⁷ The White House, ‘The U.S. National Strategy to Counter Antisemitism’ (May 2023), 13 <<https://bidenwhitehouse.archives.gov/wp-content/uploads/2023/05/U.S.-National-Strategy-to-Counter-Antisemitism.pdf>>.

3.3.3 The Overlapping Consensus Approach

93. An alternative approach is, as Professor Feldman recommends, working with the commonalities between the examples accompanying the IHRA working definition, the JDA and the Nexus Document. This would operate as an alternative to the adoption of a formal definition. There are significant areas of overlap between the examples and guides contained within each of these three materials:¹¹⁸

Definitions of antisemitism: an overview

Antisemitism includes:	IHRA Working Definition	Jerusalem Declaration on Antisemitism	Understanding Antisemitism at its Nexus with Israel and Zionism
Using longstanding antisemitic tropes	✓	✓	✓
Pointing to myths about Jewish hyperpower and/or conspiracy	✓	✓	✓
Stating Jewish people are more loyal to Israel or to other Jews than to their own countries	✓	✓	✓
Holding Jews collectively responsible for Israel's actions	✓	✓	✓
Some, but not all, anti-Israel and anti-Zionist speech	✓	✓	✓
Demanding Jewish people condemn Israel or Zionism		✓	✓
Claiming the State of Israel is a racist endeavour	✓		
Using double standards	✓		
Holocaust denial	✓	✓	
All three definitions state it is important to take into account the context of words and actions when determining what is and what is not antisemitic.			

Table adapted from: Schraub, D. (2021) Three Definitions of Antisemitism: A Comparison, *The Third Narrative* <https://thirdnarrative.org/three-definitions-of-antisemitism-a-comparison/>

¹¹⁸ Feldman Report, 31–33 [118]–[120].

94. From a practical perspective for governments and institutions seeking to address antisemitism, an option could be to build policy and guidelines around the commonalities contained in the definitions' examples.¹¹⁹
95. As Professor Feldman opines, this approach allows for the simmering down of controversy over the definitions in favour of building solidarity to combat antisemitism. It also allows for the definitions themselves, which will be the ongoing subject of academic debate, to play an educative, rather than directive, role in addressing antisemitism:¹²⁰

Government, therefore, should take a 'large tent' approach to the debate on definitions. It should place aside the IHRA working definition and work instead with either the Nexus Document or the JDA, or with both. The latter two documents overlap with the IHRA working definition and have adopted all that is sound in it. However, they do not include its ill-drafted, contentious, and ideologically partisan elements. Both the Nexus Document and the JDA comprehend that anti-Zionism and severe criticism of Israel can take antisemitic forms, however, (unlike the IHRA working definition) they both comprehend that neither stance is in itself antisemitic. At the same time, both the Nexus Document and the JDA provide clear guidance to institutions tasked with making judgements about when the threshold of antisemitism has been met.

Recommendation 7: The Commission should recommend that Australian governments and institutions have regard to the JDA and the Nexus Document, which provide clearer, more legally coherent, and less harmful frameworks for understanding and addressing antisemitism.

Recommendation 8: The Commission should recommend that, in lieu of adoption or endorsement of a formal definition of antisemitism, governments and institutions should build antisemitism policy around the significant consensus between the accompanying examples and guides to the IHRA working definition, JDA and Nexus Document.

4 Antisemitism: its history and forms

4.1 Antisemitism: history, forms and politics

96. Antisemitism is not a timeless, unchanging phenomenon. It has taken radically different forms across history — theological, racial, conspiratorial, political — each shaped by the specific conditions of its time. Any serious policy response to antisemitism must resist the analytically misleading premise of “eternal antisemitism” that treats it as an invariant hatred recurring spontaneously across the centuries.¹²¹ To

¹¹⁹ Feldman Report, 36–37 [134]–[138].

¹²⁰ Feldman Report, 36–37 [138].

¹²¹ See, eg, Marvin Perry and Frederick M Schweitzer, *Antisemitism: Myth and Hate from Antiquity to the Present* (Palgrave Macmillan, 2002); Jonathan Judaken, 'Introduction: Rethinking Anti-Semitism' (2018) 123(4) *American Historical Review* 1122. Historian Anthony Kauders identifies multiple reasons to be sceptical of the ahistorical approach: the historical record includes extended periods of peaceful coexistence between Jewish and non-Jewish populations; there are qualitative and

be able to recommend effective responses to contemporary antisemitism, the Commission must understand the history of antisemitism, and the ways in which it has been deployed politically.

97. In medieval Christendom, Jews were accused of deicide, ritual murder, poisoning wells and spreading plague, and state-sanctioned anti-Jewish discrimination was enforced through law, violence and expulsion.¹²² With the uneven processes of Jewish emancipation in the eighteenth and nineteenth centuries, this hostility and social separation did not disappear but was rearticulated through the emerging languages of racial science, nationalism and modern conspiracy thinking: the “Jew” recast as an alien, parasitic, and conspiratorial force within the body politic.¹²³ These transformed ideas underpinned episodes such as the Dreyfus Affair, waves of pogrom violence in Eastern Europe, and found their most systematic and catastrophic expression in the Holocaust.¹²⁴
98. Antisemitism has often been used as a political instrument. Philosopher Hannah Arendt argued that antisemitism was a “political weapon”, its power deriving from its ability to imagine Jews to be the root of all societal evils.¹²⁵ Jean-Paul Sartre argued that the antisemite begins not with observation but with a worldview that needs for a threatening Other onto which fears can be projected, to simplify social complexity, wherein “the Jew arises as a great explanatory myth”.¹²⁶
99. Moishe Postone has identified that modern antisemitism constructs ‘the Jew’ as a personification of abstract, hidden power, a figure onto which the dislocations of modern society are projected, simultaneously controlling finance, government, media and revolutionary movements, however contradictory that may be.¹²⁷ This is why antisemitism is, as Naomi Klein writes, “the oldest conspiracy theory in the world”: it provides a simple human face for complex structural forces, redirecting legitimate grievances away from actual power and onto a racialised scapegoat.¹²⁸ Klein identifies the Tsarist response to the 1905 revolution — pogroms to redirect working-class anger onto Jews — as paradigmatic. The same logic recurs in the contemporary far right’s use

quantitative differences between pre-modern Judeophobia and the racial antisemitism that emerged in the latter half of the nineteenth century; and the ahistorical model ignores or reductively simplifies questions of causality: Anthony D Kauders, ‘The “Longest Hatred” Explained: Confirmation Bias and the Persistence of Antisemitism’ (2025) 9(2) *Antisemitism Studies* 273.

¹²² The Spanish Inquisition and mass expulsion of Jews and Muslims from the Iberian Peninsula in 1492 were among the most consequential expressions of theological antisemitism.

¹²³ On the transition from theological to racial antisemitism, see David Nirenberg, *Anti-Judaism: The Western Tradition* (WW Norton, 2013) chs 7–12.

¹²⁴ David Feldman, ‘Toward a History of the Term “Anti-Semitism”’ (2018) 123(4) *American Historical Review* 1139, 1141–1142. Feldman traces how the term *Antisemitismus*, coined by Wilhelm Marr in 1879, was from the outset understood as naming a specifically modern, racial phenomenon — distinct from older forms of religious persecution.

¹²⁵ Hannah Arendt, *The Origins of Totalitarianism* (Harcourt, 1951) chs 1, 6 and 7; Roger Berkowitz, ‘How Antisemitism Shape Shifts’, *Hannah Arendt Center for Politics and Humanities* (10 March 2024) <<https://hac.bard.edu/amor-mundi/how-antisemitism-shape-shifts-2024-03-10>>.

¹²⁶ Jean-Paul Sartre, *Anti-Semite and Jew* (Schocken Books, 1948) 13, 148. Sartre writes of his antisemitic classmate, “Far from experience producing his idea of the Jew, it was the latter that explained his experience. If the Jew did not exist, the anti-Semite would invent him”: 13.

¹²⁷ Moishe Postone, ‘Anti-Semitism and National Socialism: Notes on the German Reaction to “Holocaust”’ (1980) 19(1) *New German Critique* 97, 106–107.

¹²⁸ Naomi Klein, *Doppelganger: A Trip Into the Mirror World* (Allen Lane, 2023) ch 7.

of antisemitic conspiracy theories, Islamophobia and anti-migrant discourse to provide a social explanation for economic hardship and dislocation.

100. Antisemitism, like other forms of racism, serves not simply as a strategy of scapegoating but part of the way modern political and economic systems organise social divisions: it helps constitute hierarchies of belonging, status, labour and citizenship. In doing so, it both stabilises existing structures of power and prevents coalitions which can challenge that power from forming.
101. One of the mechanisms of antisemitism is the flattening of a diverse community into a monolithic fictional identity. The antisemite constructs a false image of a Jew: conspiratorial, disloyal, powerful, alien — and directs hatred at that construction.¹²⁹ This is also partly the mechanism at work when Jewish people are collectively held responsible for the actions of the State of Israel, it provides an occasion for a monolithic conception of Jewish identity as inhumane, genocidal, uncaring, murderous, duplicitous and ruthless. These are all legitimate judgements to make about a State, but not about a racialised group whose identities can sit outside of that State. The diversity and complexity of Jewish political life, documented at Section 2 above, is flattened into a uniform, pro-Israel identity.
102. Policy frameworks that reinforce the conflation of Jewish identity with the State of Israel do not combat antisemitism. They activate the reservoir of antisemitic tropes identified above — collective Jewish power, exceptionalism, responsibility for the actions of a foreign state — and feed it. The Commission must recommend responses that do the opposite.

4.2 Antisemitism as interconnected to other forms of racism

103. Antisemitism is structurally connected to other forms of racism. The creation of a fictional, monolithic racial Other onto whom threatening characteristics are projected has a long history.¹³⁰ Antisemitism and other forms of racism share the same historical roots. The expulsion of Jews and Muslims from Iberia and the persecution of conversos and Moriscos fused religious exclusion with emerging notions of lineage and “purity of blood”; a key precursor to later racial thinking. In the context of European expansion, these logics were further elaborated into racial frameworks that organised colonial domination, co-developing with and drawing upon earlier forms of exclusion directed at both external populations and internal minorities, including Jews.¹³¹
104. The Holocaust itself cannot be understood in isolation from the history of European colonial violence.¹³² Aimé Césaire argued that what Hitler did to Jews and

¹²⁹ Ibid ch 14. Klein applies W E B Du Bois’ concept of a ‘double-consciousness’ (‘Strivings of the Negro People’ (1897) 80 *The Atlantic Monthly* 194), in which a racialised person must be constantly aware of the gap between who one is and the threatening caricature that racism projects onto them, to antisemitism.

¹³⁰ Klein, above n 128 ch 14. An early example can be found in W E B du Bois above n 131. The connection between various forms of racial projection and antisemitism is elaborated in Cousin and Fine, above n 54; Nira Yuval-Davis, ‘Antisemitism is a Form of Racism — or is it?’ (2024) 58(4) *Sociology* 779.

¹³¹ Cousin and Fine, above n 54.

¹³² Klein, above n 128 ch 13.

Slavs was what had “until then been reserved exclusively for” the colonised — a “boomerang effect” by which colonial violence returned to devastate Europe itself.¹³³

105. The AHRC, in both the NARF and its Seen and Heard Report, reflects this interconnected understanding of racism, identifying antisemitism, anti-Palestinian racism, anti-Arab racism and Islamophobia as simultaneous and related harms. The AHRC makes clear that “acknowledging these forms of harm does not equate them, nor does recognising one diminish the significance of another. Each form of racism is shaped by distinct histories, power dynamics and structural realities”.¹³⁴ It is possible – and desirable – to (as the AHRC does) recognise the interconnected nature of all forms of racism without overlooking each form’s distinctive features.
106. The separation between antisemitism and other forms of racism has weakened understanding of both. As articulated throughout this submission, accusations of antisemitism that are used to suppress Palestinian advocacy do not protect Jewish people. They reproduce the same racial scapegoating logic that underpins antisemitism and other forms of racism. The Commission’s recommendations must be grounded in the interconnected anti-racist framework that the scholarship and the AHRC endorse.

4.3 History of antisemitism in Australia

107. Antisemitism in Australia has never been a discrete phenomenon. It has always been entangled with the broader racial structures of a country built on the displacement of Indigenous people and the systematic exclusion of non-European migrants. Understanding this history is essential to understanding contemporary antisemitism and how to address it.
108. From the outset, Jews occupied an ambiguous position in Australia’s racial order. They were conditionally “white” by contrast with Asian and Indigenous populations, but simultaneously marked as alien — subject to re-racialisation whenever the political conditions of the moment demanded it.¹³⁵ Open antisemitism first became prominent in the 1880s, with the emergence of Australian nationalism and the campaign for Federation, intensified by fears of an influx of East European Jews fleeing pogroms in the Russian Empire. Despite the small numbers of Jewish refugees who arrived, trade unions, politicians and the general press decried their presence, comparing Jewish and Chinese immigrants in racialised terms that positioned both as threats to the white Australian population.¹³⁶
109. The intersection of antisemitism and Australian racial policy reached its most consequential expression in the interwar period, when Jews fleeing Nazi persecution

¹³³ Aimé Césaire, *Discourse on Colonialism* (Monthly Review Press, 2000) 36, 41. Césaire charged that Europeans had “tolerated that Nazism before it was inflicted on them, absolved it, shut their eyes to it, legitimized it, because, until then, it had been applied only to non-European peoples”: 19. See also W E B Du Bois, *The World and Africa* (Viking Press, 1947), 23: “there was no Nazi atrocity – concentration camps, wholesale maiming and murder – which Christian civilization of Europe had not long been practicing against colored folk in all parts of the world”.

¹³⁴ AHRC, Seen and Heard Report, 8.

¹³⁵ Jon Stratton, ‘The Colour of Jews: Jews, Race and the White Australia Policy’ (1996) 20(50–51) *Journal of Australian Studies* 51; Jon Stratton, *Coming Out Jewish* (Routledge, 2000) 61; Kaiser, above n 25.

¹³⁶ Suzanne D Rutland, ‘Antisemitism in Australia’ in Mark Weitzman et al (eds), *The Routledge History of Antisemitism* (Routledge, 1st ed, 2023) 77–79.

were met with severely restrictive immigration policy. At the 1938 Evian Conference, Australia's delegate declared that Australia had "no real racial problem" and was not "desirous of importing one."¹³⁷ Tragically, we now see this same rhetoric being deployed against Palestinians fleeing genocide.¹³⁸ Holocaust survivors who did arrive in Australia were characterised in governmental and popular discourse as unassimilable, clannish, communist-aligned and as black marketeers. These racist characterisations closely mirrored those directed at Asian immigrants, "an indication of how anti-Jewish racism in Australia has always intertwined with, reinforced and built upon other forms of racism".¹³⁹

110. The postwar decades saw the establishment of organised antisemitic movements drawing on both nativist and imported European fascist traditions. In 1991, the Australian Human Rights and Equal Opportunity Commission identified the Australian League of Rights, founded in 1946, as the country's "best-financed racist organisation".¹⁴⁰ Former Eastern European fascists who had migrated to Australia as displaced persons, including members of the Hungarian Arrow Cross and Croatian Ustaše, established antisemitic organisations on Australian soil that later merged with nativist movements, producing a domestic Holocaust-denial infrastructure.¹⁴¹ This included the Adelaide Institute, whose activities were, in 2000, found to be in breach of Australia's racial hatred laws.¹⁴² Far-right antisemitic organisations later cultivated ties with One Nation and other nationalist movements, illustrating a recurring structural feature of Australian antisemitism: its entanglement with anti-immigration sentiment and hostility to other racialised communities.¹⁴³

¹³⁷ Ibid. The quote from Thomas W. White is reproduced in Rutland's account of the Evian Conference.

¹³⁸ See, for example, the comments of Angus Taylor, Leader of the Opposition, who has suggested that refugees from places like Gaza are a high risk and stated that the door should be shut to migrants who "do not respect Australia's values". He has argued against taking in certain cohorts, suggesting people from conflict zones bring fundamentalist views or extremism with them (Clare Armstrong, 'Senior Liberals deny involvement in draft policy to ban immigrants from Gaza', *ABC News* (16 February 2026) <<https://www.abc.net.au/news/2026-02-16/ley-draft-migration-policy-australian-values-statement/106348870>> : or the comments of Peter Dutton during his time as Opposition Leader, when he strongly opposed the arrival of refugees from Gaza, arguing the government should have a blanket ban on taking in evacuees from war zones controlled by Hamas (Laura Tingle, 'Peter Dutton's calls to ban refugees from Gaza have proved too much for some MPs', *ABC News* (17 August 2024) <<https://www.abc.net.au/news/2024-08-17/peter-dutton-gaza-refugee-argument-too-much-for-mps/104235956>>).

¹³⁹ Kaiser, above n 25.

¹⁴⁰ The Human Rights and Equal Opportunity Commission's finding is cited in Jeremy Jones, 'Confronting Reality: Anti-Semitism in Australia Today' (2004) 16(3-4) *Jewish Political Studies Review* 89, 93.

¹⁴¹ Drew Cottle and Angela Keys, 'Fascism in Exile: Ustasha-Linked Organisations in Australia' in Evan Smith, Jayne Persian and Vashti Jane Fox (eds), *Histories of Fascism and Anti-Fascism in Australia* (Routledge, 1st ed, 2023) 123; Jayne Persian, Evan Smith and Vashti Jane Fox, 'European and Australian Fascisms: The Case of Ferenc Molnár and National Socialism in Cold War Australia' in Evan Smith, Jayne Persian and Vashti Jane Fox (eds), *Histories of Fascism and Anti-Fascism in Australia* (Taylor & Francis, 2022) 140-153.

¹⁴² *Jones v Toben* [2002] FCA 1150.

¹⁴³ Jeremy Jones, 'Confronting Reality: Anti-Semitism in Australia Today' (2004) 16(3-4) *Jewish Political Studies Review* 89, 93-94.

111. Australian antisemitism has never been an anomalous phenomenon. It has been produced by the conditions that produce other racisms. As set out in more detail at Section 5.1 below, this remains true today.

5 The key drivers of contemporary antisemitism

112. Contemporary antisemitism in Australia is frequently mischaracterised as either an isolated pathology connected to the Palestine solidarity movement, or an “eternal” phenomenon. Instead, it is important to see its drivers as embedded in international and Australian racial structures. Anti-Jewish racism does not operate in isolation; it is part of shifting patterns of racialisation that are produced and reshaped over time. As the preceding sections establish, antisemitism often functions as a political and social instrument, one that activates a reservoir of readily available images and ideas subsisting in political culture, directed at Jewish people as a racialised group.¹⁴⁴ Despite comprising less than 0.5% of the population, since October 7, 2023 especially, Jewish Australians have existed in a state of fraught hypervisibility, often serving as a political football. While contemporary antisemitism continues to draw on traditional tropes about Jewish people, the Jewish Council highlights below three key contemporary drivers of antisemitism in Australia, each with different causes and requiring different responses.

5.1 The growing threat of far-right politics and mobilisation

113. Antisemitism and white supremacy lie at the core of far-right extremist ideology. Within this ideology, Jews are cast as the hidden architects of everything the far right opposes: immigration, multiculturalism, the political left, feminism, LGBTIQ+ rights, and the perceived decline of white Christian civilisation. Far-right conspiracy theories such as the “Great Replacement”¹⁴⁵ and “Cultural Marxism”¹⁴⁶ promote the targeting of Jews, Muslims, immigrants and other racialised minorities simultaneously as different elements of a single perceived conspiracy. Holocaust minimisation and denial are also consistently associated with far-right antisemitism, serving to rehabilitate Nazism and deny the historical record of Jewish people’s persecution.¹⁴⁷

¹⁴⁴ David Feldman, Ben Gidley and Brendan McGeever, ‘Labour and Antisemitism: A Crisis Misunderstood’ (2020) 91(2) *The Political Quarterly* 413; Feldman Report, 7 [20]–[21].

