

## Submission: Review of the listing of Hizb ut-Tahrir as a prohibited hate group under the Criminal Code

**Submitted by: Mr Mohamed Abdulwahab**



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Committee Secretary  
Parliamentary Joint Committee on Intelligence and Security  
PO Box 6021  
Parliament House  
Canberra ACT 2600

[pjcis@aph.gov.au](mailto:pjcis@aph.gov.au)

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### **1. Preface**

This submission is offered to the Parliamentary Joint Committee on Intelligence and Security (the Committee) currently reviewing the listing of Hizb ut-Tahrir as a prohibited hate group under the Criminal Code on the 5<sup>th</sup> of March 2026.

The purpose of this submission is to offer reflective information about the nature and purpose of Hizb ut-Tahrir, as an example of the increasing criminalisation of anti-genocidal voices, so as to encourage more informed debate in an environment often characterised by heightened hysteria.

The introduction of new hate speech laws, and its consequential new hate listing regime, is a matter of seminal public interest. These new laws have been rushed into legislation, with inadequate scrutiny, and claims about their need, their effectiveness and their target need to be properly scrutinised without the suffocating noise synonymous with debates around national security in this country.

I present this submission as a case study on how these laws serve the purpose of inverting justice by punishing opponents of genocide whilst protecting its advocates in this country.

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## 2. Introduction

Hizb ut-Tahrir is a global Islamic political party founded in Al-Quds, Palestine, by the jurist and thinker Taqiuddin al-Nabhani. The party defines Islam as its sole reference and motivation, and traces its establishment to the Qur'anic injunction: *"Let there arise from among you a group that calls to goodness, enjoins what is right and forbids what is wrong - those are the successful"* (Qur'an 3:104). From its inception, Hizb ut-Tahrir has positioned itself as a political and intellectual movement seeking change within the Muslim world through non-violent means.

The proscription of Hizb ut-Tahrir as a "prohibited hate group" follows what is characterised here as a long-running effort to marginalise opposition to the crimes of "Israel", including its violent expansionist policies in Palestine and the broader region. Positions (e.g. expansionist genocide) that are now more widely recognised were, until recently, dismissed outright within mainstream political and media discourse.

Hizb ut-Tahrir has been an active and leading participant in Palestine Muslim advocacy in Australia and internationally. While there are acknowledged differences between its worldview and that of broader society here, the organisation contends that much of the scrutiny directed toward it has relied on mischaracterisations and deliberate misinformation. Historically, political figures, commentators, and security agencies have recognised the distinction between holding what they deem to be controversial views and engaging in unlawful conduct. It is submitted that more recent commentary reflects a marked departure from this position, raising concerns about consistency and the influence of external political pressures represented in local lobby groups.

The context in which the listing occurred is central to understanding its implications. Australia's strong political support for "Israel" during a period of intense international criticism generated significant domestic opposition, including sustained public demonstrations. Hizb ut-Tahrir has been among the Muslim voices engaged on this issue, framing it as both a moral and religious concern, and participating through political and ideological advocacy. At the same time, calls for the organisation's prohibition have been made over many years by pro-"Israel" advocacy groups, culminating in the present outcome. The legislative pathway used to effect the ban is characterised by unjust executive discretion and reduced thresholds for proscription which has attracted wide criticism for its breadth and its departure from established safeguards. The creation of a special set of draconian laws to proscribe Hizb ut-Tahrir in the context of their anti-genocide activism only casts suspicion over the government's motive.

It is further noted that Hizb ut-Tahrir has not been found to have engaged in violence, nor has it been convicted of criminal offences of any kind relating to its activities in Australia. Its work has been confined to political advocacy and the expression of ideas, a position that has previously been acknowledged in various academic, political, and security assessments. This record underscores the absence of a clear evidentiary basis for its designation under the new framework.

In light of these factors, the listing is presented as unjust in its foundation, expansive in its legal mechanism, and counterproductive in its effects. It raises broader questions about the balance between security and political expression, the consistency of legal standards, and the direction of public policy in Australia. The decision also carries implications for social harmony, particularly in

how it is perceived by Muslim communities domestically and abroad, and how it may shape Australia's reputation in an evolving global political landscape.

### 3. Who is Hizb ut-Tahrir

Hizb ut-Tahrir (The Party of Liberation) is a global Islamic political party established in 1953 under the leadership of its founder - the honourable scholar, thinker, author, and judge in the Court of Appeals in Al-Quds Palestine - Taqiuddin an-Nabhani.

The current leader of the party is the erudite scholar Ata ibn Khaleel Abu Rashta. He resides in and works from the Muslim world. During his tenure as party spokesman in Jordan in the early 90s he was detained for several years as a prisoner of conscience. Since assuming the leadership of the party, he has addressed conferences in various countries.

Exclusive to the Muslim world, Hizb ut-Tahrir's political aim is the resumption of the Islamic way of life through the re-establishment of the Righteous Islamic Caliphate as an independent state - having an elected and accountable ruler, an independent judiciary, political parties, the rule of law and equitable rights for all citizens regardless of race, religion, ethnicity or ideology. Citizens of the Caliphate have every right to be involved in politics and accounting the ruler, as the role of the ruler (Caliph) is that of a servant to the masses, governing them with justice.

The current situation in the Muslim world is a lamentable one, with deeply embedded corruption, open oppression, injustice, no accountability, disregard for rule of law and discrimination. Add to this the current unfettered crimes, massacres and genocide carried out by colonial states and their allies. These are real problems which affect millions of people every day, and these are problems which Hizb ut-Tahrir works to change.

Much has been said about Hizb ut-Tahrir's aim of establishing a Caliphate, many of which are malicious lies, by politicians and media, the most recent of which have been biased, distorted and influenced by foreign propaganda. This includes Mike Burgess's and Peter Werthem's claims that Hizb ut-Tahrir Australia (HTA) seek to establish a Caliphate in Australia by force.

Hizb ut-Tahrir's position on the location of establishing the Caliphate in the Muslim world and the methodology adopted, through Islamic texts, has been well documented in official literature and media releases and interviews.

In HTA's media pack publish online: it states:

*"Our primary political aim, as mentioned above, is the re-establishment of the Caliphate in the Muslim world. We are not working to establish such a state in Australia."*

Further in the book, "Hizb ut-Tahrir", it states:

*"The whole world is a suitable location for the Islamic da'wah. But since the people in the Muslim countries have already embraced Islam, it is necessary that the da'wah starts there. The Arab countries are the most suitable location to start carrying the da'wah because these countries, which constitute part of the Muslim world, are inhabited by people who speak the Arabic language, which is*

*the language of the Qur'an and hadith, and is an essential part of Islam and a basic element of the Islamic culture.*

*The Hizb began and started to carry the da'wah within some of the Arab countries. It then proceeded to expand the delivery of the da'wah naturally until it began to function in many Arab countries and also in non-Arab Muslim countries as well."*

Since issuing Press Release's over two decades ago, HTA has repeatedly clarified its position on establishing the Caliphate and the means adopted to do so:

*"Hizb ut-Tahrir is a global Islamic political party working to re-establish the Islamic Caliphate within the Muslim world. Since its inception in 1953, Hizb ut-Tahrir has been subject to the severest of repression at the hands of the tyrants in the Muslim world. Our members have been consistently persecuted, imprisoned, tortured and even murdered. Despite operating under the most horrendous conditions, Hizb ut-Tahrir continues to resolutely oppose all forms of tyranny and dictatorship exclusively through intellectual and political means, and in fact considers the recourse to violence as a means to achieve its objectives a violation of Islamic law." – [HTA PR: 11/7/2007]*

The position was also clarified in numerous media interviews.

There also has been much maligning of the idea of the Caliphate, although not intended to be a comprehensive exposé of the idea of the Caliphate in Islam, we include HTA's stated description of the Caliphate in its media pack that was published on their local website:

*"The Caliphate is a state based ideologically and politically on Islam. Its responsibility is to equitably manage the affairs of all citizens, Muslim and non-Muslim alike, through the implementation of the laws of Islam (Shari'ah) in their capacity as divine laws which, given their divine origin, are the most suitable laws for humanity.*

*The ruling system of the Caliphate bears no resemblance to any of the governments in the Muslim world today. It is a unique system, different from any other in terms of its political philosophy, form of government, and aims and methodologies, for the simple reason that its source is divine and not man-made. The systems of ruling that exist in the Muslim World at present, on the other hand, are all the fruits of a colonial legacy.*

*The Caliph is the head of state in the Caliphate. He is not a king or dictator but an elected leader whose authority to rule must be given willingly through a particular contract of ruling. He is not like the Pope. He is not a spiritual head, nor is he infallible. His post is an executive post of governance. He can make mistakes, which is why checks and balances exist within the Islamic ruling system to ensure he and his government remain accountable.*

*The Caliph is not appointed by God, and the Caliphate is not a theocracy as understood in Western political and religious discourse. Its legislation is not restricted to religious and moral codes alone. The Shari'ah is a comprehensive system that legislates on political, social, economic, foreign policy and judicial matters. Economic progress, elimination of poverty and enhancing the people's standard of living are all goals the Caliphate aims to achieve. This is completely opposite to the backward, medieval theocracies founded in Europe during the middle ages where the poor were forced to work*

*and live in squalid conditions in return for the promise of heaven. Historically the Caliphate was an immensely wealthy state with a flourishing economy, high standard of living and a world leader in industry and scientific research for centuries.*

*Further, the Caliphate is not a totalitarian state. It cannot spy on its citizens. Everyone in the Caliphate has the right to express his or her opposition to policies of the state without fear of arrest or imprisonment. Torture and imprisonment without trial is completely forbidden, and these rules are not allowed to be bent on grounds of political expediency as we see occurring in modern Western democracies. Non-Muslims are protected by the state and not forced to leave their religions or to adopt Islamic values. Rather non-Muslim citizens are protected and their homes, properties and lives cannot be violated. They have the same rights and responsibilities as Muslims.”*

### **3.1. Hizb ut-Tahrir and Violence**

Hizb ut-Tahrir has no history of violence or militancy anywhere in the world. Rejection of violence as a methodology for political change is clearly stated in Hizb ut-Tahrir’s literature.

