

Zionist lawsuit initiated against two anti-genocide Australian academics

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Legal firm Levitt Robinson has filed a lawsuit under section 18C of Australia's Racial Discrimination Act against two University of Sydney academics, directly equating their public opposition to Zionism and genocide with antisemitism.

Those targeted are politics professor John Keane and National Tertiary Education Union (NTEU) branch president and linguistics lecturer Nick Riemer. The "racial vilification" complaint will be heard initially by the Australian Human Rights Commission, but it can then be prosecuted in the Federal Court.

The lawsuit is a major attack on basic democratic and legal rights, seeking to set a wider precedent to suppress any dissent against the escalating Israeli mass killings in Gaza, the occupied West Bank and Lebanon.

This is not the first use of section 18C to threaten opponents of the US-backed Israeli barbarism. It follows a complaint filed in July by the Zionist Federation of Australia against well-known journalist Mary Kostakidis for retweeting a speech by Hassan Nasrallah, the former Hezbollah secretary-general in Lebanon, who was later assassinated by the Israeli state.

Outlining the far-reaching aims of the lawsuit against Keane and Riemer, solicitor Stewart Levitt told the *Australian* that his legal team thought that a Federal Court judgment on the complaint would "provide a litmus test" for identifying antisemitism.

"We think it's important that the court rules that anti-Semitism cannot be camouflaged by using the term 'Zionist' as a code-word for 'Jew,'" he said.

In other words, opposition to Zionism—a racist and exclusivist movement that is rejected by many Jews—is being conflated with antisemitism, as it is by governments and the corporate media globally.

According to the *Australian*, the "high-powered"

legal team behind the lawsuit has the backing of former Federal Court judge Ron Merkel.

In June, the law firm Levitt Robinson solicited the complaint. It issued a call to all Jewish staff and students for submissions, asserting that "the sustained and toxic nature of the attacks on Jews at Sydney University have had a grave effect on the psyche of students and academics alike."

It accused the university of a "breach of duty of care owed to academics and students, breaches of contract between academics and students, and occupational health and safety breaches."

That was in response to anti-genocide encampments that erupted on university campuses around Australia, as they did internationally. Zionist organisations denounced university managements for not calling in police to violently shut down the protests, as had happened in the US.

The complaint alleges that Keane and Riemer made comments, "considered individually or cumulatively were reasonably likely... to offend, insult, humiliate, or intimidate Jewish persons or Israeli persons in Australia and elsewhere."

What has been made public by the *Australian* shows the far-reaching and false character of the claims of antisemitism. The newspaper's report cites, as examples, the following complaints:

* After the events of October 7, 2023, which constituted an uprising against decades of oppression, Riemer tweeted: "No progressive should feel the need to publicly condemn any choices by the Palestinian resistance. Doing so just adds to the perception that their cause is unjust."

* Keane posted a picture of a green flag, which Wissenschaftszentrum Berlin, the university where he held a fellowship, said could "only be understood as

support for Hamas and their actions.” Keane resigned his fellowship with the university the following month.

The legal complaint is not aimed at opposing genuine antisemitism, but at silencing opposition to the US-Israeli assault, which the Albanese Labor government, like other imperialist governments, fully backs under the fraudulent banner of supporting the occupying state’s “right to defend itself.”

Despite the flimsy nature of the accusations, University of Sydney management has indicated it is willing to line up against the academics, telling the *Australian*, “we condemn all forms of racism, including anti-Semitism. The safety of our community is always our top priority.”

Keane and Riemer have publicly opposed the attacks on them. Keane told the *Australian*: “The plaintiffs have no case. Misusing section 18C, they allege discrimination based on race. Truth is that the wider public controversy in which they are now embroiled is exposing their political silence about genocide.”

Riemer told the newspaper: “This complaint is a vexatious abuse of the AHRC [Australian Human Rights Commission]. It has no other aim than to discredit opposition to genocide, and takes the commission away from its real work of fighting actual discrimination.”

Far from being a distraction, however, section 18C of the Racial Discrimination Act has always contained broad provisions which could be used to attack democratic or left-wing opposition to the policies of the ruling elite.

Section 18C was introduced by the Keating Labor government in 1995. It makes illegal any public act that “is reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate another person or a group of people” based on their race, skin colour or national or ethnic origin.

In 2011, the Federal Court found that right-wing commentator Andrew Bolt had breached section 18C by “offending” Aboriginal people with an article in which he stated, without evidence, that 15 “white” or “fair” people chose to identify as Aboriginal to advance their careers.

Pseudo-left groups celebrated the Bolt ruling, effectively welcoming the censorship by the capitalist state apparatus. Socialist Alternative’s Louise O’Shea wrote that Bolt “broke the law.” She hoped those who

Bolt had “vilified, disparaged and mocked... are enjoying his public humiliation. May there be more of it.”

In direct contrast, the *World Socialist Web Site* correctly warned 13 years ago: “All manner of politically-motivated prosecutions may follow the Bolt judgement. To take one potential example—American author and critic of Zionism Norman Finkelstein wrote *The Holocaust Industry*, which examined the way the Holocaust had been exploited to advance various material interests. The Racial Discrimination Act would now appear able to be used to prosecute Finkelstein in Australia, on the basis that pro-Zionist Jewish groups found his work ‘offensive.’”

Like its international partners, the Labor Party has spearheaded the false claim that anti-Zionist protesters are antisemitic. Prime Minister Anthony Albanese stated in May that peaceful anti-genocide student encampments demonstrated there was “no question” that antisemitism was “being expressed more openly” than at any other point in his lifetime.

This cleared the way politically for attacks on anti-genocide protesters. This has included last month’s violent arrest of three Western Sydney University students by New South Wales (NSW) police for participating in a peaceful sit-in on the campus. NSW has a Labor state government.

The *World Socialist Web Site* has well-documented and fundamental political differences with Riemer. But we unequivocally oppose this attack against him, as a foul political frame-up aimed at delegitimising opposition to some of the worst war crimes since the Holocaust. The defence of democratic rights is a principle that must be taken up by all workers and students.

As this lawsuit underscores, measures initially used against right-wing targets, like Bolt, are inevitably used against workers, including educators, as the social and political conditions worsen. Keane and Riemer must be defended against this attack.



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