¹⁴⁵ Senate Legal and Constitutional Affairs Committee, Parliament of Australia, *Right Wing Extremist Movements in Australia* (Report, December 2024) 15, 25–26, documenting the dissemination of the ‘Great Replacement’ conspiracy theory in Australia and its role in the Christchurch terrorist attack. For a brief history of the Great Replacement theory, see Anti-Defamation League, “The Great Replacement”: An Explainer’ (19 April 2021) <<https://www.adl.org/resources/backgrounder/great-replacement-explainer>>. The theory is a contemporary iteration of the older ‘Zionist Occupation Government’ or ZOG conspiracy theory. On the dissemination of Great Replacement ideology and related antisemitic conspiracy theories in Australian far-right media, see, eg: Callum Jones, Verity Trott, Brady Robards, Steven Roberts, “You Can’t Trust the Mainstream Media”: Exploring Shifts in Racist, Homophobic, Transphobic, Sexist, Antisemitic and Islamophobic Sentiment within Australian Far-Right Alternative News Media’ (2024) 199(1) *Media International Australia*, 309.

¹⁴⁶ Rachel Busbridge, Benjamin Moffitt and Joshua Thorburn, ‘Cultural Marxism: Far-Right Conspiracy Theory in Australia’s Culture Wars’ (2020) 26(6) *Social Identities* 722.

¹⁴⁷ See, eg, Jeremy Jones, ‘Holocaust Denial: Clear and Present Racial Vilification’ (1994) 1(1) *Australian Journal of Human Rights* 169.

114. Such theories regularly motivate and result in violent attacks on not only Jews, but many racialised minorities. The Great Replacement theory has been a motivating factor in several recent mass casualty terrorist attacks around the world. The perpetrator of the March 2019 Christchurch massacre, who perpetrated a mass shooting of Muslim worshippers during Friday prayers across two mosques in Christchurch, killing 51 Muslims, was an Australian citizen who titled his white nationalist manifesto “The Great Replacement”.¹⁴⁸ Other Great Replacement-motivated attacks include the Pittsburgh Tree of Life synagogue shooting (2018, 11 killed), the El Paso Walmart shooting (2019, 23 killed), and the Buffalo supermarket shooting (2022, 10 killed).¹⁴⁹
115. There is strong and increasing evidence that far-right ideology and extremism is growing in Australia. In delivering ASIO’s 2025 Annual Threat Assessment, Director-General of Security Mike Burgess noted that ASIO’s “early warnings about the growth in nationalist and racist violent extremism” had been correct, and that the majority of potential terrorist matters that ASIO investigated in 2025 “involved mixed ideologies or nationalist and racist ideologies”.¹⁵⁰
116. Recent incidents of far-right violence in Australia demonstrate both the direct threat of these ideologies, and their inseparability from antisemitism. In September 2025, now officially disbanded neo-Nazi group the National Socialist Network (NSN) members violently attacked the Indigenous Camp Sovereignty following an anti-immigration march in Melbourne.¹⁵¹ In January 2026, an individual associated with far-right ideology attempted to bomb an Invasion Day Rally in Perth.¹⁵² In February 2026, a white supremacist plot to attack a Perth mosque and government buildings was foiled by police, who reported that the individual involved was allegedly motivated by both Islamophobia and antisemitism.¹⁵³
117. The NSN is the most prominent neo-Nazi organisation operating in Australia and its antisemitism is directed at the full spectrum of Australian Jewish communal life. Recent NSN antisemitic incidents include a protest outside Victorian State Parliament in December 2024, in which 20 masked men displayed a banner stating “Jews hate

¹⁴⁸ Global Project Against Hate and Extremism, ‘Old Tactics, New Techniques: The Structural Danger of Far-Right Networks’ (10 February 2026) <<https://globalextrmism.org/post/the-structural-danger-of-far-right-networks/>>.

¹⁴⁹ Anti-Defamation League, “‘The Great Replacement’: An Explainer” (19 April 2021). The Pittsburgh shooting was preceded by the perpetrator accusing the Hebrew Immigrant Aid Society — the Jewish refugee assistance organisation — of facilitating the immigration of non-white people, a direct application of the Great Replacement theory’s antisemitic variant.

¹⁵⁰ Australian Security Intelligence Organisation, ‘ASIO Annual Threat Assessment 2025’ (19 February 2025) <<https://www.oni.gov.au/news/asio-annual-threat-assessment-2025>>.

¹⁵¹ Carly Williams and Dana Morse, ‘Calls for Inquiry into Camp Sovereignty Attack after Melbourne March for Australia Rally’, *ABC News* (2 September 2025) <<https://www.abc.net.au/news/2025-09-02/iat-camp-sovereignty-follow/105722830>>.

¹⁵² Andrea Mayes and Callum Liddelow, ‘Perth Invasion Day Rally Attempted Bombing Declared Terrorist Act’, *ABC News* (5 February 2026) <<https://www.abc.net.au/news/2026-02-05/perth-invasion-day-rally-attempted-bombing-terrorist-act/106303806>>.

¹⁵³ Australian Federal Police, ‘Man Charged by WA JCTT with Act in Preparation for a Terrorist Act’ (Media Release, 27 February 2026) <<https://www.afp.gov.au/news-centre/media-release/man-charged-wa-jctt-act-preparation-terrorist-act>>.

freedom”;¹⁵⁴ a protest by approximately 60 NSN members outside NSW State Parliament in November 2025, in which members displayed a banner stating “Abolish the Jewish lobby” and chanting neo-Nazi slogans;¹⁵⁵ and the distribution by an NSN figure of antisemitic flyers to Jewish households in Melbourne in May 2025.¹⁵⁶

118. The antipathy that Neo-Nazis such as the NSN harbour towards Australian Jews is not restricted to any specific political orientation within Jewish communities. The NSN labels the ECAJ, AIJAC, Zionist Federation of Australia, B’nai B’rith and the Jewish Council as “the Jewish lobby”, despite the fact that these organisations are not politically aligned.¹⁵⁷ Indeed, the NSN’s opposition to “the Jewish lobby” is not motivated by a foreign policy debate, but their perception of how Australian multicultural democracy operates. In a speech by one NSN activist during the November 2025 NSW Parliament protest, this was put plainly:

*The Jews who are the leading voice in the development of multiculturalism... multiculturalism is the institutionalisation of ethnic lobbying within our political process. Multiculturalism is a big table and every ethnic group except the white man who built this country. And the Jews sit at the head of that table.*¹⁵⁸

119. The NSN is distinctive amongst the far-right for blending antisemitic views with criticism of what it describes as “Israel first” policies,¹⁵⁹ whereas other far-right rallies have hosted pro-Israel speakers such as Stephen Yaxley Lennon (also known as ‘Tommy Robinson’).¹⁶⁰ Australia’s far-right is closely influenced by the United States,¹⁶¹ where there is an emerging trend of far-right groups and prominent commentators exploiting negative sentiment towards the State of Israel to encourage antisemitism by intentionally equating the Israeli government and Jewish people as a whole, and

¹⁵⁴ ‘Police continue to try to identify all men involved in anti-Semitic gathering at Victorian Parliament’, *ABC News* (22 December 2024) <<https://www.abc.net.au/news/2024-12-22/vic-police-investigate-antisemitic-sign-victorian-state-parliame/104755924>>.

¹⁵⁵ Michael Workman, Matt Martino and Hanan Dervisevic, ‘Unmasking the Men Who Attended a Neo-Nazi Protest Outside NSW Parliament’, *ABC News* (13 November 2025). The protest was authorised under the name ‘White Australia’: Seda Ozturk and Nadia Daly, ‘Neo-Nazi Group Held Authorised Protest Outside NSW Parliament’, *SBS News* (9 November 2025) <<https://www.sbs.com.au/news/article/neo-nazi-group-held-authorized-protest-outside-nsw-parliament/8skg4ekwe>>.

¹⁵⁶ ‘Police Investigating After Neo-Nazi Flyers Delivered to Jewish Households in Melbourne’, *ABC News* (1 May 2025) <https://www.abc.net.au/news/2025-05-01/neo-nazi-flyers-delivered-to-jewish-households-in-melbourne/105238188>.

¹⁵⁷ NSN, ‘Form 1 – Notice of Intention to Hold a Public Assembly’ (27 October 2025) <https://www.smh.com.au/interactive/hub/media/tearout-excerpt/51154/Text_Converted_2_nvqj5eay.pdf>.

¹⁵⁸ Videos of the speeches are uploaded as part of the following article: ‘Nationalist activists protest in Sydney “Abolish the Jewish lobby” banner’, *The Noticer* (8 November 2025) <<https://www.noticer.news/national-socialist-network-sydney-nsw-parliament-protest/>>.

¹⁵⁹ Ibid.

¹⁶⁰ Jane Norman, ‘Nampijinpa Price Pulls Out of Put Australia First Rally Appearance with Far-Right Activist Tommy Robinson’, *ABC News* (10 November 2025) <<https://www.abc.net.au/news/2025-11-10/nampijinpa-price-pulls-out-put-australia-first/105993340>>.

For Stephen Yaxley Lennon’s (also known as Tommy Robinson) relationship to Israel see Colin Shindler, ‘Israeli Invitation to Far-Right UK Activist Crossed a Red Line’, *The Jewish Independent* (5 November 2025) <<https://thejewishindependent.com.au/tommy-robinson-israel-controversy>>.

¹⁶¹ Macquarie University Department of Security Studies, ‘Mapping Networks and Narratives of Online Right-Wing Extremists in New South Wales’, (Report, 2020) 21 <<https://zenodo.org/record/4071472#.YpLjxJNBwqo>>.

positioning the US-Israel relationship as evidence of Jewish control of the former's government.¹⁶²

120. While the distinction between right-wing extremism and the broader far-right is important, the extremist element cannot be seen in isolation. Research by the Challenging Racism Project at Western Sydney University and the Centre for Resilient and Inclusive Societies demonstrates that having negative attitudes towards ethnic and religious minorities and towards diversity are significant predictors of support for political violence in right-wing groups.¹⁶³ Groups defined within the right-wing extremism category, such as the NSN, and the broader far-right tend to overlap, as demonstrated by the open collaboration and shared platforming during the 2025 March for Australia rallies.¹⁶⁴
121. Far-right antisemitism has penetrated mainstream conservative political and media space through connections to the far-right international Make America Great Again (**MAGA**) movement. In February 2026 at an Advance Australia conference in Sydney attended by former Prime Minister Tony Abbott and sitting Liberal senators, MAGA-affiliated speaker Benjamin Harnwell claimed that former German Chancellor Angela Merkel's migration policy had done "more damage to Germany than Adolf Hitler and the Nazis".¹⁶⁵ This is a textbook example of Holocaust minimisation — the suggestion that a democratic leader's migration policy was more damaging than the genocide of six million Jews and millions of others — and it was made at a mainstream conservative event attended by serving Australian parliamentarians. It is notable that the ASECA did not condemn Harnwell's remarks.¹⁶⁶
122. Pauline Hanson's One Nation Party has cultivated relationships with far-right networks, including the NSN, who espouse explicitly antisemitic views. Ms Hanson has publicly defended the NSN's right to exist and run political candidates for office.¹⁶⁷ There is a long history of One Nation members endorsing and promulgating antisemitic views. As recently as April 2026, an ABC investigation revealed that a South Australian One Nation candidate had promoted antisemitism and Holocaust denial.¹⁶⁸

¹⁶² Shane Burley, 'Varieties of White Nationalism: How Richard Spencer Is Rebranding as the GOP Moves Right', *Spectre Journal* (23 December 2025) <<https://spectrejournal.com/varieties-of-white-nationalism/>>.

¹⁶³ Matteo Vergani et al, 'Racist and Anti-Diversity Attitudes as Predictors of Support for Political Violence among Supporters of Mainstream Political Parties' (2023) 35(5) *Terrorism and Political Violence* 1085.

¹⁶⁴ Sherryn Groch and Rachael Dexter, 'Don't Mention Hitler and You're Sweet: The Great March for Australia Deception', *The Age* (20 September 2025) <<https://www.theage.com.au/politics/victoria/don-t-mention-hitler-and-you-re-sweet-the-great-march-for-australia-deception-20250909-p5mtlc.html>>.

¹⁶⁵ Gareth Hutchens, 'MAGA Figure Tells Australian Conservatives Angela Merkel Did More Damage to Germany's Fabric than Nazis', *ABC News* (23 February 2026) <<https://www.abc.net.au/news/2026-02-23/advance-lobby-group-conference-centre-right-mass-immigration/106371720>>.

¹⁶⁶ James Dunk, 'Right-Wing Political Group Advance Is in the Headlines. What Is It and What Does It Stand For?', *The Conversation* (27 January 2026) <https://theconversation.com/right-wing-political-group-advance-is-in-the-headlines-what-is-it-and-what-does-it-stand-for-261164>. The article notes that an organisation headed by the ASECA's husband had donated \$50,000 to Advance Australia, and that the ASECA denied any personal involvement in the donation.

¹⁶⁷ Shallowchal, 'Pauline Hanson Uncensored - Advocacy, Accountability, Australia' (YouTube, February 8, 2026) 13:06–13:25 <https://www.youtube.com/watch?v=Vh7Qc_Kg8ao>.

¹⁶⁸ Tyler Green, who ran for the seat of Mawson in the South Australian state election, had made a series of social media posts referring to 'Jewish bankster wars' and 'pesky Judeans' — posts that rely

According to the 2025 *Crossroads25: Attitudes of Australians on Jews and Israel* study, undertaken by YouGov on behalf of *The Jewish Independent* (**Crossroads25**), One Nation voters are the most likely of any voter group in Australia to hold ‘Judeophobic’, or traditionally and definitively antisemitic, views.¹⁶⁹ The Crossroads25 survey included Judeophobic statements such as “Australian Jewish people chase money more than other Australian people”, and asked respondents whether they agreed or disagreed with the statements. One Nation voters recorded the highest level of agreement – 17.3% – with Judeophobic statements.¹⁷⁰ Notably, agreement with Judeophobic statements was not correlated with agreement with “anti-Zionist” or Israel-critical statements, with One Nation voters being the second-least likely of voter groups to agree with such statements.¹⁷¹ One Nation shares the NSN’s anti-multiculturalist politics. Its spokespeople have described multiculturalism as a “failed concept”, and it embraces a white victimhood narrative (exemplified by its 2018 Senate motion that “it is OK to be white”).¹⁷²

123. These incidents are expressions of an ideological system in which antisemitism, Holocaust denial, Islamophobia, homophobia and hostility towards immigrants and multicultural democracy are consistently bundled together. The Commission must recognise that far-right extremism, in both its street-activist and mainstream-political forms, is one of the primary drivers of antisemitism in Australia today.

124. The Jewish Council’s members have shared deeply troubling encounters with the far-right. One member, who wishes to remain anonymous, described the following experience:

When I lived in Sydney I became close friends with a disabled man through my synagogue. I supported him through a period of homelessness and am now part of his disability support care team. While he was living in crisis accommodation in [REDACTED], he was harassed by the white supremacist neo-Nazis who were also staying there. Every time they saw him they would give the Nazi salute and shout “Sieg heil” at him and abuse him. After leaving his crisis accommodation, he experienced antisemitic abuse on the street when he went out wearing his kippah. He spoke to his rabbi to ask what he should do, and was advised that, to protect himself, he should stop wearing his kippah out in public. He still feels traumatised from the abuse he received and

on the very trope of a monolithic Jewish community that is a defining feature of antisemitic ideology. See: Jewish Council, ‘Jewish Council Raises Alarm About Antisemitism, Racism and Homophobia in One Nation and Calls on Government at All Levels to Take Decisive Action to Fight Far-Right Extremism’ (Media Release, 2 April 2026) <<https://www.jewishcouncil.com.au/2026/04/3216>>; Charlotte Grieve and Pat McGrath, ‘One Nation Picked Candidates Accused of Domestic Abuse, Antisemitism’, *ABC News* (2 April 2026) <<https://www.abc.net.au/news/2026-04-02/fresh-questions-over-one-nation-candidate-vetting-processes/106517960>>.

¹⁶⁹ The Jewish Independent, *Crossroads25* (Report, October 2025). The Crossroads25 report demarcates its survey questions between ‘Judeophobic attitudes’ (corresponding to universally understood examples of antisemitism) and ‘Antizionist attitudes’ (for which there is sharp contention between differing definitions of antisemitism, depending upon the example).

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*

¹⁷² David Wu, ‘Fury Over One Nation Staffer’s Video of Melbourne CBD’, *news.com.au* (3 February 2026) <<https://www.news.com.au/national/politics/fury-over-one-nation-staffers-video-of-melbourne-cbd/news-story/a4aedda68d46b255396de01fdd9c42f>>; Commonwealth, *Parliamentary Debates*, Senate, 15 October 2018, 7718 (Pauline Hanson).

is scared to be visibly Jewish in public, particularly around white men. I also wear a kippah and share his fears about doing so visibly in public, in part because of supporting him through the abuse and harassment he experienced. In my own case, I cover mine by wearing hats like baseball caps or beanies over the top of my kippah whenever I leave the house.

— Anonymous, Melbourne

125. The Jewish Council also regularly receives hate mail combining antisemitism with hostility to Muslims, immigrants, Arabs and Palestinians. The following email (which is by no means the most obscene that the Jewish Council has received), sent to us by a non-Jewish Anglo-Australian male in 2025, illustrates the simultaneous antisemitism and Islamophobia embraced by the far-right:

Arabs want to kill Jews since Allah was invented, you won't be spared. You are trying to negotiate with human animals who cover their face so you can't diagnose their personal feelings. Even animals show their intentions before they pounce or mate you. Wake up and smell the hummus. The righteous Jews or should I say you self-righteous are naive and stupid. You are just as tasty as the Haredi Jews from the ovens of Auschwitz. You are all kosher to kill.

126. Resisting antisemitism requires confronting the broader far-right worldview that targets Jews, Muslims, immigrants and racialised communities simultaneously. A response that focuses narrowly on Jewish safety without engaging with the interconnected racist ideology that drives right-wing extremist violence will be inadequate.

Recommendation 9: The Commission should find that far-right extremism is a primary driver of antisemitism in Australia, and a threat to all racialised and marginalised communities and social cohesion. The Commission should recommend that:

- (a) Australian governments adopt a whole-of-government anti-racist response to far-right antisemitism that addresses it as part of the broader far-right threat to all racialised and marginalised communities, rather than in isolation from other forms of racism and bigotry;
- (b) Australian governments and statutory bodies explicitly and consistently condemn antisemitism, Holocaust minimisation and Holocaust denial wherever they occur, including within mainstream conservative political and media spaces; and
- (c) Australian governments take active steps to address the mainstreaming of far-right conspiracy theories — including the Great Replacement theory and the Cultural Marxism conspiracy theory — that cast Jews as nefarious architects of immigration, multiculturalism and progressive social change, and that have been demonstrated to motivate both mass casualty terrorism and sustained campaigns of harassment against Jewish communities.

5.2 The conflation of Jews and Israel

127. Multiple international studies indicate that there is a correlation between Israeli military violence towards Palestinians and spikes in antisemitic incidents.¹⁷³ Notably, the recurring theme of the antisemitic content in these studies is the treatment of Jews as a monolithic people, inseparable from the State of Israel, and thereby collectively responsible for the atrocities committed by the Israeli state.¹⁷⁴ While these studies were conducted outside of Australia, it is reasonable to infer that the same trends apply here.

128. These studies do not suggest that negative public opinion of Israel is mistaken or that criticism of Israeli conduct is illegitimate. On the contrary, it is Israeli military operations themselves, particularly those involving documented human rights abuses, that function as the proximate cause of increased antisemitic acts, by providing an occasion for those predisposed to antisemitism to act, and by creating conditions in which some improperly extend hostility toward Israeli government conduct onto Jewish people as a whole.