Hizb ut-Tahrir has maintained this non-violent method from its inception, despite operating under some of the harshest regimes in the world. External sources, from both political establishments and academia, have acknowledged this fact, as shown in the following select references.

*“The group’s non-violent ideology has displayed remarkable continuity over five decades. Originally directed at Arab Muslims, its vision of a return to an Islamic way of life through the agency of a new pan-Islamic state attracts adherents around the world...Hizb ut-Tahrir has remained remarkably consistent in ideology and strategy.”*- [International: Hizb ut-Tahrir channels disaffection, Oxford Analytica Report, 08 Jan 2008.]

*“Hizb ut-Tahrir [HT] is an independent political party that is active in many countries across the world. HT’s activities centre on intellectual reasoning, logic arguments and political lobbying. The party adheres to the Islamic Shariah law in all aspects of its work. It considers violence or armed struggle against the regime, as a method to re-establish the Islamic State, a violation of the Islamic Shariah.”* - [Restricted Home Office Documents 19/8/03, Released to Hizb ut-Tahrir Britain 1/6/05 under FOI Act, UK]

*“Hizb ut-Tahrir is a completely non-violent organisation.”*- [Craig Murray, the ex-British ambassador to Uzbekistan, Al-Jazeera, 17/5/05.]

*“Hizb ut-Tahrir does not advocate a violent overthrow of Muslim regimes... Instead HT believes in winning over mass support, believing that one day these supporters will rise up in peaceful demonstrations and overthrow the regimes of Central Asia.”*-[ Rashid, Ahmed, Jihad: The Rise of Militant Islam in Central Asia, Yale University Press, 25 Jan 2002]

*“But the [UK] ban is highly problematic. It is predicated on labelling a demonstrably non-violent group as terrorist. [...] Violent action is not envisioned in the method of the group which relies on the power of the word.”*- Richard McNeil-Willson, *The Problems of Banning Hizb ut-Tahrir Britain*, International Centre for Counter-Terrorism (ICCT), 26 Jan 2024.

<https://www.icct.nl/publication/problems-banning-hizb-ut-tahrir-britain> ]

*“In contrast to jihadist groups such as the Islamic State (IS), al-Qaeda (AQ), and Hay’at Tahrir al-Sham (HTS) – which engage directly in armed insurgency and acts of terrorism – HT does not operate as a militant organisation and officially disavows violent methods.”* – [Muhammad Makmun Rasyid, Platforming the Caliphate: Hizb ut-Tahrir’s Digital Strategy, Global Network on Extremism & Technology (GNET), 09 May 2025. <https://gnet-research.org/2025/05/09/platforming-the-caliphate-hizb-ut-tahrirs-digital-strategy-and-radicalisation-risks/> ]

*“It is a 'vocal radical' group, rejecting the use of violence.”* - Susanne Olsson, *Hizb ut-Tahrir’s Caliphal Counter-Narrative*, Religions Journal (MDPI), 28 Jun 2021. <https://www.mdpi.com/2077-1444/12/7/486> ]

*“HT strictly eschews violence... HT also opposes terrorism...”* - Ken Ward, *Non-violent extremists? Hizbut Tahrir Indonesia*, Australian Journal of International Affairs, Vol. 63, pp. 149-164, 2009. <https://www.tandfonline.com/doi/abs/10.1080/10357710902895103> ]

*“[Hizb ut-Tahrir’s] approach centers around brinkmanship with authorities, the establishment of a caliphate, and rejection of violence.”* - Program on Extremism, *Understanding Hizb ut-Tahrir (Event Summary)*, The George Washington University, 31 Jan 2024. <https://extremism.gwu.edu/understanding-hizb-ut-tahrir> ]

### **3.2. Hizb ut-Tahrir and the ‘Conveyor Belt’ for Terrorism theory**

The party rejects the charge made by some that the party, though non-violent itself, incites others to commit violent acts. The ‘conveyor belt’ allegation is superficial and unsubstantiated. It is no more than a futile attempt to link Hizb ut-Tahrir to violence. Many independent academics have rejected this allegation [See for example: Jean Francois-Mayer, *Hizb ut-Tahrir, the next Al-Qaida, Really?* p. 9, PSIO, Geneva 2004.]. This is a similar argument presented by the Australian government and the “Israeli” lobby. It seeks to find any means to link Hizb ut-Tahrir to violence. Where is the line to be drawn between holding to account governments committing war crimes, genocide, invasions, and occupations, and being accused of encouraging communal and/or politically motivated violence locally? One has to question, is it zero peaceful opposition to government policies that this government ultimately seeks?

Government Cabinet assessments in the UK reached similar conclusions, quoting from an UK article: *“In the classified papers, presented last week to Coalition ministers on the Cabinet’s home affairs committee, officials say a “clear assessment” has been made that individuals “do not progress” to violence through such groups.*

*One paper, classified “Restricted” and entitled “Government strategy towards extremism”, says: “It is sometimes argued that violent extremists have progressed to terrorism by way of a passing commitment to non-violent Islamist extremism, for example of a kind associated with al-Muhajiroun or Hizb ut Tahrir ... We do not believe that it is accurate to regard radicalisation in this country as a linear ‘conveyor belt’ moving from grievance, through radicalisation, to violence ... This thesis seems to both misread the radicalisation process and to give undue weight to ideological factors.”* - <http://www.telegraph.co.uk/journalists/andrew-gilligan/7908262/Hizb-ut-Tahrir-is-not-a-gateway-to-terrorism-claims-Whitehall-report.html>

Hizb ut-Tahrir has also publicly responded to the conveyor belt claim, originally introduced in an article by Zeyno Baran [then Director of international-security and energy programs at the Nixon Centre (US)]. The full text of the reply from Hizb ut-Tahrir Britain at the time and prior to its current ban, authored by Dr Abdullah Robin, to the Nixon Center is attached in the appendix.

### **3.3. Is Hizb ut-Tahrir an extremist group?**

There is nothing 'extreme' about wanting representative, accountable governance in the Muslim world, or wanting the end of foreign interference within it by removing the despots who rule over it. There is nothing 'extreme' about accounting Western governments on their enabling of the genocide, invasion of Muslim lands, on their spilling the blood of innocent men, women, children and the elderly, on their uprooting of entire towns and villages, and on their pillaging of resources. These are the principles that drive Hizb ut-Tahrir.

Having said this, the reality of contemporary discourse is that terms like 'extreme', 'fundamentalist' and 'radical' - and their opposites like 'moderate' and 'progressive' - are politicised terms having no objective meaning. Western governments and media use them as a political tool to sway public opinion in one direction or another. Hizb ut-Tahrir has sought to go beyond such superficial labels and engage in genuine and substantive debate.

### **3.4. Why is Hizb ut-Tahrir banned in Muslim countries?**

Hizb ut-Tahrir is at the forefront of political activism in the Muslim world, challenging and accounting the previous and current tyrannical rulers of the Muslim world such as Colonel Gaddafi in Libya, Musharraf in Pakistan, Hosni Mubarak in Egypt, Islam Karimov in Uzbekistan, the Assad regime in Syria and the Saud family in Saudi Arabia. Holding the regimes to account continued with today's despots, including the likes of Sisi, MBS, King Abdullah, and Asif Ali Zardari. The response of these regimes has been the imprisonment, torture and murder of its members.

Whilst the challenge to these regimes has been upon an intellectual and political basis, through encouragement of debate and discussion, these Western-backed regimes, being bankrupt of an ideological retort, have resorted to banning and silencing the party through violent means. These regimes tolerate no opposition whatsoever; all opposition parties which seek to change the status quo are banned.

### **3.5. Is Hizb ut-Tahrir banned in Western countries?**

Hizb ut-Tahrir operates actively and legally in the United States as well as many other European nations, and has been doing so for decades now.

As for the recent and oft-quoted UK experience, in August 2005, British Prime Minister Tony Blair announced an *intent* to ban Hizb ut-Tahrir. The proposal fell flat in the absence of any evidence upon which to ban Hizb ut-Tahrir.

*"In relation to the question from the Leader of the Opposition, I confirm what the Prime Minister said: we have recently carried out two reviews of Hizb ut-Tahrir and we have decided that there is*

*insufficient evidence to ban it.*" – [Former Home Secretary John Reid, PM's Questions, 4 July 2007; Hansard Column 955 - 4 July 2007]

The motive for Blair's action was later reported to be a deal with Pakistan's dictator General Pervez Musharaf [<http://www.guardian.co.uk/world/2006/dec/24/religion.uk>], indicative of the expedient politics of Western governments, especially when it comes to foreign interference.

The UK's decision to ban Hizb ut-Tahrir in January 2024 must be understood in the political context in which it occurred - amid the ongoing genocide in Gaza and growing public opposition to it. Rather than addressing any newly emerged threat, the timing of the ban suggests a deliberate attempt to suppress principled political dissent against the actions of the 'Israeli' entity. This is underscored by the fact that Hizb ut-Tahrir operated openly in the UK for decades without being proscribed, making the sudden invocation of anti-terrorism powers at this particular moment deeply suspect.

