

Australia: Opponent of Gaza genocide criminally charged for denouncing Zionism

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In a disturbing escalation of a crackdown on opposition to the Israeli genocide in Gaza, pro-Palestinian activist Hash Tayeh was yesterday served with criminal charges for having publicly condemned Zionism.

Tayeh's "offence" was to declare at a public protest in Melbourne last year that "all Zionists are terrorists." That is entirely legitimate political speech. The attempt by the authorities to illegalise such statements is a body blow to the most basic civil liberties enshrined in international law, including freedom of speech and expression.

Contrary to the relentless attempts to conflate them, Judaism and Zionism are not equivalent, a point that has been made forcefully by many anti-Zionist Jews and by Tayeh. Zionism is a right-wing political ideology, indelibly associated with the ethnic-cleansing and oppression of the Palestinians and the expansionist imperialist operations of the Israeli state.

If it is deemed illegal to condemn a political ideology such as Zionism as sharply as one wishes, the inevitable question is what is next? Will strident denunciations of fascism, nationalism and other reactionary political trends be deemed beyond the pale? Will statements such as "all imperialists are militarists and criminals" also be outlawed?

The circumstances of Tayeh's charging underscore the extraordinary and despotic character of the attack against him. The statement was made at a protest in May last year, i.e., almost an entire year ago. Tayeh was informed that he was under police investigation last July and was arrested and interviewed several times.

The obvious question is why it has taken the police so long to issue charges, if they actually believe that Tayeh broke a law. His comment was made publicly, in front of thousands of people. Its content has not changed in the ten months between the utterance and the laying of charges.

Then there is the nature of the charges themselves. When it was revealed that police were investigating Tayeh's comment in July, it was on the grounds that he may have breached the Racial and Religious Tolerance Act. But Tayeh has not been charged under that act, in a tacit admission by

police that he had not violated what are effectively hate speech laws.

Instead, Tayeh has been charged with four counts of "using insulting words in public." Legal experts have stated that they have never heard of such charges being levelled over public, political statements. They are generally deployed against people involved in interpersonal arguments or accused of swearing at the police.

Despite the seemingly minor character of the charge, it can carry a prison sentence of two months for a first offence and six months for a repeat infraction.

The clear impression is that Victoria Police had made a decision to charge Tayeh, and worked backwards from there, first attempting to use hate speech legislation, and then when that proved unviable, settling on the use of common criminal law in an unprecedented prosecution.

In comments to the *Age*, Tayeh denounced the charges. "I have never supported the harming or killing of men, women, and children—no matter their faith or background," he said. "Standing against the loss of innocent lives is not just a political stance; it is a moral obligation." Tayeh added: "Criticising a regime that commits acts of terror is not a crime. It is a fundamental right, a cornerstone of democracy, and political censorship has no place in Australia."

The prosecution is clearly aimed at chilling speech. The inevitable consequence will be that activists, political figures and ordinary people will think twice about making certain political statements, lest they be dragged into the courts and prosecuted.

There is a particularly concerning element to the targeting of Tayeh, however. He has been the victim of a protracted campaign of threats, intimidation and violence over his opposition to the genocide.

In November 2023, a restaurant belonging to his successful Burgertory chain was firebombed in the Melbourne suburb of Caulfield. Tayeh and others noted that in the weeks prior, its employees had been harassed by Israel supporters because of his stand in defence of the Palestinians.

The Victoria Police immediately and repeatedly declared that the arson was not politically motivated. Only in November last year was it revealed in the press that one of the alleged perpetrators, who is said to have committed the crime for a cash payment, told an informant that the bombing was over the “conflict overseas between Palestine and Israel.”

Tayeh’s personal residences have also repeatedly been targeted, including with firebombings. He has described the police responses as unhelpful and indifferent. Instead of investigating the serious violence prosecuted against the pro-Palestinian businessman, the police have been investigating him over political comments made at a public rally.

Sinister questions inevitably pose themselves. Whoever has been carrying out violent attacks on Tayeh has intended to punish and silence him for opposing the Israeli genocide. And the police prosecution is clearly intended to punish and silence Tayeh for the same reason. The police would no doubt claim that is merely a coincidence, but many members of the public may be skeptical.

The investigation into Tayeh appears to have been prompted last year by lobbying from various Zionist activists, who are intensely hostile to the pro-Palestinian businessman.

The timing of the charges is also bound up with the increasingly reactionary political environment that governments and the media have sought to cultivate.

Over recent months, their protracted campaign to brand all opposition to Israeli war crimes as antisemitism has been taken to a new level. Academics and anti-Zionist Jewish leaders have been venomously attacked and threatened. The universities have agreed to a new definition of antisemitism, which potentially outlaws criticism of Zionism and Zionists, along similar lines to the charges against Tayeh.

Last week, a second nurse at Sydney’s Bankstown Hospital was hit with serious charges that could carry years’ of imprisonment, over an exchange he and a coworker had in February with Israeli “social media” influencer Max Veifer.

The nurses were baited into making stupid and politically backward comments by Veifer, a Zionist provocateur who explicitly defends Israeli crimes, including its murder of civilians. But Veifer has been presented by police as the wounded party, with the nurse charged with using a carriage service to menace, harass and offend the Israeli. The fact that Veifer has admitted he wanted to provoke such a response has simply been ignored.

The witch-hunting atmosphere has been presided over by the Labor Party. As he has backed Israel’s genocide politically, diplomatically and materially, Labor Prime Minister Anthony Albanese has venomously denounced protesters and has helped to whip-up a confected “national

crisis” around purported antisemitism.

The persecution of Tayeh has been overseen by the Victorian Labor government, which has also introduced sweeping anti-protest laws directed against opponents of the genocide.

While opponents of the Israeli war crimes are the first targets, a far broader precedent is being established. Amid an eruption of imperialist militarism globally, including Australia’s central role in the US preparations for conflict with China, a framework is being erected for the suppression of all anti-war opposition.

The intensified witch hunt is an indictment of the bankrupt politics that have dominated the pro-Palestinian movement. The Greens and pseudo-left groups such as Socialist Alternative and Socialist Alliance did everything they could to ensure protests were dominated by feckless appeals to the Labor government to end its support for the genocide.

That effectively subordinated the protests to the political forces in Australia most directly responsible for the Israeli war crimes. It covered up the connection between Labor’s support for the Israeli atrocities and its broader militarist program, associated with AUKUS and the war drive targeting Beijing.

Now, the protest movement has largely collapsed. Earlier this year, organisers announced that protests, which had been held weekly since mid-October 2023, would occur monthly. Despite the complete failure of the perspective of pressuring Labor, that remains the incessant line of the demonstrations.

Lessons must be drawn. The defence of democratic rights and the fight against genocide and war requires a political struggle against Labor, the Liberal-Nationals and the entire establishment. That requires the independent mobilisation of the working class, based on a revolutionary and socialist perspective.

The aim must not be to pressure capitalist governments to end war—an impossible task—but to replace them with workers’ governments that would implement socialist policies, in opposition to the root cause of war, the profit system itself.



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