129. The State of Israel institutionalises and deploys this conflation, and it is also reinforced by Australian public figures, institutions and media. It is possible and desirable for Australia politicians and media to resist the conflation, as the conflation causes Jewish Australians distinct harms, including lateral violence within Jewish communities. The Commission must take care to avoid endorsing or furthering this conflation.

5.2.1 *The State of Israel promotes the conflation*

130. The State of Israel has institutionalised the conflation of Jewishness with the state in law. Its *2018 Basic Law* constitutionalises Israel's identity as the nation-state of the Jewish people and restricts the realisation of national self-determination within the state to Jews.¹⁷⁵ Israeli political and military leaders have repeatedly invoked

¹⁷³ A study in Belgium found that antisemitism complaints rose sharply during Israel's Operation Cast Lead, with the increase fading within weeks of the operation ending: Dirk Jacobs, Yoann Veny, Louise Callier, Barbara Herman and Aurélie Descamps, 'The Impact of the Conflict in Gaza on Antisemitism in Belgium' (2011) 45(4) *Patterns of Prejudice* 341. A study analysing FBI hate crime data from 2001 to 2014 found that violent Israeli military operations were the single strongest predictor of weekly surges in antisemitic hate crimes, increasing the likelihood of incidents involving violence and intimidation by approximately 35%: Ayal K Feinberg, 'Homeland Violence and Diaspora Insecurity: An Analysis of Israel and American Jewry' (2020) 13(1) *Politics and Religion* 1. A 2025 non-probability study (i.e. self-selected sample) of 16,400 Jews across twelve European countries found that public opinion of Israel had the strongest relationship with reported antisemitic victimisation – stronger than the far-right vote or general antisemitic attitudes: Johannes Due Enstad, 'Facing Antisemitism in Europe: Individual and Country-Level Predictors of Jews' Victimization and Fear Across Twelve Countries' (2025) 103(3) *Social Forces* 1186.

¹⁷⁴ During the May 2021 Israel-Gaza escalation, a study analysing 4,500 comments on the Facebook pages of leading news outlets in the United Kingdom, France and Germany found antisemitic content at rates much higher than during periods of relative peace – characterised by a recurring theme: commenters conflated the Israeli state with Jews as a monolithic people, treating any Jew as responsible for Israeli government conduct: Matthias J Becker, Laura Ascone and Hagen Troschke, 'Antisemitic Comments on Facebook Pages of Leading British, French, and German Media Outlets' (2022) 9(1) *Humanities and Social Sciences Communications* 1.

¹⁷⁵ *Basic Law: Israel – The Nation-State of the Jewish People* (Israel, 5778–2018) S.H. No. 2728, arts 1, 7. The law passed the Knesset on 19 July 2018 by 62 votes to 55. It was the first time the country's exclusively Jewish character was stipulated in a constitutional document. Adalah – the Legal Centre for Arab Minority Rights in Israel – described it as constitutionally enshrining "Jewish supremacy":

Jewish scripture and Jewish identity to justify military operations and breaches of international law, framing them explicitly as a Jewish religious mission on behalf of the Jewish people as a whole, and characterising any criticism of them as antisemitic.¹⁷⁶

131. The Jewish Council acknowledges that the Commission’s inquiry is not into Israeli military conduct. However, it is relevant because of its effect on diaspora Jewish safety. When the Israeli government frames military operations as a Jewish religious mission, it promotes the view that Judaism and Jewish identity are synonymous with those operations.

132. The Israeli government and pro-Israel organisations, including those that are active in Australia, have promoted the concept of the “collective Jew among the nations” by casting criticism of Israel as antisemitic and drawing diaspora Jewish institutions into alignment with the State of Israel.¹⁷⁷ This reinforces the antisemitic image of Jews as a monolithic bloc responsible for Israeli conduct.

5.2.2 Australian governments and media reinforce the conflation

133. Since the Cold War, Australian political discourse has increasingly positioned Jewish communities as symbolically linked to the Israeli state, and Israel assumed a more central role in Western strategic policy, Jewish communities were framed as extensions of that alliance.¹⁷⁸ The result is a tendency to treat Jews collectively as representatives of Israel regardless of their actual views, reproducing antisemitic tropes of collective agency.

134. Despite the evidence (as outlined in Section 2.2 above) of political diversity within the Jewish community on Israel and Zionism, Australian governments and media regularly conflate Jews with the State of Israel. In February 2026, the Albanese government formally invited the President of Israel, Isaac Herzog, for a visit to Australia that mixed solidarity with the Jewish community after the Bondi attack with

Adalah, ‘Israel’s Jewish Nation-State Law’ (20 December 2020) <<https://www.adalah.org/en/content/view/9569>>.

¹⁷⁶ On 28 October 2023, as Israel began its ground invasion of Gaza, Prime Minister Netanyahu addressed soldiers invoking Deuteronomy 25:17: “You must remember what Amalek has done to you, says our Holy Bible”. In a subsequent letter to soldiers, he repeated the quotation, framing the military campaign as “another chapter in the generations-long story of our national resilience”. South Africa cited Netanyahu’s Amalek references, along with other invocations of the passage by Israeli politicians and military personnel, in its complaint to the International Court of Justice as evidence of genocidal intent: Maya Rosen, ‘Facing Amalek’, *Jewish Currents* (20 March 2024)

<https://jewishcurrents.org/facing-amalek>. Motti Inbari notes that “the biblical commandment is to completely destroy all of Amalek ... killing each and every one of them — including babies, including their property, including the animals — everything”: quoted in ‘Netanyahu’s References to Violent Biblical Passages Raise Alarm Among Critics’, *Morning Edition*, (NPR, 7 November 2023)

<<https://www.npr.org/2023/11/07/1211133201/netanyahus-references-to-violent-biblical-passages-raise-alarm-among-critics>>. Netanyahu described the ICJ genocide proceedings against Israel, and international criticism more broadly, as “blood libels against the Jewish state” – invoking a medieval antisemitic trope to position criticism of Israeli military conduct as hatred of Jews: Tia Goldenberg, ‘Netanyahu Frequently Makes Claims of Antisemitism. Critics Say He’s Deflecting Blame’, *PBS News* (29 May 2024) <<https://www.pbs.org/newshour/world/netanyahu-frequently-makes-claims-of-antisemitism-critics-say-hes-deflecting-blame>>.

¹⁷⁷ Kaiser, above n 25.

¹⁷⁸ Ibid.

diplomatic and political advocacy for Israel's government.¹⁷⁹ Herzog had been accused in a UN Commission of Inquiry as having engaged in direct and public incitement to commit genocide,¹⁸⁰ a violation of the Genocide Convention, and his trip incited mass protests in opposition.¹⁸¹ When asked why Herzog was the right person to provide comfort to Australian Jews, Prime Minister Albanese referred to the Israeli President as "their Head of State".¹⁸² The Minister for Multiculturalism, Anne Aly, similarly explained that the visit was standard protocol because "foreign individuals have been the targets [of the Bondi attack]",¹⁸³ even though the shooting is widely understood as a targeted antisemitic attack on Jews and not just Israelis. While no doubt not their intention, these comments conveyed to many Jewish Australians that they are regarded as foreign nationals rather than Australians.

135. Four Jewish Council members shared their reactions to Albanese and Aly's comments:

I felt that my identity as an Australian was being denied – my identity as an anti-Zionist Jew subsumed by a simplistic formula "Jew = Zionist = Israeli".
– Jesse, Sydney

Frustrated and "othered"! The insinuation that Jews are foreigners in the country they live in tells the very community you're trying to protect that they don't belong. It's at best clumsy and at worst pretty antisemitic.

– Tanya, Sydney

When [the Minister] said that "foreign individuals" were the target of the attack at Bondi, I was shocked by the paucity of either her information or her understanding. She seemed to believe that Israelis were the targets, or to be confused enough to believe that Jews and Israelis are the same.

– Rachel, Sydney

Here was the Minister, backed by the PM, basically saying that they considered the Jewish community foreign. Classic antisemitic tropes of not belonging, separateness, "dual loyalty" – like all of a sudden our place in this country was thrown in doubt.

¹⁷⁹ Caitlyn Rintoul, 'New Beginning: Isaac Herzog Says Trip to Australia has Been Opportunity to Reset Relationship', *The Nightly* (11 February 2026) <<https://thenightly.com.au/politics/new-beginning-isaac-herzog-says-trip-to-australia-has-been-opportunity-to-reset-relationship-c-21599707>>.

¹⁸⁰ United Nations, 'Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and Israel', UN Doc A/80/337 (14 August 2025), [70] <<https://www.un.org/unispal/document/report-of-coi-14aug25/>>.

¹⁸¹ See, eg, Victoria Pengilly, 'Israeli President Isaac Herzog's Visit Draws Criticism and Praise from Jewish and Muslim Groups', *ABC News* (14 February 2026) <<https://www.abc.net.au/news/2026-02-14/israeli-president-isaac-herzog-visit-divides-community/106337710>>.

¹⁸² Prime Minister Anthony Albanese MP, 'Radio Interview – Triple M Hobart' (Transcript, 10 February 2026) <<https://www.pm.gov.au/media/radio-interview-triple-m-hobart-6>>.

¹⁸³ The Hon. Anne Aly MP, 'Radio Interview – ABC Radio National Breakfast' (Transcript, 29 January 2026) <<https://minister.homeaffairs.gov.au/AnneAly/Pages/radio-interview-abc-radio-national-breakfast-29012026.aspx>>.

136. Other Australian politicians have gone even further. In 2024, then-Opposition leader Peter Dutton labelled pro-Palestine protests “anti-Jewish”¹⁸⁴ and the International Criminal Court’s investigation of Israeli Prime Minister Benjamin Netanyahu “antisemitic”.¹⁸⁵
137. The mainstream Australian media has followed a similar pattern. *The Australian* frequently runs articles claiming that the Labor and Greens parties’ foreign policies are against the interests of Australian Jews, with one expressly accusing a Labor MP of having “abandoned the Jewish community” by issuing preferences to the Greens.¹⁸⁶ *Sky News* journalist Caroline Marcus accused Labor MP Mark Dreyfus — a Jewish politician — of being a “Kapo” (a term referencing Jewish Nazi collaborators) for doing the same.¹⁸⁷ In a January 2025 editorial, *The Age* published the headline “Pro-Palestine protests are intimidating Jews. Moving them doesn’t harm anyone” — flattening the entire Jewish community and erasing the protests’ Jewish participants and supporters.¹⁸⁸

5.2.3 Politicians and public institutions can and should resist this conflation

138. Public institutions should not stereotype or impose political ideologies onto entire communities. The safety of minority communities is best advanced best by respecting diversity and encouraging solidarity.
139. Political leaders can and should resist the conflation by distinguishing between Israel, its government and Australian Jews, as they can and should strive to separate other multicultural communities from being tarred by extremist movements and foreign governments. Assistant Minister for Multicultural Affairs Julian Hill did so successfully at a Multicultural Gala Dinner in August 2025, when he said:

*Jewish Australians are not responsible for the actions of the Netanyahu Government, whether they agree with them or not. Nor are Iranian Australians responsible for the actions of the Ayatollah regime. Nor Muslim Australians for violent actors who seek to hijack a peaceful religion.*¹⁸⁹

¹⁸⁴ @Hon_PeterDutton, (X, 4 October 2024)

<https://x.com/Hon_PeterDutton/status/1842051434000621702>.

¹⁸⁵ David Aidone, “Selling Out Australia”: Dutton’s Broadside after Albanese Dodges ICC Israel Questions’, *SBS News* (21 May 2024) <<https://www.sbs.com.au/news/article/selling-out-australia-duttons-broadside-after-albanese-dodges-icc-israel-questions/pm5ahwj9m>>.

¹⁸⁶ See, eg, Yoni Bashan, ‘Labor MP’s Greens Preference a Betrayal for Jews’, *The Australian* (16 April 2025) <<https://www.theaustralian.com.au/business/margin-call/labor-mp-matt-thistlethwaites-greens-preference-a-betrayal-of-jewish-community/news-story/85e1bdd41856d680813defb479896dod>>.

¹⁸⁷ ‘Antisemitism Politics Is Out of Control’, *The Jewish Independent* (24 April 2025) <<https://thejewishindependent.com.au/antisemitism-politics-is-out-of-control>>.

¹⁸⁸ Chip Le Grand, ‘Pro-Palestine Protests Are Intimidating Jews. Moving Them Doesn’t Harm Anyone’, *The Age* (23 January 2025) <<https://www.theage.com.au/politics/victoria/pro-palestine-protests-are-intimidating-jews-moving-them-doesn-t-harm-anyone-20250122-p5l6cx.html>>.

¹⁸⁹ The Hon Julian Hill MP, ‘Speech’ (Speech, Victorian Premier’s Multicultural Dinner, 30 August 2025) <<https://minister.homeaffairs.gov.au/JulianHill/Pages/speech-victorian-premiers-multicultural-gala-dinner-30082025.aspx>>.

140. Political leaders can and should also resist stereotyping the Jewish community as politically homogenous and acknowledge the diversity of viewpoints without favour. Minister for Social Services Tanya Plibersek also did so recently in response to questions about the police response to protests against the visit of Israeli President Isaac Herzog to Sydney in February 2026:

*Look, I know that the visit is contentious. It has invited a range of views, including within the Jewish community, there's a diversity of views.*¹⁹⁰

141. The Australian Palestine Advocacy Network and other major pro-Palestine organisations have contributed and played a constructive role in resisting the conflation of Jewish identity with Israel, consistently making public statements condemning antisemitism – including following the Bondi attack – while simultaneously criticising Israel and Zionism, instructing the movement against conflation, and welcoming Jewish allies into the movement.¹⁹¹ Importantly, their approach is distinct from that of extremist groups and others, which combine criticism of Israel and/or Zionism with antisemitic hate speech.¹⁹²

5.2.4 *The conflation harms Israel-critical Jewish Australians*

142. The conflation of Jewish identity with support for Israel causes concrete harms: it stereotypes Jews as having a singular political identity, silences Israel-critical and non-Zionist Jews, reinforces ostracisation and lateral violence within the community, and impedes cross-community alliances with Muslim, Arab and Palestinian Australians. If Jewish identity is conflated with support for the State of Israel, Jews who are critical of Israel are then able to be classified as “self hating” or otherwise not really Jewish.
143. The Jewish Council’s members have been ostracised, isolated, abused, harassed, doxxed, physically intimidated and even assaulted for their political beliefs about Israel. In many cases, those affected describe this as “lateral violence” – intra-group hostility within a racialised group – enabled and licensed by the conflation of Jewish identity with Israel.¹⁹³
144. Some Jewish Council members have experienced social ruptures as a result of prevailing conflationary narratives:

Another implication of equating Judaism with Zionism is that it gives permission for Zionists to attack other Jews on the basis of their views

¹⁹⁰ The Hon Tanya Plibersek, ‘Minister Plibersek TV Interview on ABC AM’, (Transcript, 10 February 2026) <<https://ministers.dss.gov.au/transcripts/18706>>.

¹⁹¹ Australian Palestine Advocacy Network, ‘Racism-Driven Hate Crimes Part of a Broader Pattern of Systemic Racism’ (Media Release, 23 January 2025) <<https://apan.org.au/racism-driven-hate-crimes-part-of-a-broader-pattern-of-systemic-racism/>>; ‘APAN Condemns the Antisemitic Attack at Bondi Beach and Stands in Solidarity with the Jewish Community’ (Media Release, 15 December 2025) <<https://apan.org.au/apan-condemns-the-antisemitic-attack-at-bondi-beach-and-stands-in-solidarity-with-the-jewish-community/>>.

¹⁹² *Wertheim v Haddad* [2025] FCA 720.

¹⁹³ In Australia, the concept of ‘lateral violence’ is most commonly understood in relation to Indigenous Australians. See, eg, AHRC, *Social Justice Report 2010*, (Aboriginal and Torres Strait Islander Social Justice Commissioner, Report, 2010) 24–27 <https://humanrights.gov.au/data/assets/file/0024/46680/Sjr2010_full.pdf>.

regarding Palestine and Israel. From my own family and community I have been called a “self-hating Jew” for supporting Palestinian human rights. I have had my Jewishness questioned and been called a supporter of genocide (unironically).

— Phoebe, Melbourne

My identity as a non-Zionist Jew has been ridiculed, questioned, and problematised. I have been made to feel that my Jewishness is conditional on holding certain political views. As a result, I have felt unsafe and uncomfortable attending events organised by the wider Jewish community, and I often feel afraid to speak openly about my views. I have also felt increasingly ostracised, as though I am no longer welcome within my own community. In my view, this reflects a form of antisemitism that operates internally, reinforcing narrow definitions of who is recognised as a legitimate Jew, and contributing to division and harm within the community.

— Anonymous, Brisbane

145. For some Jewish Council members, this lateral violence has included physical violence, in addition recounted not just social exclusion and verbal abuse:

Following October 7th, I was subjected to sustained verbal abuse and harassment, both online and in person, by individuals within the Jewish community. This included being called “self-hating Jew,” “not a real Jew,” “Pro-Pally,” and being described as a “dangerous person.” I was also exposed to more extreme rhetoric, including calls for myself and others to be “ritually slaughtered”, “genocided”, and pushed off a bridge. These comments were made by individuals within a local Melbourne Jewish Community Facebook Group. From some I had known for many years, some I knew of and didn’t know at all, but all members of community and religious circles.

I was also physically assaulted on two separate occasions while participating in peaceful protests calling for peace and an end to violence. The assaults were carried out by individuals associated with a group identifying as “██████████”. During these incidents, both I and others with me were subjected to physical aggression as well as verbal abuse and threats.... The impact on me has been significant. These experiences have led to the breakdown of long-standing relationships, withdrawal from community life, and an ongoing sense of anxiety around participation in previously familiar environments.

— Anonymous, Melbourne

In late October 2023 I was walking on Knox Street in Double Bay. Without warning, I was struck from behind in the shoulder. The man who assaulted me then yelled “You fucking self-hating Jewish cunt.” The incident was reported to the Police who followed up but couldn’t find the perpetrator.

— Peter, Sydney

On 20 November 2023 graffiti appeared on our door saying “We support ISRAEL!” In my assessment this graffiti was specifically directed towards myself and my wife, written by someone who knew us and knew where we lived – intended to make us feel uncomfortable or intimidated by identifying our home as occupied by Jewish supporters of Israel, even though the perpetrator believed we did not support Israel. On 16 December 2025, following the massacre at Bondi, more graffiti appeared on our front door in larger writing, seemingly by the same person, saying “We support the Jewish community!” – wanting to shame, intimidate and “out” us.

– Anonymous, Melbourne

Following the Bondi massacre, fellow JAO48 member [REDACTED] and I received death threats... The messages were sent via the chat box of my online business after the sender deliberately tracked down my small business through my social media presence. On the same day [REDACTED] address was doxxed on social media. The threats screenshot below became the subject of a [REDACTED] Police (my local station) and AFP investigation. The messages came over 2 days. Note the name the sender gave himself – Brenton Tarrant, the Christchurch terrorist. I was informed by police that the associated email address no longer existed, but I received no meaningful outcome or follow-up. The seriousness of these threats, combined with the ongoing abuse directed at me online, led me to install security cameras outside my home. The abuse directed at me comes from openly Zionist or pro-Israel accounts.