The government's actions did not stop there. Shortly after, Palestine Action was also banned under anti-terrorism legislation, further indicating a broader pattern of criminalising opposition to 'Israeli' policies rather than confronting genuine security risks. These measures reveal a troubling willingness to stretch the definition of "terrorism" to encompass non-violent political activism and ideological opposition, eroding civil rights and setting a dangerous precedent for political repression.

If anything, the decision to ban Hizb ut-Tahrir now, rather than at any point in the past, exposes the government's uncritical and increasingly unhinged support for 'Israel's' actions in Gaza and indeed the wider Muslim world. It lays bare a sinister political agenda in which dissent is treated as a threat, and state power is used not to uphold justice or public safety, but to silence voices challenging complicity in mass atrocities that government's support or enable.

Banning an Islamic political movement with a history of non-violent activism exceeding seventy years would mean descending down a very slippery slope, which will not merely involve 'changing the rules of the game', as Tony Blair said in August 2005, but changing society fundamentally. It will prove that modern liberal society cannot tolerate the peaceful expression of ideas that disagree with it, seek to intellectually challenge it, and as Gaza has shown, seek to oppose mass, indiscriminate atrocities.

### **3.6. Hizb ut-Tahrir and non-Muslims living under Islam**

It is a known matter in Islam that non-Muslims are treated well under Islamic rule. It is the responsibility of the state and the Muslims at large to protect the rights and fulfil the needs of non-Muslim citizens. As Imam al-Qarifi, a well-known classical Islamic authority, mentioned,

*"It is the responsibility of the Muslims to the non-Muslim citizens to take care of their weak, fulfil the needs of the poor, feed the hungry, provide clothes, address them politely and even tolerate their harm even if it was from a neighbour, even though the Muslim would have an upper hand. The Muslims must also advise them sincerely on their affairs and protect them against anyone who tries to hurt them or their family, steal their wealth or anyone who violates their rights."*

Many non-Muslims used to live with Muslims under the banner of Islam for almost thirteen centuries. Throughout those periods, non-Muslims used to have the same high standard of living as Muslims did. They enjoyed equal rights, prosperity, happiness, tranquillity and security.

It is well-known too that when the Jews of Spain were expelled during the Spanish Inquisition under brutal Christian rule, they were given refuge in the Caliphate and allowed to live there as equal citizens. This was after the golden period of Islam in Spain, when Jews and Christians were not only treated well, but made some of the best academic advancements in their own respective traditions.

### **3.7. Hizb ut-Tahrir's position on the targeting of innocent people**

Hizb ut-Tahrir has been on the public record on several occasions stating its position that the killing of innocents is categorically forbidden. This is the Islamic position on the matter.

We do not condone any of the attacks upon innocent civilians that have occurred in various cities. However, we seek to go further in discussing the causes behind such incidents in order to deal with the root injustices behind them.

In contrast, Western governments seek condemnation alone in order to use the attacks as a pretext to commit further evils of their own, such as the invasion of Afghanistan and Iraq, thus perpetuating the causes that lead to such incidents.

## **4. Hizb ut-Tahrir's Position on Palestine**

Hizb ut-Tahrir's position on Palestine is dictated solely by Islam's position on the land.

Firstly, Al-Aqsa Mosque in Palestine is the third most sacred site to the Muslims as the Quran linked it with the most sacred site in Mecca with a single unified bond when God carried the Prophet Muhammad (saw) by night from Mecca to Al-Masjid Al-Aqsa. The Quran states:

*"Glorified be He Who carried His servant by night from the Holy Mosque (al-masjid al-haram) to the Far Distant Place of Worship (al-masjid al-aqsa) the surrounds of which We have blessed."* [Quran: 17: 1]

Secondly, the second righteous caliph Umar ibn al-Khattab made an agreement known as the Covenant of Umar (al-'Ahda al-'Umariyya) with Patriarch Sophronius, the Christian leader of Jerusalem, to take the city in 637-638 AD. Sophronius surrendered the city on the condition that Caliph Umar personally accept the submission. From that time, the land jurisprudentially became Islamic land.

Thirdly: whenever the land was under attack historically, the Muslims were obliged to defend and liberate the land. This indeed was done during both the invasions of the Crusaders and the Mongols. Today too it is jurisprudentially an obligation to liberate the land that has been occupied since British colonialism in WW1.

Ever since the occupation of Palestine by colonial forces, Palestine has not seen a single day of peace. The British promise to hand over Palestine to the Zionists in the form of a “Jewish Homeland” exacerbated the instability of the region. Here Hizb ut-Tahrir places primarily responsibility upon the colonialists in forcing a foreign occupation upon the people of Palestine. The Jews that were settled there were mere victims of colonialist policy which was meant to only serve the interests of the colonial powers.

As David Fromkin argues in his “A Peace to End all Peace” the Allied powers drew new borders in the Middle East and the post-war settlements: Sykes-Picot, the Balfour Declaration, mandates, and arbitrary borders: created unstable states and conditions that would give rise to endless conflicts.

All of the above was at the expense of the indigenous Palestinian populations whose families to this day hold the keys to the houses they were forcibly removed from. All of Palestine is thus considered occupied land and the reversal of this occupation is an Islamic Jurisprudential obligation.

In addition to this, the criminal behavior - the recent genocide being the latest - of the Zionist entity, since its forced inception renders its existence untenable to the reasonable observer.

An entity that purposely attacks civilians, uses disproportionate force, conducts indiscriminate attacks, unleashes collective punishment, destroys civilian infrastructure, forces displacement, uses prohibited weapons, attacks medical and aid workers, uses starvation as a method of warfare, violates any country’s sovereignty, assassinates leaders and much more, cannot possibly be viewed as a valid entity, let alone one that respects humanity.

Yisroel Dovid Weiss, a rabbi and spokesman for Neturei Karta, a group founded in Jerusalem says:

*“As devout Jews, we pray to God every day for the swift removal of the Zionist state of Israel, which has caused so much bloodshed among Palestinians and Jews. We pray to God for the speedy liberation of Palestine. May Palestine be free, and may the world serve God in harmony,”* – [<https://www.aa.com.tr/en/middle-east/we-are-crying-with-palestinians-jewish-anti-zionist-group/3038245> ]

In contrast, the only time Al-Quds and Palestine saw real harmony between Muslims, Christians, and Jews, was under Islamic rule.

When Muslims ruled Palestine, there were no recorded massacres or persecutions against non-Muslims who lived under Islamic rule in Palestine, despite there being no mass media, efficient communication means or international “human rights” organisations to discourage in case of bad publicity.

Hizb ut-Tahrir argues that a return to the just implementation of Islam will return justice and dignity to all of humanity, and those who have a vested interest in not seeing the Islamic system return, are those who benefit from the wholesale exploitation of the resources in the region and beyond.

#### **4.1. Hizb ut-Tahrir and charges of anti-Semitism**

Hizb ut-Tahrir rejects the charge of anti-Semitism. Islam is a message directed to all humankind, without distinction of race or ethnicity. At the same time, as described above, Hizb ut-tahrir rejects the illegitimate state of ‘Israel’ and Hizb ut-Tahrir, like the overwhelming majority of Muslims and

other Islamic organisations, is opposed to the continued occupation of Palestine by 'Israel'.

The entity of 'Israel' is founded upon a land that it took by force, after it drove out its people, both Muslim and Christian. This is injustice, which the Muslims will never accept from an Islamic perspective, regardless of the race of the perpetrators. In Palestine, Islam opposes the 'Israeli' entity – not in their capacity as Jews who historically had lived alongside Muslims in peace and security for centuries – but in their capacity as occupiers and aggressors.

To equate opposition to the 'Israeli' entity with anti-Semitism is disingenuous and untenable.

In Australia, the charge of anti-Semitism against Hizb ut-Tahrir has been made at the highest levels. Pro-Zionist advocates on both sides of politics have gone as far as to allege that Hizb ut-Tahrir has called for the 'killing' and 'slaughter' of Jewish people, which is no more than a slanderous lie.

This charge of 'anti-Semitism' is an old and tired way of deflecting criticism of 'Israel', most pressingly the active genocide it is currently carrying out. The truth is that anti-Semitism is of European birth and breed. Europe's treatment of Jews is represented in history books by the ovens of death they were greeted with in the Spanish Inquisition and in Nazi Germany. In sharp contrast, Jews were welcomed and treated justly in Muslim Spain and under the Ottoman Caliphate.

History is testament to the fact that many Jews used to live with Muslims under the banner of Islam for almost thirteen centuries. Throughout those periods Jews used to have the same high standard of living as the Muslims did. They enjoyed rights as equal citizens, prosperity, happiness, tranquillity and security. Indeed, the golden age of the Jews was realised only under Islamic auspices in Muslim Spain, and it was the Ottoman Caliphate that opened its doors to Jews fleeing from the Spanish Inquisition.

## **5. Hizb ut-Tahrir's History of Non-violence**

The charge against Hizb ut-Tahrir that it is a risk to communal and political motivated violence is a disingenuous one to say the least. Statements by some independent observers have already been quoted above, however the most striking evidence of Hizb ut-Tahrir's non-violent history is its track record that stems from the member's ardent grounding and adherence in its Islamic principles which are sourced from the example of Prophet Muhammad (saw). This, despite its members being subject to the most barbaric oppression from the world's worst dictators.

