

Australian Labor PM accedes to Coalition on sweeping “hate speech” laws

Mike Head
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In what corporate media outlets described as a “humiliating backflip,” Australian Labor Prime Minister Anthony Albanese joined hands with the Liberal-National Coalition to ram far-reaching supposed “hate speech laws” through parliament on Thursday, under the guise of combatting antisemitism.

Once again making a mockery of parliamentary democracy, the legislation was pushed through both houses of parliament in less than 24 hours. The Labor government suddenly announced that it would accept Coalition amendments to impose draconian mandatory minimum sentences—up to six years’ imprisonment—for key offences.

Just weeks before an election, which must be held by May 17, Albanese’s government sent another signal of its readiness to embrace the repressive and militarist agenda of the US Trump administration, which it has refused to criticise, let alone oppose.

Under the laws, opponents of the Gaza genocide and the intensifying US-Israeli onslaught on the people of Palestine could be framed-up and convicted of offences such as “advocating” force against supporters of the Zionist state of Israel.

The Criminal Code Amendment (Hate Crimes) Act 2025 also has the potential to be used to more broadly against anyone speaking out against groups that support the government’s increasing commitment to US militarism under Trump.

Up until late Wednesday night, when his deal with the Peter Dutton-led Coalition was announced, Albanese had reiterated the government’s opposition to mandatory sentencing. That was formally in line with the Labor Party’s national platform, which states that mandatory sentencing “does not reduce crime but does undermine the independence of the judiciary, lead to unjust outcomes and is often discriminatory in practice.”

When the Coalition first unveiled its demand for mandatory prison terms on January 20, Albanese described such laws as “fraught” and “counterproductive.”

For decades, mandatory sentencing has led to notorious abuses, such as an indigenous man being jailed for a year in the Northern Territory after being convicted for “stealing” a packet of biscuits at a mining site.

According to media reports, citing sources familiar with the discussions inside Albanese’s cabinet, the prime minister

overruled Attorney-General Mark Dreyfus, who said he did not support the Coalition amendments.

That underscores the central role being played by Albanese, the leader of Labor’s nominal “Left” faction, in lining up with the Zionist organisations, backed by Israel’s Netanyahu government, that have demanded such laws.

Rather than a singular about-face, an inverse law is at work. The more brazen the unveiling of the underlying US-Israeli agenda in the Middle East—with Trump now publicly calling for the ethnic cleansing of Gaza to make way for US control—the more the Labor government, and the political establishment as a whole, moves to demonise and threaten dissent.

This is the second time the Albanese government has rushed to adopt demands by the Coalition for mandatory minimum jail sentences. They similarly worked together to ram such laws through parliament in record time to potentially re-imprison refugees and other immigration detainees released from indefinite detention by a High Court ruling in 2023.

The latest laws are an escalation of previous moves by the federal and state Labor governments to shut down protests against the Israeli genocide—one of the worst crimes since the Holocaust—which the Albanese government has supported politically, ideologically and materially, along with its counterparts in all the European powers.

Increasingly, outrage at the genocide has been falsely depicted as antisemitic “hate” or support for “terrorism,” not opposition, shared by many Jews, to the reactionary US-backed Zionist project of expanding an exclusivist Jewish state and reorganising the entire Middle East in the interests of US imperialism.

The pretext for the expanded “hate speech” laws are murky antisemitic arson and vandalism attacks, mainly in Sydney and Melbourne, in recent months. Despite growing numbers of federal and state police arrests, however, no evidence has been produced linking these incidents to anyone involved in the mass demonstrations in Australia against the Israeli genocide over the past 18 months.

Acts of violence, including arson attacks or firebombing of cars, are already serious criminal offences.

The new legislation goes much further. It is a serious assault on basic democratic rights. It significantly expands existing

offences in the federal Criminal Code. It criminalises “advocating force or violence” against a group based on race or religion, or anyone associated with such a group, as well as “threatening” such acts.

The Act vaguely defines “advocate” to mean “counsel, promote, encourage or urge.”

Previously, these offences only covered threats of violence, not the wider term “force” and not “advocating.” The changes also add threatening or advocating damage to property or vehicles because of their ownership by a group.

It is enough for the prosecution to show that any “reasonable” member of a group, in effect a Zionist organisation, feared that any of these threats would be carried out. The Act defines “fear” to include “apprehension.”

If the threat would also “threaten the peace, order and good government of the Commonwealth”—that is the existing capitalist economic and political order—then the maximum punishment increases from 5 to 7 years’ imprisonment.

For many of the offences, the requirement for intent has been removed. Instead, mere “recklessness” is sufficient—that is if the defendant should have realised there was a “serious risk” that their comments could have created a fear of force or violence, even if they did not intend that.

Mandatory jail terms now apply—including six years for offences classified as terrorism-related, three years for “financing terrorism” and one year for displaying a Nazi symbol, doing a Nazi salute, displaying a “terrorist” symbol, or knowingly associating with a designated terrorist organisation.

These provisions could be used, for example, against Dr Randa Abdel-Fattah, a prominent pro-Palestinian academic at Sydney’s Macquarie University, and Sarah Schwartz, a human rights lawyer and the executive officer of the Jewish Council of Australia. Both have been accused by Zionist groups and the corporate media of antisemitism, along with many others in Australia and internationally, for speaking out against the genocide in Palestine.

Compulsory imprisonment for displaying a Nazi symbol could be inflicted on anyone who uses such a symbol to condemn Israel for carrying out Nazi-like crimes. Last year, Alan Yazbek, a restaurant proprietor, was convicted of this offence for holding a sign at one of Sydney’s large anti-genocide demonstrations that replaced the Star of David on the Israeli flag with a blue swastika, accompanied by the words “Stop Nazi Israel.”

A magistrate handed Yazbek a 12-month conditional release order, subject to conditions that he not commit any further offence. But the new laws would have seen him jailed for at least a year.

Zionist groups that support the mass killings in Palestine hailed Labor’s partnership with the Coalition. Peter Wertheim, the co-director of the Executive Council of Australian Jewry, said: “The bipartisanship on this important issue sends a powerful and much-needed message of zero tolerance to

potential perpetrators of these offences.”

Legal and civil liberties organisations condemned the legislation. Representing the legal profession, Law Council of Australia president Juliana Warner said a person displaying a prohibited symbol at a protest could be jailed for 12 months. She added: “Under mandatory sentencing, the personal circumstances of the offender are not taken into consideration. This has the potential to disproportionately impact vulnerable groups.”

While the Greens voted in parliament against the mandatory sentencing measures, they aligned themselves with the laws overall. Senator David Shoebridge told the Senate on Thursday that the bill in its original form had given the entire parliament the opportunity to come together to extinguish racism and intolerance, but instead the debate had turned toxic as it contemplated bad laws.

The Labor government was so determined to push through the legislation that it rejected a Greens’ token amendment to insert a “sunset” clause that would place an end date on the minimum sentencing provisions.

Labor’s alignment behind the US-Israeli barbarism and lawlessness in Palestine was further demonstrated by this week’s parallel announcement by Chris Minns, the Labor premier of New South Wales (NSW), that his state government would introduce new offences, including “inciting racial hatred,” and hand the police additional powers and resources to crack down on alleged racially-motivated attacks and protests.

Minns rejected a report commissioned by his government last year that recommended against such a law. After a nine-month review, Tom Bathurst KC, the chair of the NSW Law Reform Commission and a former supreme court chief justice, said it could “introduce imprecision and subjectivity into the criminal law.” The report recommended making no changes to the state’s existing “hate speech” laws, citing possible infringements of freedoms of speech.



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