– Judith, Sydney

146. Several hundred of the signatories to the Jewish Council’s Statement of Core Principles have signed on anonymously, for fear of intracommunal backlash. This intimidation and fear restricts Jewish Australians’ ability to participate in Australian political life and exercise their democratic freedoms when it comes to Palestine solidarity. This silencing and self-censorship also reinforces stereotypes of a monolithic pro-Israel Jewish community within civil society.
147. The assumption that Jewish Australians are monolithically pro-Israel hinders efforts to build cross-community solidarity and increase social cohesion. Many Jewish people who participate in the Palestine solidarity movement do so in part to disrupt the conflation. In their report for The Runnymede Trust, Professor David Feldman, Dr Ben Gidley and Dr Brendan McGeever describe this as “a more multidirectional opposition to antisemitism ... an opportunity to conjoin Jewish support for anti-racism with a diasporic commitment to justice for Palestinians as well as to equality for Jewish people”.¹⁹⁴ As one Jewish Council member reflected:

I have been involved in interfaith and intercommunal activities, including helping to organise and co-host interfaith events. I have been drawn to this work because it reflects my understanding of Jewish identity as values-based and grounded in solidarity, care, and relationship across difference. My experience of this has generally been positive and meaningful. It has

¹⁹⁴ Feldman, Gidley and McGeever, above n 54, 34.

strengthened my sense of Jewish identity by allowing me to live out Jewish values in community with others, rather than through exclusion or separation. It has also given me a greater sense of connection and hope.

At the same time, this involvement has sometimes contributed to hostility from within parts of the Jewish community, particularly where intercommunal solidarity with Palestinians or Muslims is viewed with suspicion. In that sense, the difficulty has not come from the interfaith or intercommunal work itself, but from the reaction to it. Overall, these spaces have had a positive impact on my wellbeing and sense of safety when they are grounded in mutual respect and shared values. Over time, I have become more committed to this kind of work because I see it as an important antidote to fear, division, and the narrowing of Jewish communal life.

– Max, Brisbane

148. Another Jewish Council member noted how the conflation of the State of Israel and Jewishness can reinforce distrust or misplaced assumption about Jewish attitudes to Zionism and Israel, and undermine solidarity efforts:

In mid-2024, I attended a Pro-Palestinian demonstration [REDACTED] [REDACTED] after the death of the prospective student, Mahmoud al-Naouq. During the demonstration, there were media cameras set up, and I didn't feel comfortable being filmed, especially because of the backlash I had been receiving from my Jewish family and community. Instead, I stood on the side of the demonstration.

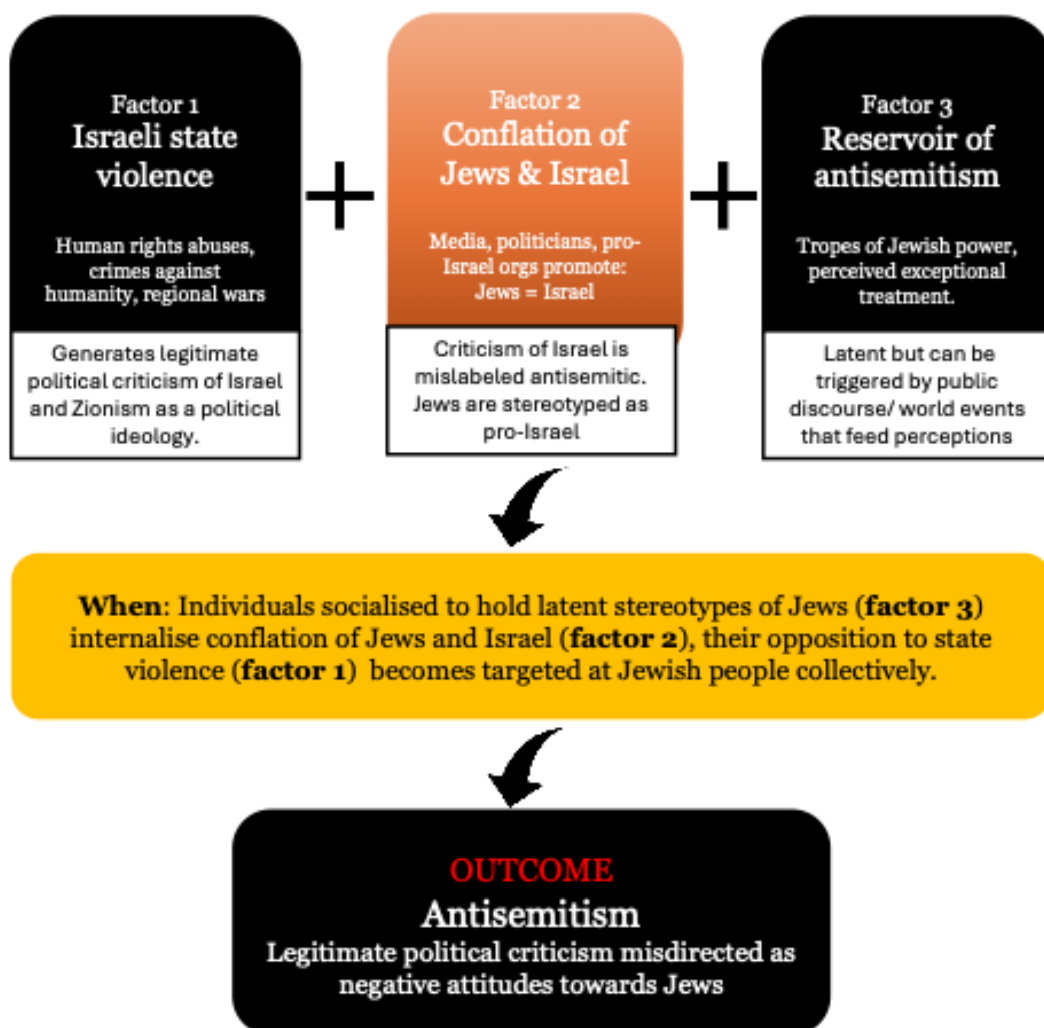
In the next few days, a non-Jewish friend of mine who was at the rally questioned why I wasn't in the centre of the rally. She questioned my allegiances to the Palestinian movement and made me feel guilty. Since then, I no longer feel comfortable hanging with her or her colleagues at [REDACTED], and our friendship has completely dissolved.

From this incident, and similar ones, I have realised deeply how harmful it is to conflate Zionism with Judaism, and the assumption that all Jews are responsible for Israel's violence towards Palestinians. Even though I am heavily involved in the JCA, this friend treated me differently because I was Jewish and made me feel responsible for Israel's actions and saw my activism as disingenuous. This points to the wider problem of conflating Zionism with Judaism across the political spectrum. Jews are a lot more diverse than Israel, the Murdoch media and Zionist Jewish leaders make it seem, and it is having a direct impact on my life and the life of other Jews.

– Oscar, Melbourne

149. The figure below provides a simplified illustration of how systematic conflation of Israel and the Jewish people interacts with other factors to produce antisemitism.

Figure 1 Nexus of conflation and antisemitism



Recommendation 10: The Commission should find that the conflation of Jewish identity with the State of Israel is a driver of contemporary antisemitism in Australia, and that responses to antisemitism which reinforce rather than resist this conflation – including definitions of antisemitism that treat criticism of Israel or Zionism as presumptively antisemitic – undermine rather than promote the safety of Jewish Australians.

The Commission should ensure that its processes and recommendations do not reinforce a monolithic conception of Australian Jews that stereotypes the community as wholly pro-Israel, reinforces or gives licence to lateral violence, and inhibits Jewish participation in solidarity efforts that could reduce antisemitism.

5.3 Antisemitism increases in circumstances that reinforce a perception of Jewish exceptionalism

150. Exceptionalist responses to antisemitism, which treat antisemitism as fundamentally different from other forms of racism, or use definitions of antisemitism that restrict criticism of Israel or position Jewish suffering as exceptional or uniquely beyond comparison, are generally counterproductive.
151. The perception of exceptional Jewish power can form part of antisemitic attitudes across the political spectrum. This has been described as a “dual threat model” of antisemitism, in which “almost all antisemitic perceptions are built on the idea of Jews as powerful”.¹⁹⁵ The perception of excessive collective Jewish power activates different types of threat depending on ideological orientation: on the political right (as outlined in Section 5.1 above), a threat to group hierarchy and dominance; on the political left, a threat to values of equality and fairness.¹⁹⁶
152. Policy responses that embody or reinforce the perception of Jewish exceptionalism are therefore counter-productive. Specifically, definitions of and responses to antisemitism that erect a hierarchy of oppression, treat antisemitism as separate from other forms of racism, or seek to protect the Israeli government from criticism, risk intensifying rather than reducing antisemitic hostility.
153. Recent examples of public policies that risk reinforcing a perception of Jewish exceptionalism include the creation of the ASECA, as distinct from pre-existing bodies responsible for tackling racism (addressed in Section 7.1.6 below), the Queensland government’s exclusive approach to banning phrases that it deems “antisemitic” phrases (addressed in Section 7.1.4 below) and proposals to include questions about antisemitism in the Australian citizenship test, in circumstances where no equivalent questions about other minority groups are proposed.¹⁹⁷
154. Evidence from the United Kingdom cautions against approaches that construct or reinforce antisemitism as at the top of a perceived hierarchy of racisms. In its 2025 report *Facing Antisemitism: The Struggle for Safety and Solidarity (Facing Antisemitism)*, the Runnymede Trust argues that contemporary responses to antisemitism have increasingly been shaped by partnerships between pro-Israel organisations and the state, contributing to a conflation of antisemitism with anti-Zionism while creating a perception that antisemitism is treated as more politically significant than other forms of racism.¹⁹⁸ As discussed earlier, negative tropes about Jews are more widely diffused in our culture than just the small number of ideologically committed antisemites, what Feldman, Gidley and McGeever call the ‘reservoir of antisemitism’.¹⁹⁹ Exceptionalised approaches are particularly fraught and

¹⁹⁵ Britt Hadar, Nir Halevy, Taya R. Cohen, Evan Apfelbaum and Lauren Chan, ‘The Perils of Perceived Power: The Dual Threat Model of Antisemitism’ (February 2026) *American Psychologist* (author accepted manuscript).

¹⁹⁶ *Ibid.*

¹⁹⁷ Sarah Basford Canales, ‘Peter Dutton Reaffirms Support for Antisemitism Citizenship Test Question and Re-Vetting Palestinian Visas’, *The Guardian* (23 April 2025) <<https://www.theguardian.com/australia-news/2025/apr/23/peter-dutton-reaffirms-support-for-antisemitism-citizenship-test-question-and-re-vetting-gazan-visas>>.

¹⁹⁸ Feldman, Gidley and McGeever, above n 54, 20–24.

¹⁹⁹ *Ibid.*, 5.

counterproductive in the case of antisemitism because they so naturally activate the antisemitic tropes of conspiratorial and excessive collective Jewish power.

6 The prevalence of antisemitism in Australia

155. Accurately measuring and assessing the prevalence of antisemitism in Australia is an intrinsically difficult exercise, made more challenging by the definitional disputes outlined in Section 3 above. The available reports and studies — population attitude surveys, incident reports, government hate crime statistics, institutional research, and lived experience surveys — each have significant limitations. Taken together, they indicate a real but contextualised increase in antisemitism since October 7 2023, corresponding with an increase in racism generally. They do not, however, provide a definitive or reliable picture of the extent, form or drivers of antisemitism. Accordingly, the Commission should approach them with care, taking note of their various definitional and methodological shortcomings. Improving how antisemitism is measured and assessed is an essential step in tackling contemporary antisemitism in Australia.

6.1 Population attitudes

156. The Scanlon Foundation’s Mapping Social Cohesion 2025 report found that negative attitudes toward Jews rose from 9% to 15% of the surveyed population between 2023 and 2025.²⁰⁰ This increase must be understood in context. In the same period, negative attitudes toward Muslims rose from 27% to 35%, toward Christians from 16% to 18%, toward immigrants from India from 26% to 30%, and toward immigrants from Sudan from 39% to 43%. Support for multiculturalism fell from 89% to 83% and belief that immigration makes Australia stronger fell from 78% to 67%.²⁰¹ This suggests that the increase in antisemitic attitudes is part of a broader trend of increasing racism and xenophobia rather than a discrete phenomenon targeting Jewish Australians alone.

157. The Crossroads25 report found that the study’s data did “not support an interpretation of a sharp increase in Judeophobic attitudes” between 2021 and 2025.²⁰² As noted in Section 5.1 above, the study distinguished between ‘Judeophobic’ attitudes — questioning Jewish Australians’ loyalty, weaponisation of the Holocaust, beliefs about Jewish media power and the pursuit of wealth — and attitudes relating to Israel or Zionism. On the former measure, stereotypical antisemitic attitudes were “held only by a small minority within the general population, no larger than the findings obtained by the earlier Crossroads21 survey” undertaken in 2021: for example, 10% of respondents disagreed that Jewish Australians are as loyal as other Australians.²⁰³ Importantly, the study did not expressly establish a direct or causal correlation between antisemitism and views critical of Israel and Zionism. Indeed, in giving

²⁰⁰ James O’Donnell, Alice Falkiner and Katarzyna Szachna, *Mapping Social Cohesion 2025* (Scanlon Foundation Research Institute, 2025) 14 <<https://scanloninstitute.org.au/mapping-social-cohesion-2025/>>.

²⁰¹ *Ibid.*

²⁰² The Jewish Independent, Crossroads25, 22.

²⁰³ *Ibid.* 8.

evidence to the Commission, Emeritus Professor Andrew Markus, AO, FASSA, who conducted the Crossroads25 survey, agreed that “it’s certainly possible to hold anti-Zionist views without holding Judeophobic views”.²⁰⁴

6.2 Incident reports

158. The ECAJ publishes an annual report on anti-Jewish incidents logged by its staff and affiliated groups. Its 2025 report (covering the period from October 2024 to September 2025) logged 1,654 incidents — a decrease from the 2024 report but a significant increase from the ten-year average prior to October 2023. Of those incidents, 1% were assaults, 2% vandalism, 38% abuse, 15% messages, 22% graffiti and 22% posters.²⁰⁵
159. The Commission should approach these figures with caution. Firstly, per Feldman, incident data is “shaped significantly by the process through which it is gathered as well as by the events it seeks to record”.²⁰⁶ Incident data relies on self-reporting, and reporting typically increases when a subject is topical.²⁰⁷ In the case of the ECAJ reports and the Online Hate Prevention Institute’s (OHPI) report on The Bondi Beach Chanukah Massacre (**Bondi Report**), the authors undertake proactive research to identify, and then record, incidents that they consider antisemitic – a process which necessarily affects the data.
160. Furthermore, the ECAJ report does not explain nor demonstrate a clean distinction between antisemitism and political criticism of Israel and Zionism. In her evidence to the Commission, Julie Nathan, who authored the 2025 ECAJ report, confirmed that ECAJ uses the IHRA working definition “as a guide”.²⁰⁸ While the report includes as examples many incidents which would meet any definition of antisemitism, it also includes as reported incidents, for example, an individual wearing a t-shirt bearing the slogan “From the river to the sea, Palestine will be free” and a sticker reading “Boycott Divest Sanction. Free Palestine. Smash Colonial Apartheid Brick by brick, Wall by wall”.²⁰⁹ In her evidence to the Commission, Ms Nathan explained that while she accepted that anti-Israel and pro-Palestinian material is “not inherently anti-Jewish”, ECAJ will consider it antisemitic if it applies ‘Judeophobic tropes’, includes comparisons of Israel to Nazi Germany, calls for the elimination of Israel as the state of the Jewish people and if it is directed at Jewish people or institutions (such as stickers or flyers being placed or distributed at Jewish schools or synagogues).²¹⁰ While the Jewish Council accepts that comparisons of contemporary Israeli policy to that of the Nazis may be upsetting and distasteful to many Jews, it is not inherently antisemitic – as Professor Markus told the Commission, whether it is

²⁰⁴ Royal Commission on Antisemitism and Social Cohesion, Transcript of Hearing, 12 May 2026, 637.26–29 (Professor Andrew Markus AO).

²⁰⁵ Julie Nathan, *ECAJ Report on Anti-Jewish Incidents in Australia 2025* (Executive Council of Australian Jewry, 3 December 2025) 6.

²⁰⁶ Feldman Report, 14 [51].

²⁰⁷ *Ibid.*, 14–15 [51].

²⁰⁸ Royal Commission on Antisemitism and Social Cohesion, Transcript of Hearing, 11 May 2026, 515.5 (Julie Nathan).

²⁰⁹ Nathan, above n 205, 19, 21.

²¹⁰ Royal Commission on Antisemitism and Social Cohesion, Transcript of Hearing, 11 May 2026, 516.16–519.2 (Julie Nathan).

antisemitic “totally depends on the context”.²¹¹ Yet it appears that ECAJ has not engaged with the context and has treated any Nazi comparison as antisemitic in its report. Similarly, as outlined at Sections 2.2.1 and 3.2.3 above, anti-Zionist advocacy for the current state of Israel to be replaced by a democratic binational or unitary state with equal rights for Jews and Palestinians should not be automatically characterised as antisemitic. Indeed, this is a position that many Jewish people – including many of the Jewish Council’s members – advocate for. However, it appears that ECAJ and Ms Nathan have treated such statements as inherently antisemitic.

161. The ECAJ report itself describes the Palestine solidarity movement as “insidious” and accuses the “far fringes of the Jewish left” of having “betrayed its secular and Enlightenment origins to become the handmaid of medieval Islamism”.²¹² This language does not inspire confidence that ECAJ report has effectively distinguished between antisemitism and political speech criticising Israel and/or Zionism with which the ECAJ disagrees.

162. As described in Section 2.2.2 above, the ECAJ has self-described objectives of both representing what it defines as the interests of Jewish Australians and advocacy in support of Australia’s relationship with Israel and Zionism. It is not clear from the incident report, nor from Ms Nathan’s evidence to the Commission, if any effort was made to separate these policy objectives as part of an impartial methodology.

163. Various other incident reports, such as the OHPI’s Bondi Report, which purport to measure the prevalence of antisemitism, including antisemitism online, also use the IHRA working definition and identify as antisemitic various comments which include political speech on Israel and Zionism.²¹³ The Commission should treat these incident reports with care, and scrutinise the definitions and methodologies applied.

6.3 Government and police statistics

164. The national hate crimes database records charges under Commonwealth, State and Territory legislation. The most common recorded hate crime is displaying a Nazi symbol or gesture, making up over 75% of offenders charged under Commonwealth law, 91% under NSW law and 84% under Victorian law.²¹⁴ While the

²¹¹ Royal Commission on Antisemitism and Social Cohesion, Transcript of Hearing, 12 May 2026, 624.42–45 (Professor Andrew Markus AO).

²¹² Ibid 3.

²¹³ For example, the OHPI measured antisemitic and Islamophobic comments on Facebook in the immediate aftermath of the Bondi attack, finding that the density of hateful comments against Jews and Muslims was “almost identical” – an average of 124–126 antisemitic or Islamophobic comments per post per 8-hour period. The OHPI used the IHRA working definition and classified as antisemitic various comments positing that the Bondi attack was attributable in part to the actions of the State of Israel or to Zionism – including a statement that Israel is “the main cause of antisemitism in the world today” and a statement from a Jewish anti-Zionist organisation that condemned the attack but named Zionism as its cause. While some may find such statements upsetting, distasteful or offensive, they are not necessarily antisemitic – and their inclusion makes it impossible to assess what proportion of the OHPI’s reported incidents may reflect the political biases of the authors: OHPI, Bondi *The Bondi Report* (January 2026) <<https://ohpi.org.au/bondi-report>> 5, 16, 27, 46, 81–82.

²¹⁴ Australian Institute of Criminology, ‘National Hate Crimes Database’ (1 January 2025 to 31 December 2025) <<https://www.aic.gov.au/statistics/national-hate-crimes-database>>.

display of Nazi symbols is in almost all cases antisemitic, these symbols can and have been used to intimidate other racial minorities, including Muslims.²¹⁵

165. Police and government reporting has also been inconsistent and unreliable, and in some cases has unnecessarily amplified fears amongst Jewish Australians. In March 2025, the NSW Police Minister announced that there had been “more than 700 antisemitic events and incidents and arrests” recorded under NSW Police Operation Shelter since October 7, 2023. This was later retracted. The actual figure was 367 reported antisemitic incidents.²¹⁶ In October 2025, 14 cases were reported by NSW Police to be on the “higher end of offending” (i.e. attacks on synagogues, graffiti, and other damage to persons and property), 13 of which were said to have been orchestrated by organised crime.²¹⁷ These unclear and inconsistent statements, and their subsequent reporting in the media, make it difficult to rely upon government and police statistics as an accurate measure of the prevalence of antisemitism.