Indeed, how can a party be accused of increasing the risk of violence when its own members, despite being unjustly imprisoned, abducted, tortured, and executed have never responded with any material action? Instead, they have adhered to their peaceful Islamic injunctions. Yet genocide apologists, enablers and enactors have received every cover by policy makers.

The following is a list of brutality meted out by the world's dictators against members of Hizb ut Tahrir, despite this the party has never responded with any violence or incitement to violence.

*Libya:* Ramadan 1983: Gaddafi brutally murdered thirteen members after the Party sent a delegation to discuss with him his denial of the validity of the traditions of the Prophet Muhammad (saw).; they were hanged in universities and schools in front of their teachers, pupils and families.

One of them was brought down still alive, he was hung a second time, then they tied his body to the back of a car which was driven in full view of his family and children.

*Uzbekistan:* Countless members of Hizb ut-Tahrir have been imprisoned, tortured and executed by the Uzbek regime. This was most well-known during President Karimov's reign. The British Ambassador to Uzbekistan, Craig Murry, campaigned against the horrific treatment of the Members of Hizb ut-Tahrir by the Uzbek regime. Journalist and Human Rights activist Ruslan Sharipov mentions the following in his recount of his experiences in an Uzbek prison:

*"Prisoners singled out for the most severe torture are those detained for alleged or real adherence to banned Islamic groups such as Hizb ut-Tahrir."*

And:

*"Interior Ministry staff regard it as prestigious to have killed HT members and keep tally among themselves. He claims he has killed six Islamists both in the police building and in Tashkent prison."* – [ <https://iwpr.net/global-voices/uzbek-prisons-survivors-guide> ]

*Pakistan:* Members of Hizb ut-Tahrir have been abducted and imprisoned, the most well known is, Electrical Engineer and then HT spokesperson, Naveed Butt. Naveed Butt, father of 4, was abducted in Lahore, Pakistan, while returning home after collecting his young children from school on 11 May 2012. His fate to this day is unknown.

*Syria:* Many Members of Hizb ut-Tahrir were imprisoned under the Assad regime in the notorious torture prison system. Many were executed and the fate of many more remain unknown, also suspected to have been executed. Recently under Ahmad Al Sharaa dozens of members were imprisoned for their political activism.

*Russia:* Russia have consistently gone after Hizb ut-Tahrir members and imprisoned them, often on made of charges of terrorism.

*Iraq:* Well-known scholar and member of the party, Abdul 'Aziz al-Badri, was tortured for 17 days in the most horrific of ways before he was murdered by the Baathist regime in 1969. In fact, many other members were also subjected to brutality after that by the regime.

These are just a tiny sample of the brutal persecution members of HT have been subjected to since day one of its inception, including the imprisonment of its leadership early on and the constant persecution since then.

The above examples are quoted to illustrate the point again, that despite the horrific violence meted out against its members, never has Hizb ut-Tahrir responded with any material violence in any of the societies nor towards the regimes. So how can it be, that the Home affairs minister and those he sought pre-determined advice from, assess that Hizb ut-Tahrir is a risk to communal and politically motivated violence? Other political motivations seem to be at play here.

We end with a quote from the book 'Hizb ut-Tahrir':

*"has exposed it(HT) to severe harm committed by the rulers against it; such as imprisonment, torture, deportation, pursuit, attacking members livelihoods, impairment of interests, banning from*

*travelling and murder. The oppressive rulers in Iraq, Syria, Libya and others have killed dozens of its members. The prisons of Jordan, Syria, Iraq, Egypt, Libya and Tunisia are full of its members. The Party sustained all this through following the example of the Messenger of Allah (saw)... Though the Party committed itself to be open, clear and challengingly in its da'wah, it restricted itself to political actions alone and did not exceed them by resorting to material actions against the rulers or against those who opposed its da'wah, following the example of the Messenger of Allah (saw) who restricted himself in Makkah solely to the da'wah and he (saw) did not carry out any material actions until he had migrated to Madinah"*

Yet, in contrast there are groups in Australia with proven records of violence and yet have not been banned. The most obvious are the Neo Nazi's who the hate speech laws were also supposed to target, however the Home Affairs Minister dismissed them so casually.

## **6. The Journey to the Hate Speech Laws and the History of Zionist Lobby Effort's to Ban Hizb ut-Tahrir**

The Zionist lobby has been vocal in calling for action against Hizb ut-Tahrir as early as 2007 and beyond. This fixation did not wain through the years. Hizb ut-Tahrir was seen as the most active Muslim voice in the Muslim community on the issue of Palestine and the "Israel" lobby sort to silence this. This was their prime motivation in pursuing Hizb ut-tahrir through the media and political lobbying.

In 2007 the SMH quoted Vic Alhadeff as saying:

*"The NSW Jewish Board of Deputies CEO Vic Alhadeff condemned the Hizb ut-Tahrir conference and its call for a state of Sharia law.*

*"Hizb ut-Tahrir promotes violence, engages in appalling racist invective and preaches virulently anti-Semitic views," he said in a statement.*

*"It is vital that any organisation which abuses human rights and promotes racial hatred be refused a public voice in New South Wales."*

It is well known that these lobby groups accompany politicians and media personalities on fully funded trips to 'Israel'.

Despite several other attempts to refer Hizb ut-Tahrir members to the Human Rights Commission and to the Anti-Discrimination Board of NSW, Hizb ut-Tahrir never took issue with the local Jewish lobby or the community it purportedly represents. Hizb ut-Tahrir's concern was always the crimes committed by the 'Israeli' occupation. It was the 'Israeli' lobby locally that kept taking issue with any Muslim opposition to the occupation's crimes against Palestinians.

This shows that Hizb ut-Tahrir was never interested in inflaming local tensions. Though it was the Zionist lobby that would persist in targeting Hizb ut-Tahrir's Palestine activism, as we see today.

The extent of the influence of the Zionist lobby was exhibited in an article in The Australian on the 16 December 2025, where the article described Peter Werthiem as “one of Anthony Albanese’s closest confidants in the Jewish community”. The article further states:

*“Mr Wertheim said new laws were required to deal with Hizb ut-Tahrir, and could also be applied to neo-Nazi gangs.”*

*“Hizb ut-Tahrir hasn’t done anything that meets the description of a terrorist act, so therefore there’s no legal basis under the current law to proscribe them as a terrorist organisation,” he told The Australian.”*

*“So we need a bespoke set of measures to deal with this problem, because they are promoting an extreme ideology which seeks to impose a dictatorship on Australia by force, just like the neo-Nazis.”*

The recent efforts can be traced back to at least 2021, which also corresponded to complaints made by the NSW Jewish Board of Deputies after Israeli-linked MEMRI channel translated a prayer during a protest against “Israeli’s” war crimes in Palestine and Gaza. The police subsequently found no wrongdoing.

In late December 2020, an inquiry was referred to the Joint Committee by Peter Dutton MP, then Minister for Home Affairs, into “extremist movements and radicalism in Australia.” The terms of reference included:

*“the nature and extent of, and threat posed by, extremist movements and persons holding extremist views in Australia,” c) the role and influence of radical and extremist groups, which currently fall short of the legislative threshold for proscription, in fostering disharmony in Australia and as a conduit to persons on a pathway to extremism; d) further steps that the Commonwealth could take to disrupt and deter hate speech and establish thresholds to regulate the use of symbols and insignia associated with terrorism and extremism, including online, giving consideration to the experience of other countries; e) further steps the Commonwealth could take to reinforce social cohesion, counter violent extremism and address the growing diversification of extremist ideology in Australia;”*

The above shows that the government had been considering the latest laws for some time, but it seems these were not completely tabled during the inquiry. Instead the inquiry seemed to focus on online radicalisation and later in another Parliamentary Joint Committee on Intelligence and Security Review of the Counter-Terrorism Legislation Amendment (Prohibited Hate Symbols and Other Measures) Bill 2023 (“the Bill”), though this did not stop Peter Wertheim (ECAJ) from recommending a ban on the HTA logo stating.

*“Hizb ut-Tahrir Australia has been the most active Islamist extremist organisation in Australia...”* then following this up with slanderous claims of violence and other lies and recommending *“that the Hizb ut-Tahrir Australia logo should also be a prohibited symbol”*.

There are well documented, on-record statements from Jewish Lobby organisations in Australia calling for a ban on Hizb ut-Tahrir such as explicit calls for banning (e.g. ZFA); strong support for banning once implemented (AIJAC) and legal pressure and condemnation campaigns (NSW Jewish Board of Deputies).

Then came the extraordinary politicisation of the Bondi attacks with the likes of Josh Frydenberg calling for a ban on Hizb ut-Tahrir after visiting the scene of the attack. All this points to a joint effort between “Israeli” lobby groups, media and politicians in an unchecked push to silence anti-genocide voices.

## 7. History of Official Attempts to Ban Hizb ut-Tahrir in Australia

Today’s renewed calls to ban Hizb ut-Tahrir in Australia are neither unprecedented nor grounded in any new legal or security findings. Rather, they reflect a familiar cycle in Australian politics in which periods of media hysteria and political pressure revive long-settled questions, only for those efforts to once again collapse under scrutiny.

In Australia, previous attempts to ban Hizb ut-Tahrir were unsuccessful. Newly released cabinet papers from 2005 show that even during the heightened security climate of the post-9/11 era, the government acknowledged the legal weakness of such a move. The papers noted that *“the British Government has announced it will list Hizb-ut-Tahrir”* by amending the “Terrorism Act 2000 to incorporate broader grounds for proscription,” but concluded that *“the UK model does not provide a secure basis for listing an organization like Hizb-ut-Tahrir.”* Crucially, the paper observed that *“the term ‘fostering’ in the Australian definition arguably covers ‘encouraging’ under the UK definition.”*

In the end, both the UK and Australian governments acknowledged that Hizb ut-Tahrir did not fall within even these broader grounds for proscription.