6.4 Institutional measurements and lived experience

166. Research into institutional antisemitism in Australia is relatively sparse. The Gen17 survey of Australian Jews found that between 5% and 12% of Jewish immigrants from Israel, South Africa and the former USSR reported experiencing discrimination at work — significantly lower than the 43% of non-white Australians who report commonly experiencing workplace racism.²¹⁸ Emerging research has begun to explore subtler forms of institutional antisemitism, including resistance by local councils to the installation of *eruvim* (ritual enclosures) in suburbs with large Jewish populations.²¹⁹

167. The Gen17 survey also asked for self-assessment of the extent of antisemitism, and found that in 2017 a majority of Australian Jews (57%) believed antisemitism was not a big problem, though 9% had witnessed or experienced antisemitic insults or harassment in the previous 12 months.²²⁰ This figure was higher — 26% — among strictly Orthodox respondents, indicating that more visibly Jewish Australians bear a disproportionate burden of antisemitic harassment.²²¹ Given these figures predate the post-October 2023 environment, they cannot be assumed to remain current.

²¹⁵ See, eg, Lottie Twyford and Molly Slattery, ‘Queensland Police Investigating Nazi Symbol and Offensive Words Graffitied on Brisbane Mosque’, *ABC News* (19 December 2025) <<https://www.abc.net.au/news/2025-12-19/queensland-police-investigating-mosque-graffiti/106161260>>.

²¹⁶ Penry Buckley, ‘NSW Police Minister Concedes She “May Have Had The Figure Wrong” on the Number of Antisemitic Incidents Since 7 October’, *The Guardian* (3 September 2025) <<https://www.theguardian.com/australia-news/2025/sep/03/nsw-police-minister-concedes-may-have-had-number-wrong-antisemitic-incidents-since-7-october>>.

²¹⁷ New South Wales, *Questions and Answers Paper: 610*, Legislative Council, ‘Question No 4585: Police and Counter-terrorism – Incidents Investigated Under Strike Force Pearl’ (23 October 2025) <<https://www.parliament.nsw.gov.au/lc/papers/Pages/ganda-tracking-details.aspx?pk=105651>>.

²¹⁸ Graham and Markus, above n 38, 57; Fethi Mansouri, ‘Racism Is Still an Everyday Experience for Non-White Australians. Where Is the Plan to Stop This?’, *The Conversation* (29 March 2022) <<https://theconversation.com/racism-is-still-an-everyday-experience-for-non-white-australians-where-is-the-plan-to-stop-this-179769>>.

²¹⁹ Mareike Riedel, *Law and Jewish Difference: Ambivalent Encounters* (Cambridge University Press, 2024).

²²⁰ Graham and Markus, above n 38, 6.

²²¹ *Ibid* 71, Table 21.

168. The AHRC’s 2026 Respect at Uni study found that Jewish and Palestinian students and staff recorded the highest rates of both direct and indirect racism of any group surveyed – 89% and 90% respectively.²²² Among Jewish respondents, over 55% of religiously observant students reported experiencing direct racism, compared to 25% of secular students.²²³ The most commonly reported experience for Jewish students was “feeling I could not express my views”.²²⁴ While many Jewish students have clearly experienced genuine antisemitism, this data ought to be analysed with care: “feeling I could not express my views” may indicate antisemitic discrimination, but it may also reflect the experience of holding political views – including pro-Israel and Israel-critical views – that are contested in university settings. Not all such experiences constitute antisemitism.

6.5 Australia needs an anti-racism data plan

169. The available data indicates that there has been a real increase in antisemitism since October 2023, and this must be taken seriously. The increase is part of a general increase in racism across multiple communities, which must also be taken seriously. The definitional and methodological problems with existing approaches to measuring antisemitism – the most significant of which is a consistent failure to properly distinguish between genuine antisemitism and criticism of Israeli policy or Zionism – risk distorting the true picture and thereby misdirecting the remedy.

170. This incomplete picture of the prevalence of antisemitism indicates the need for enhanced and trusted impartial monitoring. The AHRC’s NARF recommended that the Australian Government adopt and fund a National Anti-Racism Data Plan that would “outline a national approach to collecting, using, and managing data on experiences, reports, and impacts of racism across states and territories and local jurisdictions”.²²⁵ A National Anti-Racism Data Plan would assist both government and community organisations across multicultural Australia to provide the public with impartial, reliable and trusted data on the prevalence of different forms of racism, including antisemitism. This would also assist governments to understand and measure the effectiveness of various policy interventions to reduce racism and strengthen social cohesion – including those that emanate from recommendations of this Royal Commission.

Recommendation 11: The Commission should approach surveys and incident reports of antisemitism with critical care, and should scrutinise the definitions and methodologies applied - including whether they appropriately distinguish between antisemitism and criticism of Israel and Zionism.

²²² AHRC, *Respect at Uni: Study into Antisemitism, Islamophobia, Racism and the Experience of First Nations People* (February 2026) 17 <<https://humanrights.gov.au/resource-hub/by-resource-type/reports/race/respect-at-uni-study-into-antisemitism,-islamophobia,-racism-and-the-experience-of-first-nations-people>>.

²²³ Ibid 81.

²²⁴ Ibid 84.

²²⁵ AHRC, NARF, 22 (Recommendation 59).

Recommendation 12: The Commission should endorse Recommendation 59 of the AHRC’s NARF, which recommends that the Australian Government adopt and fund a National Anti-Racism Data Plan.

7 Measures to address antisemitism and strengthen social cohesion

171. Antisemitism in Australia has multiple, overlapping drivers: far-right extremism and conspiracy ideology; the conflation of Jewish identity with the State of Israel and its policies and military operations; the persistence of longstanding antisemitic stereotypes; and exceptionalist policy frameworks that reinforce a perception of excessive Jewish power. To be effective, responses must be targeted at these specific drivers. They must also be grounded in the evidence on what reduces racism more broadly — education, contact, cross-community solidarity, and structural reform. Punitive and coercive approaches that suppress political speech and deepen division are harmful and counterproductive, and must be avoided.

7.1 What does not work: punitive, coercive and conflation-reinforcing approaches

172. The evidence supports two distinct but related conclusions: first, that criminal and punitive approaches to hate speech, taken alone, do not reduce racism or strengthen social cohesion; and second, that approaches which conflate antisemitism with criticism of Israel or Zionism actively worsen the problem they seek to address. These two failures frequently compound each other, and the Commission should guard against both.

7.1.1 *The limits of punitive approaches to addressing antisemitism*

173. It is important to distinguish between two categories of legal response to racism: civil anti-discrimination frameworks, which impose duties and provide remedies through administrative and civil processes; and criminal hate speech and hate crime laws, which impose punishment through the criminal legal system.

174. Civil anti-discrimination frameworks, including the *Racial Discrimination Act 1975* (Cth) and its state equivalent, serve important functions. They can provide accessible remedies for individuals who have experienced racial discrimination and impose institutional accountability. The AHRC’s NARF proposes to strengthen these frameworks by amending the *Racial Discrimination Act* to impose a positive duty on organisations to eliminate racial discrimination and to give the AHRC corresponding enforcement powers and funding.²²⁶ The Jewish Council supports these measures. Civil frameworks are meaningfully different from criminal hate speech laws, and do not carry as great a risk of chilling political speech.

²²⁶ AHRC, NARF, 16–17 (Recommendations 10 and 11).

175. The evidence on criminal hate speech and hate crime laws is less favourable. Governments facing public pressure to respond to racism frequently reach for punitive measures – hate speech offences, hate crime aggravators, expanded police operations – because they are visible, decisive and inexpensive. They signal seriousness without requiring the sustained investment in the education and structural reform that the evidence indicates actually reduces racism and builds social cohesion.²²⁷ The result, documented by the AHRC in its 2024 review of government anti-racism programs across all levels of Australian government, is that government anti-racism work is “ad-hoc, disjointed, and reactive”, and characterised by “limited or no monitoring and evaluation or impact assessment”.²²⁸ This is consistent with international research that indicates that most anti-racism interventions are “light touch” and their long-term effects are poorly studied.²²⁹
176. Criminal hate speech laws depend on clear thresholds to generate deterrence. The people they most urgently target – committed far-right extremists and ideological antisemites – are typically undeterred by marginal changes in legal risk compared to an ordinary person.²³⁰ Conversely, a much larger population of people who pose no genuine risk will over-comply with vague offence provisions, self-censoring political speech to avoid proximity to a poorly defined legal line – resulting in “an insidious chilling of political debate, as people censor themselves in order to avoid legal charges and the stigma and expense they bring”.²³¹ As the NSW Law Reform Commission has observed, the chilling effect is increased – and the response to racism is less effective – the lower the threshold and the more ambiguous the offence.²³²
177. In a comparative analysis of hate speech laws across multiple jurisdictions, Professor Nadine Strossen of the New York Law School concluded that they are “at best ineffective and at worst counterproductive”, with no correlation with reduced discrimination or violence.²³³ The “inevitable overbreadth and vagueness” of such laws “vest enforcing officials with enormous discretionary power, and consistently have been enforced to suppress unpopular views and speakers, including political dissent

²²⁷ Kieran Hardy and Rebecca Wickes, ‘We Can’t Coerce Our Way to Social Cohesion. Here’s What Else Governments Should be Doing’, *The Conversation* (13 March 2026) <<https://theconversation.com/we-cant-coerce-our-way-to-social-cohesion-heres-what-else-governments-should-be-doing-277734>>.

²²⁸ AHRC, NARF, 8, 34.

²²⁹ Victorian Equal Opportunity and Human Rights Commission (VEOHRC), *Preventing Racial and Religious Hate: An Evidence-Based Toolkit for Preventing Prejudice and Vilification* (July 2024), 19 (**Preventing Racial and Religious Hate**); Elizabeth Levy Paluck, Roni Porat, Chelsey S. Clark and Donald P. Green, ‘Prejudice Reduction: Progress and Challenges’ (2021) 72(1) *Annual Review of Psychology* 533.

²³⁰ Nadine Strossen, *HATE: Why We Should Resist It with Free Speech, Not Censorship* (Oxford University Press, 2018) 100. See also the German experience discussed at Section 7.1.3 below, where expansive criminal enforcement has coincided with an acceleration in antisemitic incidents.

²³¹ Robert Mark Simpson, ‘Self-Censorship: The Chilling Effect and the Heating Effect’ (2024) 1(2) *Political Philosophy* 344, 350–355, citing Gerard Anderson, ‘Hate Speech, the Australian Human Rights Commission, and the Chilling of Conservative Political Speech’ (2018) 14(1) *Policy* 4.

²³² New South Wales Law Reform Commission, *Serious Racial and Religious Vilification* (Report, November 2024) 51, 92. The NSWLRC recommended against expanding the racial and religious vilification offence in s 93Z of the *Crimes Act 1900* (NSW), warning that expanding the definition to include “hatred, animosity, contempt and/or ridicule would introduce imprecision and subjectivity into the criminal law”. The NSWLRC also noted the risk of creating hierarchies of protection and the lack of consensus among religious and multicultural groups about appropriate reform paths.

²³³ Strossen, above n 230, 133-134.

and minority speakers”.²³⁴ Indeed, such laws have historically been turned against the communities they purport to protect, and it is for that reason that prominent civil rights leaders routinely opposed hate speech laws.²³⁵

178. The social-psychological literature reinforces these conclusions. Criminal sanctions respond after-the-fact and target individuals; they do not address the structural conditions in which racism is produced. In their meta-analysis of prejudice reduction research, Paluck et al found that contact-based and educational interventions can produce measurable reductions in prejudice. By comparison, academic research into the deterrent or educative effectiveness of criminal hate speech laws is sparse, with advocates often pointing to its ‘symbolic’ purpose.²³⁶
179. There is a significant risk that restrictions on pro-Palestinian speech and protest, when justified by invocations of Jewish safety, will backfire and weaken social cohesion and potentially increase antisemitism. Where protestors perceive that their fundamental democratic rights are being curtailed to maintain a political status quo, they are more likely to lose faith in the legitimacy of the democratic institutions to which they are appealing, and instead turn to more radical, and potentially violent, direct forms of action to achieve political ends.²³⁷ As the Commission’s Letters Patent make clear, social cohesion is a national consensus in support of democracy, freedom and the rule of law. Social cohesion is undermined by heavy-handed responses that excessively infringe civil liberties.

7.1.2 *Conflation-reinforcing approaches make antisemitism worse*

180. A “conflation-reinforcing approach” to antisemitism is one that defines, measures or sanctions antisemitism in ways that treat criticism of Israel or Zionism as presumptively antisemitic – whether through definitional frameworks, incident reporting systems, government guidance, or legal prohibition. These approaches actively worsen antisemitism by reinforcing a mechanism – the conflation of Jewish people with the Israeli state – that is itself (as outlined in Section 5.2 above) a primary driver of antisemitism.
181. In its Facing Antisemitism report, the Runnymede Trust observed that the “partnership between mainstream Jewish organisations and the state” that have driven criminal and quasi-criminal approaches to antisemitism in the UK and elsewhere have contributed to a conflation of antisemitism with anti-Zionism while creating a perception that antisemitism is treated as more politically significant than other forms

²³⁴ Ibid, 103-104.

²³⁵ Ibid, 16.

²³⁶ New South Wales Law Reform Commission, above n 232, 40.

²³⁷ For the impact of repression on protestor radicalisation see Emma F Thomas, Mengbin Ye, Simon D Angus, Tony J Mathew, Winnifred Louis, Liam Walsh, Silas Ellery, Morgana Lizzio-Wilson and Craig McGarty, ‘Repeated and Incontrovertible Collective Action Failure Leads to Protester Disengagement and Radicalisation’ (Preprint, arXiv:2408.12795, 27 February 2025) <<https://arxiv.org/abs/2408.12795>>. Policing of non-violent protests that is seen by participants to be indiscriminate and illegitimate can create greater openness to political violence, on this see John Drury and Steve Reicher, ‘Collective Action and Psychological Change: The Emergence of New Social Identities’ (2000) 39(4) *British Journal of Social Psychology* 579.

of racism — precisely the exceptionalist dynamic that (as set out at Section 5.3 above) increases rather than reduces antisemitic hostility.²³⁸

182. Other prominent examples of conflation-reinforcing approaches include incident reports that categorise pro-Palestinian slogans as antisemitic — such as the ECAJ 2025 report and the OHPI Bondi Report referred to at Section 6.2 above — and political rhetoric and policies that treat opposition to Israeli military conduct as evidence of animus toward Jews.
183. These conflationary approaches produce four distinct and documented harms. First, they suppress political speech and academic freedom. As outlined in Section 3.2.2.2 above, the ELSC has documented 53 cases in Austria, Germany and the UK in which the IHRA working definition was used to restrict or penalise speech; and equivalent patterns have been documented in Canada, the United States and continental Europe.²³⁹ Second, they damage cross-community solidarity by shutting down advocacy against racial discrimination through accusations of antisemitism, destroying the conditions for intergroup contact.²⁴⁰ Third, they reinforce a premise on which antisemitism operates: that Jewish people are collectively responsible for Israeli conduct.²⁴¹ Finally, they confuse the fight against antisemitism and shift the focus from responding to antisemitism to debating what constitutes antisemitism under different definitions.²⁴²
184. The consequences are particularly serious when these two failures are combined in a punitive legal framework built on a conflation-reinforcing definition. Under such a framework, anyone who engages in speech in support of Palestinian rights — whether at a protest, on social media, or in an academic setting — faces potential legal exposure under frameworks whose thresholds are poorly defined and whose enforcement is shaped by the conflation of anti-Zionism with antisemitism. Such a framework can also result in particular harms for Israel-critical Jews, who can face not only intracommunal exclusion (as set out at Section 5.2.4 above), but also criminal sanctions under laws ostensibly designed to protect them — as occurred in the Queensland case study (set out in Section 7.1.4 below) of Jewish protesters Stephen Heydt and Ed Carroll.
185. As author Peter Beinart has argued, the claim that Jewish safety requires the suppression of speech critical of Israel is both empirically false and morally corrosive: it instrumentalises Jewish safety as a justification for repression while doing nothing to address the structural drivers of antisemitism.²⁴³ Beinart observes that when institutions invoke Jewish safety to shut down protest, they are not protecting Jewish people but rather preventing honest engagement with the conditions that generate

²³⁸ Feldman, Gidley and McGeever, above n 54, 27–30.

²³⁹ ELSC, above n 81; ELSC/BRISMES Freedom of Speech and Academic Freedom Report; Sheryl Nestel and Rowan Gaudet, *Unveiling the Chilly Climate: The Suppression of Speech on Palestine in Canada* (Independent Jewish Voices, October 2022).

²⁴⁰ The positive effects of intergroup contact are discussed in more detail in Section 7.2.2 below. See, eg, Thomas F Pettigrew and Linda R Tropp, 'A Meta-Analytic Test of Intergroup Contact Theory' (2006) 90(5) *Journal of Personality and Social Psychology* 751; Wing Hsieh, Nicholas Faulkner and Rebecca Wickes, 'What Reduces Prejudice in the Real World? A Meta-Analysis of Prejudice Reduction Field Experiments' (2022) 61(3) *British Journal of Social Psychology* 689.

²⁴¹ Antony Lerman, above n 65.

²⁴² Feldman Report, 36–37 [135]–[138].

²⁴³ Peter Beinart, *Being Jewish After the Destruction of Gaza* (Atlantic Books, 2025) ch 4.

hostility toward Jews. As set out in Section 7.2.6 below, the most effective framework for addressing antisemitism is one grounded in cross-community solidarity and shared anti-racist struggle — the kind of solidarity that punitive approaches destroy.²⁴⁴

7.1.3 *The German case study*

186. The consequences of a punitive legal framework built on a conflation-reinforcing definitions are playing out in contemporary Germany.
187. The German approach includes the following measures: in 2017, the German government formally adopted the IHRA working definition;²⁴⁵ in 2019, the Bundestag passed a resolution that declared that the Boycott, Divestment and Sanctions (**BDS**) movement is inherently antisemitic and required that organisations that support BDS be denied public funding;²⁴⁶ German domestic intelligence classified BDS as a “suspected extremist threat”;²⁴⁷ in June 2024, the Bundestag passed amendments to German citizenship law which now require applicants to accept Israel’s “right to exist”;²⁴⁸ and in November 2024, the Bundestag passed the “Never Again Is Now” resolution, which extended funding cuts to any organisation questioning Israel’s right to exist and introduced political litmus tests for arts and science funding.²⁴⁹ In 2023, the German government released its National Strategy Against Antisemitism and for Jewish Life (**NASAS**), which has informed and guided subsequent policies, including those relating to Israel’s “right to exist”.²⁵⁰
188. These measures have not reduced antisemitism. In 2024 alone, the RIAS (*Bundesverband der Recherche- und Informationsstellen Antisemitismus*, Germany’s primary civil-society network on antisemitic incidents) documented 8,627 antisemitic incidents — a 77% increase from 2023, and a level not seen in the postwar period.²⁵¹ However, these measures have restricted civil liberties. The UNESCO Civicus Monitor, which records data on the state of civil society and civic freedoms, downgraded its rating of Germany’s civic space from “narrowed” to “obstructed” in 2025, citing

²⁴⁴ Feldman, Gidley and McGeever, above n 54, 5, 9, 23.

²⁴⁵ Rebecca Ruth Gould, ‘The IHRA Definition of Antisemitism: Defining Antisemitism by Erasing Palestinians’ (2020) 91(4) *The Political Quarterly* 825.

²⁴⁶ Deutscher Bundestag, ‘Resisting the BDS Movement with Determination – Combating Antisemitism’ (17 May 2019).