This position was reinforced repeatedly by Australia’s own security agencies. In August 2005, then Attorney-General Phillip Ruddock told the House of Representatives:

*“I asked ASIO for advice on whether there were currently grounds in Australia for listing the organisation Hizb ut-Tahrir. ASIO has advised me that at present there is no basis under current legislation for specifying Hizb ut-Tahrir as a terrorist organisation under the Criminal Code.”* – [House of Representatives Hansard 11 August 2005 discussing issues relating to the potential proscription of Hizb-ut-Tahrir]

In January 2007, Ruddock again confirmed on the public record that while Hizb ut-Tahrir had been monitored by ASIO, it had not done anything in Australia to warrant banning. That same month, Prime Minister John Howard explained the government’s position plainly:

*“Well because there are laws and rules to be applied. You don’t want a situation where because we don’t like somebody we put them in jail or throw them out ... if they break the present anti-terrorist laws, or indeed any other laws, then they will be dealt with. But until there is sufficient evidence of that made available to the attorney general, we can’t and shouldn’t act.”* – [<https://pmtranscripts.pmc.gov.au/release/transcript-15686>]

Even Tony Abbott himself articulated this principle clearly in July 2010, telling Alan Jones:

*“The general principle in this country is that we don’t punish bad thoughts, we don’t even punish bad*

*words, as long as those words don't amount to incitement to break the law.*"-[<https://webarchive.nla.gov.au/awa/20100914023011/http://pandora.nla.gov.au/pan/100466/20100914-0522/jewishnews.net.au/news/2010/07/20/abbott-hoses-down-hizb-ut-tahrir-fear/14409.html>] ]

Despite this, the debate was revived in 2015 under Abbott's leadership. Laws were proposed that were widely understood to be aimed at Hizb ut-Tahrir. Attorney-General George Brandis declared that *"advocating extremism or violence to achieve political change, or to hurt, threaten, or vilify others, is not a legitimate use of free speech and has no place in our society."* Referring to restrictions passed in 2014, he cited *"the particular threat to our liberty caused by groups such as Hizb ut-Tahrir"* and introduced *"a new crime of advocacy of genocide."* This is ironic given that it is 'Israel' that has committed genocide, and has no shortage of local lobby groups.

Abbott echoed this rhetoric, saying he wanted new counter-terrorism laws to *"crack down on Hizb ut-Tahrir and others who nurture extremism in our suburbs"* and that his government was *"seeking advice from agencies on options for taking action against Hizb ut-Tahrir."* Yet, once again, no ban materialised.

At the time, a broad range of experts warned against such a move, Professor Clive Williams from Macquarie University cautioned that banning the group *"could prove counterproductive."* Criminologist Adrian Cherney from the University of Queensland warned that *"banning it potentially would be interpreted by some Muslims as an attempt to stifle dissenting voices within the Muslim community,"* adding:

*"The best way to combat a group like that is not to ban them, because banning them will play into their hands, it will embolden them, it will confirm in the minds of people that support them that the government is targeting them and targeting Muslims."* -[<https://theconversation.com/why-australia-shouldnt-ban-islamic-group-hizb-ut-tahrir-32745>] ]

Anthony Bergin, then deputy director of ASPI, argued for intellectual engagement rather than prohibition:

*"If we keep asking questions of the extremists in our midst, we will defeat them. Along the way we will bolster our commitment to free speech... Banning the group isn't going to assist in the war of ideas."*

David Leyonhjelm was even more blunt, describing attempts to use counter-terror laws as irrational:

*"Tony Abbott wants to use passage of the Foreign Fighters Bill to ban Hizb ut-Tahrir based on the new offence of 'advocating terrorism', but this is barmy."* -[<https://www.abc.net.au/news/2014-10-15/leyonhjelm-dont-set-the-spies-on-the-australian-people/5813338>]

Opposition was not limited to academics and commentators. In February 2015, over 100 Islamic organisations signed a statement declaring:

*"We strongly oppose Prime Minister Abbott's politically convenient threats to 'tackle' and 'crack*

*down' on Islamic groups such as Hizb ut-Tahrir who disavow and have never supported terrorist acts, and whose only 'crime' has been to criticise the Abbott Government's stance towards Muslims domestically and abroad."* -[ <https://www.amust.com.au/2015/03/muslim-community-rejects-its-demonisation-by-govt/> ]

Despite this extensive record, media narratives have continued to recycle demonstrably false claims, most notably that Hizb ut-Tahrir had been banned in Britain since 2005. This originated from the incorrect reporting of Tony Blair's 2005 proposal as an actual ban, a fiction that persists today in sensationalist outlets. This misrepresentation has long been used to pose a straw-man question: if the group has been banned for so long in Britain, why not Australia?

In reality, Australian authorities have consistently determined that Hizb ut-Tahrir is a political party with no links to violence. The lack of any ASIO advice recommending a ban, despite decades of monitoring, is decisive. Yet "investigations" are periodically announced following major international incidents, media uproar, or a push by pro-Zionist advocates.

Today's head of ASIO, Mike Burgess, has somewhat broken out of the mould, making his desires known in front of an audience of genocide apologists. This was not because Hizb ut-Tahrir is a security threat, but because he simply parroted the Zionist lobby's long desire to see Hizb ut-Tahrir silenced on the criminality of the Zionist entity. What was surprising though, was that he pedalled lies that Hizb ut-Tahrir is anti-Semitic and that they wish to establish a Caliphate in Australia by force.

As David Leyonhjelm observed at the time in 2015, the moral panic surrounding Hizb ut-Tahrir was not unique, but part of a recurring political pattern in Australia. He likened the atmosphere then to earlier eras of manufactured fear, warning that such cycles repeat themselves whenever expedient targets emerge. Drawing a historical parallel, Leyonhjelm remarked:

*"In the 1950s and '60s, we had a 'Reds under the bed' scare. Now we're having a 'Muzzies under the bed' scare. In 10 years' time, there will no doubt be someone else (allegedly) under the bed about which our security services can whip up hysteria."* -[<https://www.abc.net.au/news/2014-10-15/leyonhjelm-dont-set-the-spies-on-the-australian-people/5813338>]

A decade on, his observation has proven prescient. The same rhetoric, the same anxieties, and the same calls for prohibition have resurfaced - directed at the same organisation, despite the absence of any new evidence or legal basis. What was recognised in 2015 as a manufactured scare is today being replayed almost verbatim, underscoring how little has changed beyond the political moment in which the fear is being repackaged by exploiting Bondi.

The renewed push, after Bondi, by Prime Minister Anthony Albanese and Home Affairs Minister Tony Burke to ban Hizb ut-Tahrir in Australia has been built on lies, misinformation, and calculated political exploitation. Before facts were even established, the Zionist entity and its loyal advocates in Australia moved swiftly to frame the attack exclusively as an act of Islamically inspired antisemitism. This narrative was pushed aggressively despite AFP Commissioner Krissy Barrett later dismissing any religious motive or organised "Islamist" involvement. Nothing was going to temper the determination of pro-Zionist advocates to rehabilitate the Zionist entity's shattered image by

demonising Palestinians, their supporters, and the Muslim community at large.

This manufactured hysteria has been used to justify a broader campaign to strangle political discourse in Australia. Under the guise of combating antisemitism, Zionist advocates are demanding new legislative frameworks explicitly designed to criminalise pro-Palestinian activism that is already lawful under existing laws. In effect, they are calling for a two-tier legal system, one that shields a foreign genocidal entity from criticism while granting the Australian executive sweeping powers to determine which Muslim organisations and activists may be silenced at the direction of that foreign entity.

Hizb ut-Tahrir Australia has been cast as the first convenient Islamist bogeyman in this campaign. For those who routinely lament institutional failures to address racism, the irony is stark: they now seek to weaponise Islamophobia to criminalise Muslim political expression wholesale. Before the victims of Bondi had even been buried, pro-Zionist advocates had settled on their narrative, insisting, at the instruction of war criminal Netanyahu, that the Bondi attack could only be understood through antisemitism, and more specifically, through an alleged “radical” Islam. The implication is clear: the entire Muslim community is suspect unless it submits to a political litmus test that demands acceptance of genocide and occupation.

This strategy mirrors previous fabricated “waves” of antisemitism, where moral panic was used to exceptionalise Zionist victimhood and suppress dissent. The objective is to silence pro-Palestinian activism generally and Muslim-centric activism in particular. Moves to ban protests, symbols, and slogans are already underway and implemented in some parts of Australia.

Zionist advocates have failed for years to secure a ban through lawful means and saw the Bondi attack as a unique opportunity to muzzle Muslim dissent. The proposed ban can only be achieved by constructing a two-tier legal system that targets Muslims, criminalises pro-Palestinian activism, and rests on racist, Islamophobic tropes that should offend all people of conscience.

## 8. Historical Quotes by Politicians and Academics Opposing a Ban

The following historical quotes are collated locally and abroad for their relevance and contradiction to the assessment from the Home Affairs minister’s Justification regarding banning Hizb ut-Tahrir:

1. *“The general principle in this country is that we don’t punish bad thoughts, we don’t even punish bad words, as long as those words don’t amount to incitement to break the law.”* - [Tony Abbott 2010 interview with Alan Jones]
2. *“We strongly oppose Prime Minister Abbott’s politically convenient threats to ‘tackle’ and ‘crack down’ on Islamic groups such as Hizb ut-Tahrir who disavow and have never supported terrorist acts, and whose only ‘crime’ has been to criticise the Abbott Government’s stance towards Muslims domestically and abroad, as they are well within their rights to do. We also oppose the bullying of Sheikh Dr Ibrahim Abu Muhammad by Mr Abbott for his criticism of Mr Abbott’s attempts to silence individuals’ and organisations’ legitimate criticisms of his policies.”* – [2015 over 100 Islamic organisations in Australia signed a statement.]

3. *"banning it potentially would be interpreted by some Muslims as an attempt to stifle dissenting voices within the Muslim community."*

*"Some people might interpret this as simply a strategy of wanting to placate radical Muslims - and one that provides an avenue for the legitimisation of positions taken by Hizb ut-Tahrir. This is far from the case. Rather, it is a recognition of why Muslims feel a sense of unfairness and resent counter-terrorism tactics used against Muslim communities. This feeling needs to be countered - and one way you don't do that is by silencing dissenting voices, no matter how objectionable they may be. This would simply send the message Muslims have no right to voice a political viewpoint unless it accords with what the majority regards as reasonable. In such a context, engagement with the Muslim community becomes difficult."* - [Adrian Cherney, a criminologist at the University of Queensland -<https://www.sbs.com.au/news/article/comment-why-australia-shouldnt-ban-islamic-group-hizb-ut-tahrir/knxg5pb9v> ]

4. In August 2005, then-attorney general Phillip Ruddock mentioned in the House of Representatives:

*"I asked ASIO for advice on whether there were currently grounds in Australia for listing the organisation Hizb ut-Tahrir. ASIO has advised me that at present there is no basis under current legislation for specifying Hizb ut-Tahrir as a terrorist organisation under the Criminal Code."*

In January 2007, he again revealed on the record that Hizb ut-Tahrir had been monitored by ASIO but had not been found to have done anything in Australia to warrant its banning. - [<https://www.smh.com.au/national/leaders-disagree-on-muslim-ban-20070129-gdpcj8.html> ]

In the same month, John Howard said in response to a question from John Laws about why Hizb ut-Tahrir was not proscribed:

*"Well because there are laws and rules to be applied. You don't want a situation where because we don't like somebody we put them in jail or throw them out ... if they break the present anti-terrorist laws, or indeed any other laws, then they will be dealt with. But until there is sufficient evidence of that made available to the attorney general, we can't and shouldn't act."*- [<https://pmtranscripts.pmc.gov.au/release/transcript-15686> ]

5. 2ue Radio Host: *"Should we ban groups like Hizb ut-Tahrir?"* Michael Mckinley from ANU: *"We should ask ourselves why are we banning it? If we start banning every group that is against the government, or has a problem with the west or with whites or with blacks, we are going to be banning a lot of people. It is probably better to err on the side of tolerance"* 2ue Host then asks: *"so what did you make of that lateline interview on Wednesday when Emma Alberichi conducted with Hizb ut-tahrir spokesperson Wassim Doureih, he had many opportunities there, didn't he, to denounce ISIS?"* Michael Mckinley from ANU: *"I can understand what Emma Alberici was trying to do and I believe she is a very competent professional journalist, I also think that there was an element of a cheap shot in it because on all of the current affairs programs I watch and I am a political junkie so I watch a lot. That position of repudiating co-religionists or people you are in power with or whatever, is not applied across the board. It's not applied for example when the foreign minister is being interviewed in Australia about the excesses of say the Israeli defence force in Gaza. If you are going to apply this opportunistically then what you do is that*

*you further alienate the very people that you claim to be respectful of.*" – [Michael McKinley from the ANU, 2ue radio interview 2014]

6. *"I personally don't think it's a good idea to be banning groups like Hizb ut-Tahrir"...."Its very difficult to complete legislate against ideas you might not agree with but are not illegal"* – [Dr Rodger Shanahan, is a former Nonresident Fellow at the Lowy Institute. A former army officer]
7. *"There are significant problems with this (UK) ban. The ban represents a significant growth of the application of security law, the first banning by the UK Government of a non-violent organisation under counterterror legislation. From a societal perspective, the ban is rooted in, and directly exacerbates, wider patterns of Islamophobia and racism in the UK, risking community cohesion – as well as fuelling fears that other non-violent Muslim organisations may soon come under scrutiny."* – [Dr Richard McNeil-Willson is a Research Associate at the Global Governance Programme, the Robert Schuman Centre for Advanced Studies, European University Institute, in Florence. <https://icct.nl/publication/problems-banning-hizb-ut-tahrir-britain> ]
8. *"Proscription is a highly political device and can often tell us much more about the direction of a government and its political stance than it does about the supposed threat posed by any group or individual," said Elshayyal. "What proscribing HT does is signal to British-Muslim civil society that the shrinking of the parameters for their permitted political activism, and in particular their dissent from the prevailing direction of political travel, continues unabated."* –[Khadijah Elshayyal, an academic at the University of Edinburgh. <https://www.middleeasteye.net/news/uk-hizb-ut-tahir-ban-puts-muslim-political-activism-slippery-slope> ]
9. *Mr Howard said the Federal Government would not ban Hizb ut-Tahrir unless it breached anti-terror laws. "There is often a thin line between stupid extravagant language and language which is deliberately designed to incite violence ... or to threaten the security of the country," he told Southern Cross Broadcasting. "People can say a lot of ridiculous things and they should be able to say ridiculous things in a democracy without that language constituting violence and extreme incitement to violence." Mr Ruddock said if the NSW government wanted to outlaw the group because it did not approve of its views, it could do so. -* [\[https://www.smh.com.au/national/governments-row-over-muslim-group-20070130-gdpcmd.html](https://www.smh.com.au/national/governments-row-over-muslim-group-20070130-gdpcmd.html) ]
10. The Association of Chief Police Officers (UK) have said that they know *"of no intelligence to justify a Hizb ut-Tahrir ban"* - [\[http://politics.guardian.co.uk/terrorism/story/0,,1647285,00.html\]](http://politics.guardian.co.uk/terrorism/story/0,,1647285,00.html)
11. *"I see no reason why HT should be banned on the basis of available evidence. I haven't seen anything suggesting they have apologised for or glorified terrorism. I might not like their views but that doesn't mean that they are criminal and that is an important distinction we have to make...members are against terror but can provide an insight into why people might become radicalised. It is important to know who one is dealing with in order to formulate a response."* - [Bob Beckley, lead spokesman on community policing and counter-terrorism issues for the

Association of Chief Police Officers (ACPO)]

12. *"We have yet to see convincing evidence that Hizb ut-Tahrir as an organisation advocates violence or terrorism."* - [UK FCO Minister Bill Rammell, Hansard, 19/4/04]
13. *"Hizb ut-Tahrir [HT] is an independent political party that is active in many countries across the world. HT's activities centre on intellectual reasoning, logic arguments and political lobbying. The party adheres to the Islamic Shariah law in all aspects of its work. It considers violence or armed struggle against the regime, as a method to re-establish the Islamic State, a violation of the Islamic Shariah."* - [Restricted Home Office Documents 19/8/03, Released to Hizb ut-Tahrir Britain 1/6/05 under FOI Act]
14. *"But there is no apparent case to proscribe HT because its activities abroad include involvement in terrorism. Indeed it is not entirely clear whether they would be caught under a future criterion of "justifying or condoning violence". Much of their literature explicitly rejects the use of violence."* - [Robert Tinline, Head of the multilateral and terrorist financing section of the counter-terrorist department, Leaked Email dated 30/8/05, cited in New Statesman 30/1/06]
15. *"Hizb ut-Tahrir is a completely non-violent organisation."* - [Craig Murray, the ex-British ambassador to Uzbekistan, Al-Jazeera, 17/5/05]
16. *"...it advocates the restoration of the Islamic caliphate. It differs from jihadi groups which share this objective in abstaining from violent activity."* - [International Crisis Group, 2/3/05]
17. *"Hizb ut-Tahrir - Lines to take if extensive coverage is given in the media: Freedom of thought and speech key element of our society. Our tradition that there is a place for those who disagree with the way we do things – unless they espouse violence as a way to achieve their ends."* - [Restricted Home Office Documents 19/8/03, Released to Hizb ut-Tahrir Britain 1/6/05 under FOI Act]
18. *"It will be impossible to see Hizb ut-Tahrir as a terrorist organisation. If Hizb ut-Tahrir resorts to violence then it can be described as a terrorist organisation. Further more Hizb ut-Tahrir, as it stands, cannot be proscribed as a terrorist organisation."* - [Verdict Turkish Second State Security Court, 13/4/04]
19. *"Hizb ut-Tahrir does not advocate a violent overthrow of Muslim regimes... Instead HT believes in winning over mass support, believing that one day these supporters will rise up in peaceful demonstrations and overthrow the regimes of Central Asia."* - [Ahmed Rashid, Jihad: the Rise of Militant Islam in Central Asia]
20. *"Hizb ut-Tahrir quite explicitly disavows violence as its means for achieving power."* - [John Schoeberlein, Director of Harvard University's Central Asia program]
21. *"Hizb ut-Tahrir has shown dissatisfaction on the policies of the [Pakistan] government which is the right of each and every citizen...I am unable to understand as to how distribution of these pamphlets in the general public was termed as terrorism or sectarianism."* - [Multan Bench, Lahore High Court, March 2005]