²⁴⁷ Ben Saul, ‘Boycott, Divestment, Sanction as an “Extremist Threat”: German Intelligence Overreaches and Threatens Fundamental Rights’, *Völkerrechtsblog* (8 September 2025) <<https://voelkerrechtsblog.org/boycott-divestment-sanction-as-an-extremist-threat-german-intelligence-overreaches-and-threatens-fundamental-rights/>>.

²⁴⁸ Sophie Tanno, ‘Germany Demands New Citizens Accept Israel’s Right to Exist’, *CNN* (27 June 2024) <<https://edition.cnn.com/2024/06/27/europe/german-citizens-israel-right-to-exist-intl>>.

²⁴⁹ Deutscher Bundestag, ‘Never Again Is Now: Protecting, Preserving and Strengthening Jewish Life in Germany’ (7 November 2024).

²⁵⁰ German Federal Government, *National Strategy Against Antisemitism and for Jewish Life* (13 February 2023) <<https://www.bmi.bund.de/SharedDocs/downloads/EN/publikationen/2023/BMI23001.html>>.

²⁵¹ RIAS (Bundesverband der Recherche- und Informationsstellen Antisemitismus), *Antisemitic Incidents in Germany 2024* (Annual Report, June 2025), 10. For the European Jewish Congress figure of more than 4,500 antisemitic crimes specifically recorded in Germany in 2024, see European Jewish Congress, ‘More than 4,500 Antisemitic Crimes Recorded in Germany in 2024’ (February 2025) <<https://eurojewcong.org/news/communities-news/germany/more-than-4500-antisemitic-crimes-recorded-in-germany-in-2024/>>.

suppression of pro-Palestinian expression.²⁵² UN human rights experts urged Germany to halt “criminalisation and police violence” directed at peaceful solidarity activism.²⁵³ In a joint statement, Jewish organisations in 22 countries observed that “Germany misunderstands antisemitism and “Never Again”” and argued that the German state’s approach “narrows Jewish life down to one element: the state of Israel”.²⁵⁴ This has had specific negative effects on progressive Jewish individuals and organisations – the Jüdische Stimme für gerechten Frieden (Jewish Voice for a Just Peace), a German Jewish organisation with Israeli members, has had its bank accounts frozen, its members arrested at peaceful protests, and its events shut down by police – all with the purported aim of combatting antisemitism.²⁵⁵ As its chairperson Wieland Hoban has observed, non-Zionist Jews in Germany are “more likely to be threatened by the police than by Palestinians”, and Germany’s network of Federal and State Antisemitism Commissioners has developed “a long record of accusing Jews of antisemitism for criticising Israel”.²⁵⁶

189. Despite only comprising 1% of the German population, Jews were involved in 25% of the performances, exhibits and artistic expressions cancelled in 2023 for allegations of antisemitism.²⁵⁷ Jewish writer Masha Gessen famously had a ceremony for a prestigious award cancelled in December 2023 after writing an essay in the *New Yorker* comparing Gaza to a Nazi-era Jewish ghetto and criticising Germany’s antisemitism approach.²⁵⁸ While Jewish voices have been penalised disproportionately, the data indicates that Palestinian, Muslim and Arab communities were penalised the most, demonstrating the racial implications of conflating antisemitism with pro-Palestine speech.²⁵⁹

190. The German experience clearly demonstrates that when punitive legal frameworks are built on conflation-reinforcing definitions of antisemitism, the result is not reduced antisemitism but suppressed political speech, damaged cross-community solidarity, and the legal harassment of Jewish communities that refuse to conform to the political identity the state has assigned them. Australia must not follow this path.

²⁵² Civicus Monitor, ‘Germany: Civic Space Downgraded to “Obstructed” Amid Crackdown on Solidarity’ (December 2025) <https://monitor.civicus.org/press_release/2025/germany/>.

²⁵³ Office of the United Nations High Commissioner for Human Rights, ‘UN Experts Urge Germany to Halt Criminalisation and Police Violence Against Palestinian Solidarity Activism’ (Press Release, October 2025) <<https://www.ohchr.org/en/press-releases/2025/10/un-experts-urge-germany-halt-criminalisation-and-police-violence-against>>.

²⁵⁴ Jewish Voice for Liberation, ‘Germany misunderstands antisemitism and “Never Again”’ (11 November 2024).

²⁵⁵ James Jackson, ‘Germany Is Seizing Jews’ Money Again: It’s Fine, They’re Pro-Palestine’, *Novara Media* (28 March 2024) <<https://novaramedia.com/2024/03/28/germany-is-seizing-jews-money-again/>>.

²⁵⁶ Nathaniel Flakin, “We’re More Likely to Be Threatened by the Police than by Palestinians” – Interview with Jewish Voice in Germany’, *Left Voice* (28 December 2023) <<https://www.leftvoice.org/were-more-likely-to-be-threatened-by-the-police-than-by-palestinians-interview-with-jewish-voice-in-germany/>>.

²⁵⁷ Shira Li Bartov, ‘How Germany’s Unusual Approach to Fighting Antisemitism is Ensnaring Jews who are Critical of Israel’, *Jewish Telegraphic Agency* (4 March 2026) <<https://www.jta.org/2026/03/04/global/how-germanys-unusual-approach-to-fighting-antisemitism-is-ensnaring-jews-who-are-critical-of-israel>>.

²⁵⁸ Ibid.

²⁵⁹ Ibid.

7.1.4 The Queensland case study

191. In March 2026, the Queensland Parliament passed the *Fighting Antisemitism and Keeping Guns Out of the Hands of Terrorists and Criminals Amendment Act 2026*, which effected amendments to the *Criminal Code Act 1899 (Qld) (Criminal Code)* that specifically prohibit the public recitation, distribution, display or publication of the phrases “from the river to the sea” and “globalise the intifada”. The corresponding sanction is a maximum penalty of two years’ imprisonment. The legislation was introduced by the Crisafulli LNP Government, which claimed it was “bolstering protections for the Jewish community” and “doing everything possible to stop the rise of antisemitism”.²⁶⁰ Last-minute amendments were rushed through, and only seven days were provided for consultation.²⁶¹
192. The phrase “from the river to the sea, Palestine will be free” is widely understood by Palestinians and scholars of Palestinian history, and used by the Palestinian solidarity movement, as an expression of the aspiration for freedom, equality and self-determination across historic Palestine – not as a call for violence. The river is the Jordan river, and the sea is the Mediterranean sea. As Palestinian analyst Yousef Munayyer has explained, it advocates for “a state in which Palestinians can live in their homeland as free and equal citizens, neither dominated by others nor dominating them”.²⁶² The University of Toronto’s Hearing Palestine Initiative has similarly observed that the slogan “is not primarily a political program” but “a Palestinian expression for liberation, freedom, and equality given the on-going context of colonisation and military occupation”.²⁶³
193. The Criminal Code has prohibited half a slogan, excising “from the river to the sea”, from the latter half of the phrase which provides its critical (and evidently not antisemitic) context; “Palestine will be free”. Moreover, “from the river to the sea” also has usage in Israel. Israeli right-wing political party, Likud’s original charter in 1977 contained the following platform:

*The right of the Jewish people to the land of Israel is eternal and indisputable...therefore, Judea and Samaria will not be handed to any foreign administration; between the Sea and the Jordan there will only be Israeli sovereignty.*²⁶⁴

²⁶⁰ Queensland Premier David Crisafulli and Attorney-General Deb Frecklington, ‘Reforms to Fight Antisemitism and Hate and Protect Faith Communities’ (Media Statement, 8 February 2026) <<https://statements.qld.gov.au/statements/104460>>.

²⁶¹ Fighting Antisemitism and Keeping Guns Out of the Hands of Terrorists and Criminals Amendment Bill 2026 (Qld). For an analysis of the last-minute amendments, see Human Rights Law Centre, ‘Crisafulli Government’s Rushed Hate Speech Laws Will Divide and Discriminate’ (Media Release, March 2026) <<https://www.hrlc.org.au/news/crisafulli-governments-rushed-hate-speech-laws-will-divide-and-discriminate/>>.

²⁶² 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>>.

²⁶³ Hearing Palestine Initiative, ‘From the River to the Sea: Palestine Will Be Free – A Primer on History, Context, and Legalities in Canada’ (University of Toronto, December 2023) <<https://palestinestudies.artsci.utoronto.ca/from-the-river-to-the-sea-palestine-will-be-free-a-primer-on-history-context-and-legalities-in-canada/>>.

²⁶⁴ Rashid Khalidi, ‘It’s Time to Confront Israel’s Version of “From the River to the Sea”’, *The Nation* (22 November 2023) <<https://www.thenation.com/article/world/its-time-to-confront-israels-version-of-from-the-river-to-the-sea/>>.

194. Despite this overtly expansionist usage by an Israeli political party, and otherwise dominant usage as a call for Palestinian freedom, equality and self-determination, the phrase has been banned in Queensland on a misconceived basis that it is inherently antisemitic.
195. Similarly, prohibition of “globalise the intifada” appears to be predicated on a misunderstanding of that phrase, or of the Arabic word “intifada” as inherently connoting violence. The Explanatory Notes for the amending legislation provided that:
- In connection with the word ‘intifada’ the Special Envoy and the Queensland Jewish Board of Deputies gave evidence to the Committee that calls to ‘globalise the intifada’ are understood by the Australian Jewish community to call for Australians to participate in a violent uprising against Israeli citizens, and Jewish people in particular.*²⁶⁵
196. That interpretation fundamentally misunderstands the root Arabic word “intifada”, which means “uprising” and in the Arab world, has been used in reference to many popular non-violent uprisings across the Arab region, including anti-authoritarian and labour movements.²⁶⁶ The term is not exclusive to Palestine and is not intrinsically tied to armed struggle.²⁶⁷ “Globalise the intifada” similarly does not connote violence, but rather is a phrase used by the Palestinian solidarity movement largely outside of Palestine and the Arab region, as a collective call to protest action.²⁶⁸
197. Nevertheless, both phrases have been criminalised on the premise that they are inherently antisemitic. The selective prohibition and criminalisation of two Arabic and Palestinian political phrases undermines freedom from discrimination, freedom of expression and equality before the law, and is inconsistent with international human rights standards.²⁶⁹ A person’s intent in use of the prohibited phrases is not an element for consideration in whether the law has been breached. Mere use of the phrases in the way described in the prohibiting provision is enough to impose the criminal charge. The person’s intention becomes potentially relevant to the question of lawful defence, being only after they have been charged and are facing criminal sanctions.²⁷⁰
198. Constitutional law experts have commented that the laws are “highly vulnerable” to constitutional challenge, noting that they likely do not meet the threshold required, as it is not clear that the phrases are reasonably likely to lead to violence.²⁷¹
199. The recent arrest of Jewish Council member Stephen Heydt demonstrates precisely how these laws harm Jewish people, rather than protecting them. Heydt is a

²⁶⁵ Explanatory Notes for Amendments to be moved during consideration in detail by the Honourable Daniel Purdie MP, Minister for Police and Emergency Services, Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026 , 3.

²⁶⁶ A Shaikh, M Sheikh, Expert Opinion on the Term *Intifada* (May 2026), 1.5.

²⁶⁷ Ibid.

²⁶⁸ Ibid, 3.1.

²⁶⁹ Amnesty International Australia, ‘Queensland Law Poses Serious Threat to Fundamental Freedoms’ (Media Release, 27 February 2026) <<https://www.amnesty.org.au/queensland-law-poses-serious-threat-to-fundamental-freedoms/>>; Human Rights Law Centre, ‘Crisafulli Government’s Rushed Hate Speech Laws Will Divide and Discriminate’ (Media Release, March 2026).

²⁷⁰ Criminal Code, s 52DA.

²⁷¹ Rashida Yosufzai, “Highly Vulnerable”: Could Queensland’s Controversial Hate Speech Laws Be Quashed in Court?, *SBS News* (24 April 2026) <<https://www.sbs.com.au/news/article/could-queenslands-controversial-banned-speech-laws-be-quashed-in-court/91h8ipixx>>.

73-year-old Jewish clinical psychologist and child of Holocaust survivors. He grew up in South Africa and fought against apartheid, and has lived in Israel, and worked with UNRWA in Gaza, the West Bank and Jordan. On 18 April 2026, Heydt was arrested at a peaceful rally in Brisbane along with another Jewish Australian, Edward Carroll. Heydt was charged with two offences: one in relation to a custom-made t-shirt which read “Jews for a free Palestine from the river to the sea” and one in relation to his speech given at the rally, in which he did not in any way advocate for any harm or animus towards Jews. As Carroll said, the laws have “nothing to do with Jewish safety, and everything to do with protecting Zionism as a political movement”.²⁷² Heydt described the laws as “completely racist”.²⁷³ In total, 22 people were arrested at the rally for speech and slogans, rather than any antisemitic conduct, and detained in the Brisbane Watchhouse for approximately eight hours.²⁷⁴

200. The Queensland laws are based on misconceived perceptions of language that suppress Palestinian and pro-Palestinian political expression on the assumption that it is inherently antisemitic. Conflationary definitions of antisemitism create the environment for this type of law-making, and create a damaging hierarchy of racisms by selectively criminalising Palestinian and Arabic political phrases. They also suppress the political expression of Jewish Australians who are critical of Zionism, erasing the diversity of political opinion amongst the Jewish community. They also risk damaging the cross-community solidarity which provides the most effective framework for addressing antisemitism, by positioning the Jewish community – as falsely represented by legacy pro-Israel organisations – as the beneficiary of the suppression of Palestinian rights. This dynamic generates precisely the resentment that can drive antisemitic hostility.²⁷⁵

201. Unfortunately, similar legislation is under consideration in other Australian jurisdictions, including in New South Wales.²⁷⁶

202. Importantly, the Jewish Australians arrested so far under these laws see them not just as an attack on their free speech but their right to practice a Jewish tradition of dissent. As Stephen Heydt shared with the Jewish Council:

What does our ‘Book’ mean, our morality, if we who call ourselves its people stand by in silence? Israeli genocidaires, and their political allies in Australia, demonise anyone with a Middle-Eastern name; some who are Christian, many Muslims and Palestinians, among them health professionals saving lives in our hospitals, and also artists, writers, musicians, poets and academics; and anyone who might speak in support of a common humanity. We see the criminalising of peaceful protest and legitimising of banning political speech. All this in the name of “combatting antisemitism”?

²⁷² Ibid.

²⁷³ Ibid.

²⁷⁴ Joe Hinchliffe, ‘Jewish Man Among First Charged in Pro-Palestinian Slogan Crackdown that Reminds Some of 1970s Queensland’, *The Guardian* (21 April 2026) <<https://www.theguardian.com/australia-news/2026/apr/21/queensland-ban-pro-palestinian-slogan-crackdown-joh-bjelke-petersen-era-ntwnfb>>.

²⁷⁵ Feldman, Gidley and McGeever, above n 54, 5, 9.

²⁷⁶ Penry Buckley, ‘After Blows to his Anti-Protest Laws, Minns Considers Retreat from “Globalise the Intifada” Ban’, *The Guardian* (28 April 2026) <<https://www.theguardian.com/australia-news/2026/apr/28/nsw-anti-protest-laws-globalise-intifada-minns-ntwnfb>>.

On Saturday [18 April 2026] I was arrested alongside a marvellous upstanding Jew and supported by yet more brave Jews holding banners. There is a longstanding, proud, and loud tradition of Jewish resistance to oppression and defence of civil liberties. Jews I knew gave their lives in the struggle for freedom in apartheid South Africa.

Recommendation 13: The Commission should not recommend measures that seek to address antisemitism by criminalising Palestinian or pro-Palestinian political expression. The Commission should actively reject and recommend against such measures.

7.1.5 *The NSW case study*

203. The excessive policing of pro-Palestinian protest in Australia provides a further illustration of how conflation-driven policy responses fail to address antisemitism and actively harm Jewish communities. On 9 February 2026, approximately 10,000 people gathered at the Sydney Town Hall to protest the visit of Israeli President Isaac Herzog. Speakers included Jewish journalist and Jewish Council advisory member Antony Loewenstein, Labor and Greens parliamentarians, and representatives of Amnesty International Australia, and the protest was attended by many Jewish Australians. NSW Police deployed pepper spray against protesters, used horses to charge into crowds, beat demonstrators, and arrested 27 people – one reported being punched in the head and shoulder by police officers while attempting to comply with directions to disperse.²⁷⁷ Amnesty International Australia condemned what it described as “unnecessary and disproportionate use of force” by police against peaceful protesters, reporting that First Nations peoples, Muslim worshippers, and elderly protesters were among those targeted.²⁷⁸ The NSW Premier insisted this heavy policing was necessary to protect Jewish Australian mourners, referring to Jewish attendees of the event hosting Herzog.²⁷⁹

204. The policing of the Herzog protests took place in the context of rushed anti-protest laws passed by the NSW Parliament, which were broadly opposed by civil society as incompatible with the right to peaceful assembly. In April 2026, the NSW Court of Appeal struck these laws down as unconstitutional, following a successful legal challenge by Blak Caucus, the Palestine Action Group and Jews Against the Occupation ‘48.²⁸⁰

²⁷⁷ ‘Sydney Herzog Protest: Demonstrators Beaten and Pepper-Sprayed by Police, 27 Arrests Made’, *SBS News* (11 February 2026) <<https://www.sbs.com.au/news/article/police-clash-with-protesters-as-thousands-rally-against-president-herzogs-visit/ysljloehd>>.

²⁷⁸ Amnesty International Australia, ‘Amnesty International Australia Calls for Independent Investigation of Police Violence towards Peaceful Protestors’ (Media Release, 10 February 2026) <<https://www.amnesty.org.au/amnesty-international-australia-calls-for-independent-investigation-of-police-violence-towards-peaceful-protestors/>>.

²⁷⁹ Oscar Godsell, ‘NSW Premier Chris Minns Defends Police Conduct in Violent Clashes, Says Protesters Attempted to Breach Police Lines’, *Sky News Australia* (10 February 2026) <<https://www.skynews.com.au/australia-news/politics/nsw-premier-chris-minns-defends-police-conduct-in-violent-clashes-says-protesters-attempted-to-breach-police-lines/news-story/a81d6f94f93acaa95835d835803ff9c1>>.

²⁸⁰ *Jarrett v State of New South Wales* [2026] NSWCA 62.

205. Many members of the Jewish Council peacefully participated in the 9 February Town Hall protest and witnessed the heavy-handed policing first-hand, as one recounted:

Right in front of my eyes I watched police man-handle and rough up Muslim worshippers praying on the floor, hurt and chase protestors young and old, all because of unconstitutional laws and a foreign leader's visit that was supposedly meant to make me, a Jewish person, feel safe and seen. I struggle to think of a more counterproductive and divisive course of action that the one we received.

– Bart, Sydney

206. This policing and associated political commentary reinforced the conflation of all Jewish people with the Israeli state and its President, treating protest against Israel's actions as inherently anti-Jewish. It made Jewish Australians who participate in or support such protests the targets of state repression, alongside their Palestinian, Muslim, Indigenous and other allies. It also generates a perception of Jewish exceptionalism – that Jewish interests receive preferential state protection at the expense of other communities' rights – which, as outlined in Section 5.3 above, is a driver of antisemitic hostility. Far from protecting Jewish Australians, the excessive policing of political protest actively undermines their safety and their democratic rights. It also undermines the safety and democratic rights of Australian civil society more broadly, damaging social cohesion.

Recommendation 14: The Commission should recommend that State and Federal governments ensure the right to peaceful protest is respected and facilitated by police, in accordance with international human rights standards. The Commission should recommend that any allegations of police misconduct (including those arising from police actions at protests) should be independently investigated.