22. *"The proposal to ban the non-violent organisation Hizb ut-Tahrir is, in our view, unwarranted, unjust and unwise, and runs counter to all the principles which Western democracies are currently trying to promote abroad. Any disagreement with a political organisation must be expressed through debate not censorship. Whatever objections one may have to someone else's point of view, we must uphold their right to hold and articulate those views. If it is suggested that any laws have been broken by any individuals or groups then this must be proven by due legal process. Criminalising the mere possession of certain opinions is the hallmark of dictatorships, not democracies."* - [Joint statement signed by over 180 prominent Muslim organisations and individuals from around the UK].
23. *"Banning Hizb ut-Tahrir is certainly not the solution and may well prove to be counter productive. We understand that Hizb ut-Tahrir in the United Kingdom are an avowedly non-violent group."* - [Iqbal Sacranie, Former Secretary-General of the Muslim Council of Britain]
24. *"The government's measures must not infringe upon the rights and freedoms of its citizens. Proscribing groups that are understood to be non-violent is certainly a step in the wrong direction. Hizb-ut-Tahrir is clearly understood to be a non-violent organisation with strong and vocal opinions which Muslim community may agree or disagree with. This does not warrant a ban on this group as such actions will only be counterproductive."* - [Wakkas Khan – President Federation of Student Islamic Societies (FOSIS) UK]
25. *"In a democracy legitimate political dissent is allowed, non-violent groups are tolerated. HT in the UK, to my knowledge, is a non-violent political group and proscribing it will be counterproductive; it will give a green light to despotic leaders in the Muslim world to silence political dissenters."* - [Musleh Faradhi, President of Islamic Forum Europe]
26. *"MAB is also extremely concerned by the decision of the Prime Minister to ban Hizb ut-Tahrir. Despite the fact that MAB has constantly had major disagreement with Hizb ut-Tahrir, banning HT will serve no cause and could prove counter productive."* - [The Muslim Association of Britain]
27. *"Respect opposes the banning of the Hizb ut-Tahrir organisation, despite the fact that Respect profoundly disagrees with this organisations politics."* - [Respect Party UK]
28. *"Hizb ut-Tahrir is to be proscribed. If necessary, powers to proscribe terrorist organisations are to be extended - presumably into the realms of non-terrorist extreme political parties. I certainly have very little in common with this organisation. But it is anathema to democracy to ban non-violent political organisations, however extreme. Surely it is unwise to emulate the banning tendencies of Middle Eastern regimes that radicalised generations of dissenters by similar policies. In months and years to come, will we see the banning of extreme rightwing or leftwing political parties?"* - [Shami Chakrabarti, Director of Liberty UK]
29. *"Even now, senior officers aver that Hizb ut-Tahrir..... plays a "stabilising" role in certain areas."* - [Dean Godson in The Times].
30. *"The proposed ban on HTI looks very much like an abuse of state power for political aims"*  
*"While the (Indonesian) government claimed there were pressing security and legal reasons for*

*banning HTI, the real reasons appear to be political. Since the massive Islamist mobilisation against the incumbent Chinese Christian governor of Jakarta, Basuki Tjahaja Purnama (Ahok), in late 2016 and early 2017, resulting in his defeat in April, the Jokowi government has been scrambling to counter rising Islamist power while rallying 'moderate' Islamic support for the president."*

*"Finally, there is the matter of whether a nation that proclaims itself as an exemplar of democracy should be seeking to proscribe an organisation without compelling evidence of wrongdoing or threat." - [Gregory Fealy is Associate Professor of Indonesian Politics and Head of the Department of Political and Social Change at The Australian National University His career highlights include: Chair of the Australia-Indonesia Institute within the Department of Foreign Affairs and Trade, Director of the Partnership in Islamic Education Scholarships (PIES) Program; <https://www.lowyinstitute.org/the-interpreter/jokowi-s-bungled-ban-hizbut-tahrir> ]*

## 9. Muslim Community Opposition to the Ban of Hizb ut-Tahrir

Included in the appendix are two joint statements from over 100 Islamic organisations, demonstrating long standing widespread community opposition to the ban.

## 10. ASIO's Inconsistent Assessments

Presented below are some historical records of Australian security agencies' assessment of Hizb ut-Tahrir Australia and contrasting those with the recent comments and sudden change by current Director General, Mike Burgess.

- In August 2005, then-attorney general Phillip Ruddock mentioned in the House of Representatives:

*"I asked ASIO for advice on whether there were currently grounds in Australia for listing the organisation Hizb ut-Tahrir. ASIO has advised me that at present there is no basis under current legislation for specifying Hizb ut-Tahrir as a terrorist organisation under the Criminal Code." – [House of Representatives Hansard 11 August 2005 discussing issues relating to the potential proscription of Hizb-ut-Tahrir]*

- In January 2007 Mr Ruddock said Hizb ut-Tahrir had been closely monitored by the Australian Security Intelligence Organisation but had been found to have done nothing in Australia to warrant it being banned. – [<https://www.smh.com.au/national/leaders-disagree-on-muslim-ban-20070129-gdpci8.html> ]
- *"If the state government believes it should be banned as an organisation simply because they don't like their views, I would suggest they've got power to do it," Mr Ruddock told reporters. "The commonwealth doesn't and we know that from the Communist Party dissolution case and the refusal of the Australian population to pass a referendum proposal to outlaw it." –*

[Phillip Ruddock Jan2007, <http://www.sbs.com.au/news/article/2007/01/29/ruddock-urges-nsw-ban-group>]

- *“In early May, Darren Goodsir, the vice chancellor’s chief of staff, received a complaint about the alleged presence on campus of members of Hizb ut-Tahrir, one of the extremist groups expected to be banned under legislation that passed federal parliament this week.*

*On June 21, 2024 Goodsir revealed that Scott had met with police and been assured the university would be “notified about any relevant information on the encampment that related to any extremist, violent or radicalised behaviour”. But Goodsir said “no information” about Hizb ut-Tahrir on campus had been raised by police or intelligence agencies since the October 7 attack.*

*In mid-June, Sydney University ordered the encampment to disband, finally invoking the Inclosed Lands Protection Act. Protesters complied, after a deal with the university to review its investments, and disclose its defence and security-related research activities.*

*This was blasted by Jewish groups as a deal with “a group acting in concert with the extremist Hizb ut-Tahrir organisation”. “No other university in Australia has gone this far.” – [<https://www.afr.com/politics/how-sydney-uni-fumbled-the-2024-gaza-encampments-20260112-p5ntde> ]*

- *No concerns about Hizb ut-Tahrir have been raised by police or intelligence agencies, says Sydney University vice chancellor Mark Scott:*

*“We sought and received assurances about being notified on any relevant information on the encampment that related to extremist, violent and radicalised behaviour,” Professor Scott said. He said he had explicitly asked about Hizb ut-Tahrir.*

*“We’ve also received briefings in the university’s foreign interference task force from the most senior intelligence officials in the country, senior government officials, and those briefings have continued.*

*“The key test for me ... was, were they concerned about extremist, violent or radicalised behaviour with groups that were associated with the encampment that we needed to be aware of, and we were repeatedly assured that they were not.”” – [Sydney University vice chancellor Mark Scott - <https://www.afr.com/policy/health-and-education/sydney-uni-vc-asked-security-about-terror-groups-at-protests-20240904-p5k7ss> ]*

- *“Dr Yusanto had previously been invited to speak at a conference sponsored by the Department of Foreign Affairs and Trade (DFAT) in August 2004.*

*The conference, run by think-tank the Council for Security Cooperation in the Asia Pacific, was opened by Foreign Minister Alexander Downer.*

*Dr Yusanto is also understood to be a regular guest at the Australian embassy in Jakarta.*

*A paper reviewing the 2004 conference says Dr Yusanto took part in an "enlightening discussion" on the issue of the creation of an Islamic state." – [https://www.smh.com.au/national/governments-row-over-muslim-group-20070130-gdpcmd.html ]*

- In an exclusive interview with the *Herald Sun*, the Liberal leader (Tony Abbott) revealed that if he won next Saturday's federal election he would move to prosecute the radical Hizb ut-Tahrir.

*And an Abbott government would order intelligence and security agencies to keep closer tabs on the group and others like it, which he said "gives aid and comfort to terrorism".- [http://www.heraldsun.com.au/news/special-features/tony-abbotts-war-on-hardline-muslims/story-fn5ko0pw-1225905106475 (2010)]*

- *"The government takes a hard line against groups that advocate terrorism and will act upon advice from its security agencies as to whether they should be proscribed," Attorney-General Robert McClelland (2011) – [http://www.dailytelegraph.com.au/news/national/muslim-group-active-at-australian-universities/story-e6freuzr-1226087525686]*
- *"We are seeking advice from agencies on options for taking action against Hizb ut-Tahrir," a spokesman for Abbott told Guardian Australia. – 2015 https://www.theguardian.com/australia-news/2015/feb/02/tony-abbott-seeks-advice-on-crackdown-on-islamic-group-hizb-ut-tahrir*

These historical security assessments of Hizb ut-Tahrir suddenly changed when Mike Burgess gave his lecture at the Lowey Institute in November 2025:

- *"While an entity such as Hizb ut Tahrir is religiously motivated, its provocative behaviour, offensive rhetoric and insidious strategy are very similar to the tactics of the National Socialist Network. The organisation's condemnation of Israel and Jews attracts media attention and aids recruitment, but it deliberately stops short of promoting onshore acts of politically motivated violence. Hizb ut Tahrir wants to test and stretch the boundaries of legality without breaking them." – [Mike Burgess AM, Director-General of Security, 4 November 2025 Lowey lecture]*

In the same speech during the Q&A session, Burgess said:

- *"If I can pick on Hizb ut-Tahrir again, we have to look actually at its core what that group internationally believes in. It doesn't believe in the open free society we live in, it wants to replace this with a caliphate, how can we accept that, this is our country, they can do that in their own location, they certainly shouldn't want to do that here. Of course others would argue people of certain beliefs are aligned to do that which could change the country. Sure, however the majority set the will of the country and the values of the country. Something is not quite right when we let this continue, because I really worry about that gives off the vibe*

*that drives inappropriate violent and threatening behaviours into our society and that should concern every single decent person in this country.”*

- *“It's just an example of a group that will claim that they're talking about the Middle East and only Israel, but when they're taking about Israel and rising up against Israel, and even though they'll say it's a peaceful rise, in this environment ... people are conflating the nation of Israel with Jewish Australians,” ... “It is driving permission for violence in our society, and they know they're doing that when they do that.” – [Mike Burgess on Sky News]*
- *“The first stage in the process of a prohibited group listing happening for Hizb ut-Tahrir is now complete. The ASIO advice is in” – [Tony Burke on the ABC insiders TV program]*

Australians expect the Director General to provide clear, unambiguous and objective advice, to both the government and the Australian public.