7.1.6 *The ASECA's Plan to Combat Antisemitism*

207. In July 2025, the ASECA released a Plan to Combat Antisemitism, containing 13 recommendations and 49 key actions. The ASECA's Plan endorses and relies upon the IHRA working definition, and recommends that it be adopted and applied across all levels of government and public institutions. The ASECA's Plan proposes that the ASECA monitor media organisations, that government funding be withdrawn from universities, charities and cultural institutions that "facilitate, enable or fail to act against antisemitism", and that the ASECA assess universities and have the authority to call for judicial inquiries into universities based on those assessments.²⁸¹ In November 2025, the ASECA announced that Emeritus Professor Greg Craven would head the 'University Report Card Project', assessing Australian universities' responses to antisemitism.²⁸² Professor Craven has previously described student anti-war protesters as "mutant radical groups" and has publicly joked about placing one of the Jewish Council's own Advisory Committee members under house arrest due to her

²⁸¹ ASECA, ASECA Plan, 8, 9.

²⁸² Ibid, 8, 9.

political position in support of Palestinians.²⁸³ In December 2025, the Australian Government formally responded to the ASECA's Plan, adopting many of its recommendations (including in relation to university funding) while ignoring others (such as those in relation to charities and cultural institutions).²⁸⁴

208. The ASECA's Plan exemplifies the conflation and punitive approach that the Jewish Council opposes. Worryingly, the ASECA has described it as "quite similar"²⁸⁵ to the German NASAS which, as outlined at Section 7.1.3 above, has not reduced antisemitism and has suppressed pro-Palestine speech and activism – including that of Israel-critical Jews. The UNSW Australian Human Rights Institute observed that the ASECA's Plan contained "biased arguments, weak evidence and recommendation overreach", including because it failed to produce a single citation for its statistical claims, and its proposals that the ASECA monitor media and defund institutions went beyond the ASECA's advisory mandate.²⁸⁶ Amnesty International Australia warned that the ASECA's Plan "undermines fundamental civil and political rights, stifles protest, and risks deepening community divisions".²⁸⁷ Similarly, the General Delegation of Palestine, hundreds of academics and multicultural community organisations have all publicly opposed its adoption.²⁸⁸

209. A coalition of Jewish organisations — including the Jewish Council, the Australian Jewish Democratic Society, Jews Against the Occupation '48, Emet Australia and Doykeit Magandjin — jointly opposed the ASECA's Plan, stating it "was not developed through broad consultation with the Jewish community" and would not

²⁸³ Jeff Sparrow, 'Behind Craven's Audit', *Overland* (25 May 2026)

<<https://overland.org.au/2026/05/behind-cravens-audit/>>

²⁸⁴ Australian Government, *Eliminating Antisemitism: Australian Government Response to the Special Envoy's Plan to Combat Antisemitism* (Department of Home Affairs, December 2025)

<<https://www.homeaffairs.gov.au/reports-and-publications/reviews-and-inquiries/inquiries/australian-govt-response-to-special-envoys-plan-to-combat-antisemitism>>.

²⁸⁵ ASECA, 'Professor Greg Craven AO GCSG to Lead University Report Card on Antisemitism' (Media Release, 17 November 2025) <<https://www.aseca.gov.au/sites/default/files/2025-11/2025-aseca-craven-media-release.pdf>>. Both the process of Professor Craven's appointment and the ideologies underpinning his approach have been called into question, see, eg, Jeff Sparrow, above n 286.

²⁸⁶ Louise Chappell, 'Antisemitism Plan Fails on a Number of Fronts – A Contentious Definition of Hate is Just the Start', *UNSW Australian Human Rights Institute* (11 July 2025)

<<https://www.humanrights.unsw.edu.au/research/commentary/antisemitism-plan-australia-contentious-definition>>.

²⁸⁷ Amnesty International Australia, 'Special Envoy's Plan to Combat Antisemitism Risks Chilling Effect Stifling Rights to Protest and Freedom of Speech' (Media Release, 11 July 2025)

<<https://www.amnesty.org.au/special-envoys-plan-to-combat-antisemitism-risks-freedom-of-speech/>>.

²⁸⁸ See, eg, General Delegation of Palestine, 'Official Statement on the Australian Special Envoy's Proposed Plan to Combat Antisemitism' (14 July 2025) <<https://www.palestine-australia.com/highlights/news/2025/statement-australian-special-envoys-proposed-plan-to-combat-antisemitism/>>;

Academics Against Racism, 'Open Letter Against the Adoption of the Australian Special Envoy to Combat Antisemitism's Plan', *Overland* (5 August 2025) <<https://overland.org.au/2025/07/open-letter-against-the-adoption-of-the-australian-special-envoy-to-combat-antisemitisms-plan/>>;

Lebanese Muslim Association, 'LMA Condemns Special Envoy's Recommendations as an Assault on Free Speech and Australian Democracy' (Media Statement, 23 July 2025) <https://cdn.prod.website-files.com/66417e1895c9a741809124d8/689157834de82c317e139ee0_520500828_1107159631558508_7945472520492133286_n.jpg>.

make Jewish Australians safer.²⁸⁹ The ASECA's Plan hinders, rather than advances, the fight against antisemitism: by treating criticism of Israel as the primary threat, it diverts attention from the far-right politics that pose physical danger to Jewish Australians, and by deepening divisions between Jewish communities and their multicultural allies, it undermines the intra- and cross-community solidarity that provides the most effective protection.

210. Part of the ASECA's role is to "listen to and engage with Jewish Australians."²⁹⁰ In her evidence to the Commission, the ASECA said that in developing the ASECA Plan, she "consulted widely the Jewish community organisations".²⁹¹ However, she has never consulted with the Jewish Council or, to the Jewish Council's knowledge, with any progressive Jewish organisation or one that has opposed her approach. The ASECA claims consultation occurred with "over 100 Jewish organisations and individuals", and although she says she "welcomed input from a wide range of groups representing Jewish Australians, regardless of political or theological views",²⁹² this appears to have been confined to pro-Israel aligned organisations. The ASECA has also publicly denigrated dissenting Jewish voices, suggesting a selective approach as to which Jewish Australians she will listen to and engage with. In response to critiques of the IHRA working definition from its lead drafter Kenneth Stern, the ASECA stated on national radio that "the train has moved on" and Stern had "been left behind".²⁹³ This refusal to engage with the diversity of Jewish views reinforces the conflationary harms detailed throughout this submission: it treats the Jewish community as a political monolith and positions Jewish Australians who dissent as outside the community the ASECA was appointed to protect.

Recommendation 15: The Commission should have regard to the critiques that the Jewish Council and others have made with respect to the ASECA's Plan, and the ASECA's role and methodologies more broadly.

7.2 Approaches that reduce antisemitism

7.2.1 Foundational principles

211. The AHRC's NARF and the Victorian Equal Opportunity and Human Rights Commission's (VEOHRC) Preventing Racial and Religious Hate report (2024) provide the most thorough evidence-based frameworks available for addressing

²⁸⁹ Amnesty International Australia, 'Jewish Coalition Opposes Anti-Democratic Antisemitism Plan' (Media Release, 14 November 2025) <<https://www.amnesty.org.au/jewish-coalition-opposes-antisemitism-plan/>>.

²⁹⁰ Prime Minister of Australia, 'Special Envoy to Combat Antisemitism' (Media Release, 9 July 2024) <<https://www.pm.gov.au/media/special-envoy-combat-antisemitism>>.

²⁹¹ Royal Commission on Antisemitism and Social Cohesion, Transcript of Hearing, 7 May 2026, 421.15 (Jillian Segal AO).

²⁹² NSW Parliament, 'Answers to Supplementary Questions: Australia's Special Envoy to Combat Antisemitism' (Undated) <<https://www.parliament.nsw.gov.au/lcdocs/other/22098/ASQ%20-%20Ms%20Jillian%20Segal.%20AO%20-%20Received%206%20August%202025.pdf>>.

²⁹³ Madeleine Wedesweiler, 'Antisemitism Envoy Responds to Concerns New Plan Pushes "Inappropriate" Definition', *SBS News* (11 July 2025) <<https://www.sbs.com.au/news/article/antisemitism-envoy-responds-criticism-of-antisemitism-definition-in-new-plan/61m5joac5>>.

racism, including antisemitism, in Australia.²⁹⁴ The Jewish Council endorses their foundational principles.

212. Antisemitism, like other forms of racism, should be understood as systemic and not merely interpersonal. The NARF states that racism is “entrenched in the systems, structures, and institutions of Australia since colonisation”.²⁹⁵ The VEOHRC similarly emphasises that prejudice is embedded in systems and reinforced by institutions.²⁹⁶ It follows that it is therefore “politically insufficient” to respond only to discrete incidents and individual antisemites, when racism is “deeply embedded in our society”.²⁹⁷

213. Effective responses must be multi-layered, simultaneously targeting individual attitudes, institutional practices and structural arrangements: both top-down institutional action and bottom-up community-led approaches are required.²⁹⁸ They must be evidence-based and rigorously monitored and evaluated.²⁹⁹ Effective responses must also be holistic and indivisible: antisemitism must be addressed alongside anti-Indigenous racism, Islamophobia, anti-Palestinian racism, anti-immigrant sentiment, and other forms of racialisation — not in competition with them. As outlined in Sections 4.2 and 5.3 above, responses that create a hierarchy of racisms are counterproductive.³⁰⁰ What is required is “a more multidirectional opposition to antisemitism” — one that conjoins Jewish support for anti-racism with a commitment to justice for Palestinians and equality for Jewish people.³⁰¹ As a matter of general principle, responses to racism must be co-designed with affected communities.³⁰² In the context of antisemitism in Australia, this requires consulting with a diverse range of Jewish Australians, including those represented by the Jewish Council, and not only those represented by legacy pro-Israel organisations.

7.2.2 Education and contact

214. Education is the single most effective lever for reducing prejudice. The evidence base is deep and consistent: cooperative learning, meaningful intergroup contact and critical thinking education produce measurable, lasting reductions in prejudice across racial, religious and ethnic lines.³⁰³ Interventions are generally more effective for school and college cohorts than adults, and their effects endure over time.³⁰⁴

²⁹⁴ Antony Lerman, above n 65, ch 6.

²⁹⁵ AHRC, NARF, 8.

²⁹⁶ VEOHRC, Preventing Racial and Religious Hate, 9, 19.

²⁹⁷ Feldman, Gidley and McGeever, above n 54, 23.

²⁹⁸ VEOHRC, Preventing Racial and Religious Hate, 12–14.

²⁹⁹ Stewart I Donaldson, Jennifer P Villalobos and Minji Cho, ‘Following the Science to Understand How to Reduce Prejudice and Its Harmful Consequences: A Guide for Evaluators and Program Planners’ (2025) 110 *Evaluation and Program Planning* 102556.

³⁰⁰ Feldman, Gidley and McGeever, above n 54, 5, 9, 23.

³⁰¹ *Ibid* 23.

³⁰² VEOHRC, Preventing Racial and Religious Hate, 21–23.

³⁰³ Scottish Government, *What Works to Reduce Prejudice and Discrimination? A Review of the Evidence* (Report, 14 October 2015) <<https://www.gov.scot/publications/works-reduce-prejudice-discrimination-review-evidence/>>; Pettigrew and Tropp, above n 240; Wing Hsieh, Nicholas Faulkner and Rebecca Wickes, ‘What Reduces Prejudice in the Real World? A Meta-Analysis of Prejudice Reduction Field Experiments’ (2022) 61(3) *British Journal of Social Psychology* 689.

³⁰⁴ Lynn Hickey Schultz, Dennis J. Barr and Robert L. Selman, ‘The Value of a Developmental Approach to Evaluating Character Development Programmes: An Outcome Study of Facing History and Ourselves’ (2001) 30(1) *Journal of Moral Education* 3.

215. The Together for Humanity Foundation, which delivers intercultural and interfaith programs across Australian schools, provides a useful example: a 2021 independent evaluation found its programs were effective in helping students challenge stereotypes and promoting empathy and mutual acceptance; and a 2023 evaluation found significant outcomes in improving teachers' intercultural understanding.³⁰⁵
216. The evidence is clearest for programs that combine factual knowledge with perspective-taking and empathy-building rather than awareness-raising alone.³⁰⁶ The most effective educational responses are those embedded within broader anti-racist pedagogy, which teach antisemitism as one form of racism connected to others rather than treating it in isolation.³⁰⁷
217. This is consistent with studies about the effectiveness of Holocaust memory and education, which have found that Holocaust memory is most powerful, and most effective against antisemitism and racism generally, when it is grounded in a commitment to universal human rights and contemporary issues, and when it acknowledges learners' own personal and intergenerational experiences of human rights abuses.³⁰⁸ On the other hand, when Holocaust memory is invoked selectively, appearing to protect Jewish or Israeli institutions from criticism or otherwise trigger "competitive victimhood" dynamics, this is likely to be counterproductive.³⁰⁹
218. Anti-racism education addressing antisemitism must explicitly teach the distinction between Jewish identity and the State of Israel. As outlined throughout this submission, the conflation of Jews with Israel is a leading driver of contemporary antisemitism. Educational programs should teach that Jewish communities – like all communities – are politically and culturally diverse, and that criticism of Israeli government policy is not necessarily an attack on Jewish identity, nor antisemitic. Educational programs should be grounded in an understanding that, in a democracy, social cohesion is best advanced when political expression and debate are encouraged.
219. In addition to specific educational programs, intergroup contact is an important way to combat prejudice. It remains one of the best-supported interventions in social psychology, and Gordon Allport's contact hypothesis – that prejudice diminishes under conditions of equal status, common goals and cooperative

³⁰⁵ Fran Gale, Michel A Edenborough, Emery Boccanfuso, Mary Hawkins, Russell J Thomson and Catherine Sell, *Promoting Intercultural Understanding, Connectedness, and Belonging: An Independent Evaluation of Together for Humanity Programs* (Western Sydney University, 2021); Fran Gale, Sally Leeds, Michel A Edenborough, Fiona Kay, Aviva Winton and Susan Smith, *Teachers' Professional Development in Intercultural Understanding: Contrasting and Complimentary Approaches for Intercultural Change* (Western Sydney University, 2023).

³⁰⁶ Ibid; Anne Pedersen, Iain Walker and Mike Wise, "Talk Does Not Cook Rice": Beyond Anti-Racism Rhetoric to Strategies for Social Action' (2005) 40(1) *Australian Psychologist* 20, 27: the authors find that prejudice-reduction interventions are most effective when they target the cognitive and affective dimensions of prejudice simultaneously rather than relying on providing accurate information alone.

³⁰⁷ Feldman, Gidley and McGeever, above n 54, 19–22. The authors note that standalone antisemitism education divorced from broader anti-racist frameworks risks reinforcing perceptions of Jewish exceptionalism, which is a driver of antisemitic attitudes..

³⁰⁸ Willa Witherow-Culpepper and Timothy Williams, 'Learning About and From the Holocaust? On the Limits of Holocaust Education as Civic Education' (2025) 31(4) *Holocaust Studies* 608.

³⁰⁹ Antoniou, Dinas and Kosmidis, above n 59.

interdependence — has been confirmed by decades of meta-analytic research.³¹⁰ Contact-based programs are most effective when they bring together people from different communities in sustained, structured settings rather than one-off encounters.³¹¹ Meta-analytic research consistently confirms that intergroup contact reduces prejudice, with effects holding across racial, ethnic and religious groups and across national contexts.³¹² A 2015 Scottish Government review reached the same conclusion, cautioning that programs that rely solely on providing information — without contact — showed limited effectiveness.³¹³

220. By contrast, as outlined in Section 7.1.1 above, the evidence that punitive legal measures reduce prejudice is weak. Hate speech laws have consistently been used to suppress minority speech,³¹⁴ and, as the German case study in Section 7.1.3 shows, there is no rigorous evidence that they actually reduce the incidence of the harms they target. On the contrary, speech restrictions may drive prejudice underground while, as the Queensland case study in Section 7.1.4 shows, criminalising political expression and potentially chilling debate and advocacy.³¹⁵ Sustained educational and contact programs should therefore be prioritised over punitive or purely legislative approaches.

Recommendation 16: The Commission should recommend nationally consistent anti-racism curricula incorporating antisemitism as part of a broader anti-racism framework, mandatory anti-racism teacher training, and expanded funding for intercultural and interfaith school programs. The Commission should recommend that all such programs acknowledge the broad diversity of Jewish political opinion regarding Israel and Zionism.

Recommendation 17: The Commission should recommend sustained investment in evidence-based intergroup contact programs, particularly in schools and universities, and should recommend that all publicly funded anti-racism programs be rigorously evaluated against measurable prejudice-reduction outcomes.

7.2.3 Digital platform regulation

221. Digital platforms are a primary vector for the spread of antisemitic and other racist content in Australia. Online hate speech has significant effects on mental health,

³¹⁰ Gordon W Allport, *The Nature of Prejudice* (Addison-Wesley, 1954). The contact hypothesis has been confirmed by extensive meta-analytic research: see Pettigrew and Tropp, above n 240, which found that intergroup contact typically reduces prejudice across a broad range of groups and settings, with effects that generalise beyond the immediate contact situation. See also Stewart I Donaldson, Jennifer P Villalobos and Minji Cho, ‘Following the Science to Understand How to Reduce Prejudice and Its Harmful Consequences: A Guide for Evaluators and Program Planners’ (2025) 110 *Evaluation and Program Planning* 102556.

³¹¹ Pettigrew and Tropp, above n 240.

³¹² *Ibid.*

³¹³ Scottish Government, above n 303.

³¹⁴ Strossen, above n 230, chs 7–9.

³¹⁵ Robert Mark Simpson, ‘Self-Censorship: The Chilling Effect and the Heating Effect’ (2024) 1(2) *Political Philosophy* 344; Emma F Thomas, Mengbin Ye, Simon D Angus, Tony J Mathew, Winnifred Louis, Liam Walsh, Silas Ellery, Morgana Lizzio-Wilson and Craig McGarty, ‘Repeated and Incontrovertible Collective Action Failure Leads to Protester Disengagement and Radicalisation’ (Preprint, arXiv:2408.12795, 27 February 2025); John Drury and Steve Reicher, ‘Collective Action and Psychological Change: The Emergence of New Social Identities’ (2000) 39(4) *British Journal of Social Psychology* 579.

social cohesion and physical safety. Research consistently demonstrates that online hate speech acts as a predictor of offline hate crimes against racialised communities, and algorithmic amplification of hateful and outrage-based content has been extensively documented.³¹⁶ Platform-level regulation — including content moderation, algorithmic transparency and a digital duty of care — is distinct from, and preferable to, repressive laws targeting individual speech. It targets the systems that amplify harm rather than punishing individual expression, and it places responsibility on the entities with the resources and technical capacity to act at scale.

222. The nature of online antisemitism ranges from explicit threats to subtler forms of dehumanisation. Examples include the proliferation of conspiracy theories attributing hidden Jewish control over governments, media and financial systems — a digital iteration of the centuries-old tropes documented at Section 3 and Section 4.1 above — as well as the direct targeting of Jewish individuals with threatening or degrading content. Antisemitic content on platforms such as X (formerly Twitter), Telegram and TikTok has surged since October 2023, with the British organisation the Institute for Strategic Dialogue documenting significant increases in antisemitic posts across major platforms in the months following the escalation of conflict.³¹⁷ The Institute for Strategic Dialogue also noted the way algorithmic amplification can increase engagement and escalate harmful content.³¹⁸ Similar patterns have been documented for anti-Muslim and anti-Palestinian content, which often operates through the same algorithmic amplification mechanisms.³¹⁹

223. A critical limitation of current platform content moderation is its focus on detecting individual posts containing explicit hate speech, while failing to address cumulative dehumanisation — the process by which a group is progressively portrayed as subhuman through sustained discursive patterns that may not trigger keyword-based detection.³²⁰ The Australian Muslim Advocacy Network (AMAN) has developed a working definition of dehumanising material that addresses this gap. Under AMAN's framework, material is dehumanising if an ordinary person would conclude it portrays a class of persons identified on the basis of a protected characteristic as not deserving to be treated equally to other humans because they lack qualities intrinsic to

³¹⁶ Carlos Arcila Calderón et al, 'From Online Hate Speech to Offline Hate Crime: The Role of Inflammatory Language in Forecasting Violence against Migrant and LGBT Communities' (2024) 11 *Humanities and Social Sciences Communications* 1369; Matthew L Williams, Pete Burnap, Amir Javed, Han Liu and Sefa Ozalp, 'Hate in the Machine: Anti-Black and Anti-Muslim Social Media Posts as Predictors of Offline Racially and Religiously Aggravated Crime' (2020) 60(1) *British Journal of Criminology* 93; Luke Munn, 'Angry by Design: Toxic Communication and Technical Architectures' (2020) 7 *Humanities and Social Sciences Communications* 53.

³¹⁷ Institute for Strategic Dialogue, *Narratives of Hate: Post-7 October Antisemitism and Anti-Muslim Hate on Social Media* (June 2024) <<https://www.isdglobal.org/publication/narratives-of-hate-post-7-october-antisemitism-and-anti-muslim-hate-on-social-media/>>.

³¹⁸ Institute for Strategic Dialogue, *Amplifying Antisemitism: How Recommender Algorithms Serve Harmful Content to Children* (May 2026) <<https://www.isdglobal.org/wp-content/uploads/2026/05/Amplifying-Antisemitism-How-Recommender-Algorithms-Serve-Harmful-Content-to-Children.pdf>>.

³¹⁹ Institute for Strategic Dialogue, above n 317; Mohamad Abdalla, Mustafa Ally and Rita Jabri-Markwell, 'Dehumanisation of "Outgroups" on Facebook and Twitter: Towards a Framework for Assessing Online Hate Organisations and Actors' (2021) 1(9) *SN Social Sciences* 238.

³²⁰ Mohamad Abdalla, Mustafa Ally and Rita Jabri-Markwell, 'Dehumanisation of "Outgroups" on Facebook and Twitter: Towards a Framework for Assessing Online Hate Organisations and Actors' (2021) 1(9) *SN Social Sciences* 238.

humans.³²¹ Critically, AMAN’s definition protects people on the basis of protected attributes — it does not protect states, governments, militaries or political ideologies. This distinction means the framework captures antisemitic dehumanisation of Jewish people without conflating it with criticism of the State of Israel, and equally captures anti-Muslim or anti-Palestinian dehumanisation without conflating it with criticism of Islamist political movements.³²²

224. The European Union’s Digital Services Act (DSA), which entered full application in February 2024, provides an instructive regulatory model. The DSA requires very large online platforms and search engines (defined in relation to monthly active users) to assess and mitigate systemic risks arising from their services, including risks related to the dissemination of illegal content and negative effects on civic discourse. It mandates algorithmic transparency, including the right for users to opt out of recommendation systems based on profiling, and requires platforms to provide researchers with access to data necessary to study systemic risks.³²³ These provisions represent a regulatory approach that holds platforms accountable for the systems they design, rather than targeting individual speakers. The *Online Safety Act 2021* (Cth) currently lacks equivalent provisions for systemic risk assessment and algorithmic transparency. The Australian regime also lacks any duty of care on digital platforms, which the Human Rights Law Centre has described as “a crucial step to ensuring that technology and digital platforms serve the public good while minimising harm”.³²⁴

Recommendation 18: The Commission should recommend that the Australian Government amend the *Online Safety Act 2021* (Cth) to:

- (a) impose a digital duty of care on social media platforms that requires them to assess and mitigate systemic risks arising from the amplification of hateful content, including antisemitic, anti-Muslim, anti-Palestinian and other racist content;
- (b) adopt a definition of dehumanising material, drawing on the framework developed by AMAN, to give the eSafety Commissioner notice and takedown powers in relation to systematic online dehumanisation of groups based on protected attributes, with this definition protecting people rather than states, governments, militaries or political ideologies;
- (c) require algorithmic transparency and an opt-out mechanism for recommendation systems based on profiling, consistent with the European Union’s DSA; and

³²¹ Australian Muslim Advocacy Network, ‘Dehumanisation – Policy Brief’ (Policy Brief, April 2025) <<https://www.aman.net.au/policy-brief-combating-online-dehumanisation-of-minorities/>>.

³²² Ibid. AMAN has also advocated for this definition to be incorporated into regulatory frameworks, including through amendments to the *Online Safety Act 2021* (Cth) to give the eSafety Commissioner notice and takedown powers in relation to systematic dehumanising content: see AMAN, Submission to the Statutory Review of the *Online Safety Act 2021* (Cth) (28 June 2024) <<https://www.infrastructure.gov.au/sites/default/files/documents/osar-submission-139-aman-foundation-ltd.pdf>>.

³²³ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) [2022] OJ L 277/1, arts 34–35 (risk assessment and mitigation), art 38 (recommender system transparency), art 40 (data access for researchers).

³²⁴ Human Rights Law Centre, *Rights First: Principles for Digital Platform Regulation* (2024) 21.

- (d) require platforms to provide accredited researchers with access to the data necessary to study systemic risks to social cohesion. These measures should apply to the protection of all racialised communities equally and should be accompanied by transparency reporting requirements on platforms' content moderation practices.

7.2.4 Addressing political and media discourse which reinforces the conflation of Jews and the State of Israel

225. As documented at Section 5.2.2 above, politicians and media organisations play a significant role in amplifying and reproducing the conflation of Jews with the State of Israel. When media coverage routinely presents Jewish Australians as a monolithic community aligned with Israeli government policy — for instance, by treating pro-Israel advocacy organisations as the sole or default representatives of Jewish opinion — it erases the diversity of views held by Jewish Australians and reinforces the very conflation that drives antisemitism.
226. A 2025 meta-analysis of research on media depictions of minority groups found that both positive and negative portrayals significantly shape outgroup attitudes, and that homogenised or stereotypical representations consistently reinforce prejudice.³²⁵ The underrepresentation or misrepresentation of minority viewpoints in media limits the public's capacity to form accurate understandings of those communities and contributes to discriminatory attitudes.³²⁶ The implications for Jewish communities are direct: when media coverage reduces Jewish identity to a single political position, it constructs a monolithic image that fuels the antisemitic assumption of collective political agency.
227. The harm is compounded when political leaders reinforce the conflation. Research on the relationship between political discourse and prejudice-based violence demonstrates that discrete political events — elections, referenda, and major policy announcements — can function as “trigger events” that signal social permission for the expression of prejudice and lead directly to increases in hate crimes.³²⁷ A study of the 2016 Brexit referendum found that it caused a 19–23 per cent increase in hate crimes, driven by the way the campaign legitimised anti-immigrant sentiment.³²⁸ The mechanism is not that politicians directly incite violence but that their rhetoric recalibrates perceived social norms about what attitudes are acceptable to express. When Australian politicians describe Australian Jewish communities as aligned with or represented by the State of Israel — as occurred during the Herzog visit documented at Section 7.1.5 — they send a signal that conflation is an accepted frame, which in turn reinforces the conditions in which antisemitism thrives.

³²⁵ Muniba Saleem, Ian Hawkins, Stephen A Rains, Dana Mastro and Stewart Coles, ‘Media Depictions of Minority Groups: A Meta-Analytic Review Examining the Effects of Positive and Negative Portrayals on Outgroup Evaluations’ (2026) 29(2) *Media Psychology* 275.

³²⁶ Lise-Lore Steeman, David De Coninck and Leen d’Haenens, ‘Exploring Attitudes toward Discrimination: The Role of News Media Consumption, News Media Trust, Discriminatory Experiences, and Intergroup Contact’ (2025) *Mass Communication and Society* 1.

³²⁷ Daniel Devine, ‘Discrete Events and Hate Crimes: The Causal Role of the Brexit Referendum’ (2021) 102(1) *Social Science Quarterly* 374.

³²⁸ *Ibid* 375, 382.

228. It is therefore essential that media organisations and politicians take care to understand and reflect the diversity in the Jewish Australian community, including with respect to attitudes to Israel and Zionism.

Recommendation 19: The Commission should recommend:

- (a) education programs for elected officials and their staff on the diversity of Jewish communities and the distinction between antisemitism and political criticism of Israel; and
- (b) media guidelines on responsible reporting on antisemitism and racism, which include that media organisations not treat pro-Israel advocacy organisations as the sole or default representatives of Jewish opinion.

7.2.5 *Responsible reporting on extremism*

229. A distinct but related concern is the role of media in inadvertently amplifying extremist movements through routine coverage practices. Experts have identified a process of “information laundering” through which radical and racist messages are mainstreamed via press coverage, and argue that journalists must adapt their practices to avoid functioning as unwitting amplifiers of the extremist movements they cover.³²⁹ The White Rose Society, an Australian civil society organisation engaged in monitoring and countering neo-Nazi activity, has developed a set of nine principles for journalists reporting on extremist movements.³³⁰ These principles draw from, and are consistent with, research on how news media inadvertently amplifies extremist messages through routine coverage practices.³³¹

230. The principles include the following: do not interview extremists, because even a confrontational interview provides a platform and generates content that will be clipped and used for recruitment as part of their media strategy; ask what story the extremists do not want told – such as the grooming of minors, the cult-like internal structures, or the links to overseas extremist networks – rather than covering the stunts they stage for media attention; blur banners, flags and symbols in visual coverage, so that reporting does not function as free advertising for extremist organisations; do not name the organisation where possible, using generic descriptors such as “neo-Nazi group” or “right-wing extremist organisation” instead; and recognise that community-led responses, not increased policing or new criminal laws, are the most effective answer to extremist threats.³³²

Recommendation 20: The Commission should recommend that Australian media institutions adopt responsible reporting principles in relation to extremism.

³²⁹ Adam Klein, ‘Slipping Racism into the Mainstream: A Theory of Information Laundering’ (2012) 22(4) *Communication Theory* 427.

³³⁰ The White Rose Society, ‘9 Principles for Journalists Reporting On Neo-Nazis’ (15 April 2025) <<https://thewhiterosesociety.writesas.com/9-principles-for-journalists-reporting-on-neo-nazis>>.

³³¹ Whitney Phillips, *The Oxygen of Amplification: Better Practices for Reporting on Extremists, Antagonists, and Manipulators Online* (Data & Society Research Institute, 2018).

³³² The White Rose Society, ‘9 Principles for Journalists Reporting On Neo-Nazis’ (15 April 2025).

7.2.6 Cross-community solidarity and anti-racism

231. Antisemitism and racism are best reduced through approaches that are relational, not punitive: cross-community solidarity, intergroup contact and shared anti-racist frameworks. The most effective framework for addressing antisemitism is grounded in alliances between Jewish communities and other racialised minorities.³³³
232. In their work for the Runnymede Trust, Feldman, Gidley and McGeever distinguish between two strategic approaches to combating antisemitism. The first — a “vertical alliance” between pro-Israel Jewish organisations and the state — has dominated government policy in both the United Kingdom and Australia. While this approach has yielded some short-term security benefits, including increased police protection and dedicated community security infrastructure, the authors conclude that it has also produced significant collateral damage: a perceived “hierarchy of racisms” in which Jewish communities are treated as a model minority while other racialised groups receive comparatively less protection and institutional attention. This hierarchy is divisive, and risks breeding resentment between communities that share common experiences of racism and undermining the broad coalitions on which effective anti-racism depends. The authors emphatically reject this approach: governments must “move beyond framing and discussing antisemitism in ways that pit communities against one another, prohibit solidarity and encourage division”.³³⁴
233. The alternative is “360-degree anti-racism” — a “horizontal” strategy of alliance-building between Jewish communities and other racialised minorities.³³⁵ This approach recognises the specificity of antisemitism while insisting that it cannot be effectively addressed in isolation from Islamophobia, anti-Black racism, anti-Indigenous racism and other forms of racialisation. It demands genuinely reciprocal anti-racism: opposing racism wherever it occurs, including the racism experienced by Palestinians under Israeli rule, rather than treating antisemitism as a uniquely urgent category.
234. The Jewish Council and its members have experienced the effectiveness of “360-degree anti-racism” and have felt supported by other racialised communities, who understand from lived experience that racism in any form is a threat to all. We have experienced such solidarity through the interfaith vigils co-hosted with Muslim, Christian, Indigenous and Palestinian communities following the Bondi attack, and other activities outlined throughout this submission.
235. Many of our members have pointed to cross-cultural solidarity or activist work between Palestinian and Jewish Australians as sites where greater understanding and accommodation between different cultures and perspectives can be achieved:

My family and I have experienced two events recently that have given me hope: a Solidarity Sukkot and an inclusive Passover Seder bringing together Jews, Palestinians and allies to celebrate the Jewish festivals of Sukkot and Passover. Food, traditions and knowledge were shared with much love and shared understanding. We learned a lot from each other and were reminded

³³³ Feldman, Gidley and McGeever, above n 144.

³³⁴ Ibid 25–26.

³³⁵ Ibid 26–28, 33.

how much we have in common, whether it's our beliefs, desire for peace, or our recipes. – Anonymous, Melbourne

A crucial part of our work is coalition-building and growing an ecosystem of groups that reject the notion that safety and self-determination can only be achieved at the expense of the other.

We build bridges and relationships. Much of our work is interpersonal, connecting people who are prepared to countenance competing narratives. People who come to our group either as members or on an ad hoc basis, share some hope that they can overcome differences and accommodate other perspectives. – Anonymous, Sydney

236. The following lived experience of a Jewish Council member illustrates both the reality of antisemitism in everyday Australian workplaces and the critical insight that antisemitism does not exist in isolation from other forms of racism – reinforcing why cross-community, anti-racist solidarity is the most effective framework for addressing it:

In my prior workplaces (in the City and Bondi), which were in the hospitality sector, I experienced regular anti-semitic bullying. In one workplace, this was perpetrated by someone who walked the fine line between bullying, joking and intense Anti-Semitic abuse. While other staff members had little moustaches tattooed on their finger, which was a silly trend at the time, this manager had what looked like a Hitler moustache tattooed on his finger. I was introduced by him (the associate manager) as “the Jew” to new staff members. I had swastikas drawn on my work items and drink bottles. Comments were made casually and then dismissed as jokes. I was made to clean the bathrooms on every single opening shift, and while we all had to do this, this manager would tell others to wait until I arrived and then I had to clean the bathrooms. This may have been less observed by others, but I was very aware of how much I was put down regularly.

The only way to address this is through a generalised anti-racist and anti-discriminatory manner. This manager was otherwise racist towards people of African background (it was the height of the African Gangs scare), Muslim people and South Asians. There is no difference between Anti-Semitism of this kind and other forms of hate against people because of their ethnicity, religion, or background. I believe that to differentiate between different forms of hate, ultimately creates a world where the safety or hatred against one group (Jewish People) become pitted against the safety of others. – Yehuda, Sydney

Recommendation 21: The Commission should recommend increased investment in cross-community solidarity initiatives, interfaith and intercultural school programs, and community-driven anti-racism work that builds genuine connection across multicultural Australia.

7.2.7 Structural reform

237. The AHRC's NARF is the most thorough, evidence-based and widely consulted anti-racism policy framework ever produced in Australia. Launched in November

2024, it draws on consultations with more than 1,200 people with lived experience of racism conducted by the Federation of Ethnic Communities' Councils of Australia, as well as input from peak bodies, service providers and government departments. It contains 63 recommendations for a whole-of-society approach to eliminating racism across Australia's legal, justice, health, education, media and arts sectors.³³⁶

238. The NARF's structural recommendations are grounded in extensive international and domestic evidence. Its call for a positive duty to eliminate racial discrimination — requiring businesses and organisations to take “reasonable and proportionate measures” to prevent racism proactively — follows the precedent of the positive duty to eliminate sexual harassment introduced by the Australian Government in 2022 under the Respect@Work reforms.³³⁷ Positive duties shift the burden from individual complainants to institutions better positioned to prevent discrimination. The NARF's recommendation for a National Human Rights Act responds to the AHRC's finding, documented throughout this submission, that Australian hate speech laws lack the constitutional guardrails necessary to prevent their misuse as instruments of political suppression.
239. As outlined in Section 6.5 above, the NARF's recommendation for a national anti-racism data framework addresses a critical gap: the absence of reliable, nationally consistent data on racist incidents. Without such data, policy responses depend on advocacy organisations' statistics rather than rigorous measurement which, as outlined in Section 6.2 above, are not always accurate or reliable.
240. The NARF's recommendations for education and media — including mandatory anti-racism teacher training, nationally consistent curricula, and anti-racist editorial guidelines — are consistent with, and have informed, the Jewish Council's positions as articulated in Sections 7.2.2, 7.2.4 and 7.2.5 above.
241. Despite the comprehensive nature of the AHRC's review and recommendations, the Australian Government is yet to respond to the NARF or take action on any of the 63 recommendations.³³⁸ This Commission provides a critical opportunity to endorse the NARF and urge its implementation as a matter of national priority.

Recommendation 22: The Commission should endorse the NARF as the best evidence-based framework for addressing racism in Australia, and should recommend that the Australian Government respond to its recommendations as a matter of priority. In particular, the Commission should recommend that the Australian Government take action on the following key measures recommended in the NARF: enacting a National Human Rights Act to guarantee protection against all forms of discrimination and provide constitutional guardrails for future legislation in the hate speech and discrimination space; amending the *Racial Discrimination Act* to impose a positive duty on organisations to eliminate racial discrimination with corresponding

³³⁶ AHRC, NARF.

³³⁷ Ibid 16 (Recommendation 10). The positive duty in s 47C of the *Sex Discrimination Act 1984* (Cth) was inserted by the *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022* (Cth).

³³⁸ Krishani Dhanji, 'Labor Accused of Ignoring Anti-Racism Plan as Documents Reveal Repeated Pleas to Take Action', *The Guardian* (19 April 2026) <<https://www.theguardian.com/australia-news/2026/apr/19/government-accused-of-ignoring-anti-racism-framework-despite-repeated-pleas>>.

AHRC enforcement powers; and establishing a national anti-racism data collection and reporting framework.

Recommendation 23: The Commission should recommend that the role of the ASECA be abolished and its functions assumed by the AHRC and the Race Discrimination Commissioner, to embed antisemitism responses within the broader anti-racism framework.

8 Conclusion

242. Antisemitism is real, it is rising, and it demands a serious response. The Bondi massacre and the daily hostility experienced by Jewish Australians documented in this submission make that urgency clear. But the evidence is equally clear that the dominant policy response — punitive legislation, conflation-reinforcing definitions, and the silencing of political dissent — does not reduce antisemitism. It makes it worse.

243. The far right — with its Great Replacement conspiracies, its Holocaust denial, its neo-Nazi street violence and its growing penetration of mainstream conservative politics — remains a significant and often overlooked driver of antisemitism in Australia. If the Commission focuses its recommendations on suppressing pro-Palestinian speech while leaving far-right antisemitism to be addressed by general counter-terrorism measures, it will have fundamentally misread the threat.

244. In summary, the Jewish Council asks the Commission to recognise that:

1. The Australian Jewish community is politically and religiously diverse. Many Jewish Australians, including members of the Jewish Council, are critical of Israel and/or Zionism. Any response to antisemitism that treats the Australian Jewish community as a monolith aligned with the Israeli state will fail.
2. The conflation of Jewish identity with Israel is itself a driver of antisemitism, and definitions of antisemitism that reinforce that conflation do more harm than good.
3. Punitive approaches — expanded hate speech laws, criminalisation of political slogans, and the suppression of protest — consistently target minorities and dissenters rather than protecting them, as the German, Queensland and New South Wales case studies demonstrate.
4. Education, intergroup contact and cross-community solidarity are proven to be the most effective measures of reducing prejudice and hate.
5. Australia already has a rigorous, evidence-based anti-racism framework in the NARF. What is needed is implementation, not new institutions that silo antisemitism from the broader struggle against racism.

245. The Jewish Council urges the Commission to ground its recommendations in the evidence, to resist the political pressures that have distorted the public conversation about antisemitism, and to affirm that the safety of all Jewish Australians is inseparable from the safety and dignity of all Australians. Our history, as Jews and as Australians, teaches that solidarity across communities of difference is both the

hardest and the most effective response to hatred. We ask the Commission to recommend that path.