What is not accepted is his apparent wading into the public conversation only to deliberately muddy what is already multi-faceted and multi layered. Australians expect ASIO to provide clarity where confusion exists, especially given the limitations over what the agency can publicly express.

Mike Burgess's lecture at the 2025 Lowy Lecture, and subsequent public appearances since, has eviscerated any claim to impartiality. And this has become all the more dubious with the president of the genocidal entity's unprecedented access to Mike Burgess during his controversial visit. Add to this Mike Burgess's constant praise of MOSSAD.

The director general's acceptance to deliver the 2025 Lowy Lecture is problematic in itself. After two years of a genocide in Gaza, he found it appropriate to extend proximity and legitimacy to an institution whose founder champions internationally recognised war crimes in Palestine. Without a hint of irony, he pontificated about the importance of social cohesion whilst in the company of people that celebrate genocide.

More problematic, his presentation afforded legitimacy to long discredited Zionist efforts seeking to equate anti-Zionism with antisemitism. This argument cannot be sustained unless it is suggested that all pro-Palestinian activism equates to antisemitism. This damages the impartiality of the security agency and can only be interpreted as no longer intelligence gathering, but propaganda pandering.

As demonstrated above and through sincere research, Hizb ut-Tahrir, have been consistent in word and deed for the entirety of their existence, a fact attested to by every one of Burgess's predecessors. If HT's positions have not changed, then upon what basis had his assessment of Hizb ut-Tahrir changed? In the context of Zionist efforts to criminalise pro-Palestinian activism, one could hazard to guess the answer.

Burgess also diminished the value of the law by problematising its adherence. Staying within the law is not circumventing the law, it is the law. To suggest a nefariousness upon its adherence is to suggest that upon every law-abiding citizen in relation to every law.

It was further suggested that Hizb ut-Tahrir deliberately stops short of promoting onshore acts of violence. The suggestion being HT do so because it is the law, not because it is their principled

position since inception - which he would be most aware. What's the alternative being suggested? That if such law did not exist, that HT's advocacy for violence would surface? Or the location of a conflict, onshore versus offshore, alters their position? Or that when it comes to Muslims, a political assessment over a conflict can only be interpreted as advocacy for violence?

In respect of the Caliphate, Burgess's attempted to muddy the waters. Firstly, his invocation of Islamophobic tropes painting Muslims as fifth columns in this country, evidenced through their mere existence, exceeds all bounds of objectivity and impartiality. The Lowey lecture was never about presenting facts but about advancing agendas.

Burgess claimed Hizb ut-Tahrir is seeking to establish the Caliphate in this country. More concerning, he suggested Hizb ut-Tahrir is inclined to enact this through force. He would know very well both claims are blatant lies, as every ASIO assessment will attest, yet he accepted to cross every professional boundary by serving as nothing more than a propaganda mouthpiece for those seeking to demonise Islam and Muslims.

Burgess made the claim that Hizb ut-Tahrir is responsible for fuelling antisemitism in this country, a claim not even the entity's Diaspora Affairs report on Antisemitism in Australia has claimed. In fact, they did not mention Hizb ut-Tahrir at all in its report, which means one of them is lying. Of course, the argument predictably rests upon the tired cliché equating anti-Zionism with antisemitism.

Burgess claimed he 'fears' such a development around antisemitism, not that such a development is rooted and evidenced in fact. In his post lecture post lecture discussion, he revealed such 'fears' rests on nothing more than 'vibes'. Unfortunately, though, ASIO assessments are supposed to be rooted in intelligence, not feelings, it was a poor attempt to mischaracterise Hizb ut-Tahrir, the Muslim community and all pro-Palestinian activism.

Instead of correcting the public record in respect of the disinformation, he subsequently doubled down on the propaganda by repeating and even exceeding his initial claims. So it was no surprise that Tony Burke revealed that ASIO had given its assessment on the way to banning HT under the controversial hate speech laws. Burgess was quoted on Sky News as saying in respect of Hizb ut-Tahrir:

*"It's just an example of a group that will claim that they're talking about the Middle East and only Israel, but when they're taking about Israel and rising up against Israel, and even though they'll say it's a peaceful rise, in this environment ... people are conflating the nation of Israel with Jewish Australians," ... "It is driving permission for violence in our society, and they know they're doing that when they do that."*

It's astounding that Mr Burgess claims that 'people are conflating the nation of ['israel'] with Jewish Australians', in fact, in making this claim, it is he who is conflating the nation of ['israel'] with Jewish Australians when he seeks to conflate anti-Zionism with antisemitism. Perhaps, it is the Director General that should stop advancing the single, most self-defeating claim unironically fuelling antisemitism itself.

## 10. The Question of Apprehended Bias

As demonstrated above, HT has been the target of a ban by Politicians and the 'Israeli' Lobby. The influence of the lobby in this respect cannot be ignored. In fact, it is instrumental. We have already shown how there has been a push by the lobby to ban HT going as far back as 2007. By the Lobby's own admission, ignoring the politicised descriptors, "Hizb ut-Tahrir Australia has been the most active Islamist extremist organisation in Australia". When one considers that early on 'Israeli' lobby groups would submit complaints when HT would organise protests against brutal violence carried out by 'Israel' upon Palestinians, whom its politicians have referred to Palestinians as animals and deranged, and have carried out the genocide in Palestine and have extended their brutality to Iranian, Syrian and Lebanese civilians effectively scorching the earth, now effecting the world with high fuel prices, in their endeavour to achieve their ethnic cleansing in the area they call "greater Israel".

In April 2014, Former foreign minister Bob Carr hit out at what he called the "*pro-Israel lobby in Melbourne*", saying it wielded "*extraordinary influence*" on Australia's policy during his time in Julia Gillard's cabinet. Carr stated of his book *Diary of a Foreign Minister* when dealing with the Israeli lobby. – [<https://www.abc.net.au/news/2014-04-09/bob-carr-lashes-out-at-melbourne-pro-israel-lobby/5379074>]

Former Prime Minister Malcolm Fraser said that Bob Carr was "absolutely correct" in his view on the Israel lobby. In an interview with ABC's 774 Jon Faine in May 2014. Mr Fraser said:

*"The Jewish Community seek to get Australia to support policies as defined by Israel"*

Pro-'Israel' journalist Jon Faine confirmed in the same interview that "*The Jewish Community are generous donors to Political Parties.*"

Further Bob Carr stated: "*Tony Burke in one of the Cabinet exchanges said that in just about every discussion he'd had of how we vote on Israel and Palestine someone made reference to the importance of campaign donations as a consideration in this.*" – [One Path Network Interview, August 2025]

*"The Israel Jewish lobby in Australia is a foreign influence operation, it's designed to put the interests of Israel above the interest of Australia in its foreign policy"* – [Bob Carr, One Path Network interview Aug 2025.]

Former Prime Minister Gough Whitlam also highlighted the underhanded tactics of the 'Israeli' lobby in influencing Australia's position on 'Israel's' actions:

*"The **Blackmail** was exercised by some heros in the Australia Jewish community on the other side of the world from the hostilities, that we should support Israel in the dispute between Israel and its neighbors."* – [Prime Minister Gough Whitlam 1973]

Kevin Rudd was another Prime Minister that exposed the extraordinary influence 'Israeli' Lobby groups had:

*“My complaint against Leibler is entirely different: his swaggering arrogance in insisting Labor back virtually every move by Benjamin Netanyahu, good or bad; that we remain silent over the Mossad’s theft of Australian passports to carry out an assassination, when they’d already been formally warned under Howard never to do it again; and his bad behaviour as a dinner guest at the Lodge when, having angrily disagreed with me over the passports affair, leaned over the table and said menacingly to my face: “Julia is looking very good in the public eye these days, prime minister.” “Julia is looking very good in the public eye these days, Prime Minister, She is performing very strongly. She’s a great friend of Israel, But you shouldn’t be anxious about her, should you, Prime Minister?”.* – [Kevin Rudd, <https://kevinrudd.com/archive/2020-09-12-australian-jewish-news-rudd-responds-to-critics> , <https://aijac.org.au/australia-israel-review/noted-and-quoted-december-2018/> ]

It is with this backdrop: years of lobbying to ban HT across multiple governments, Australian Jewish lobby groups’ influence on politicians, their political donations and Australian politicians being conscious of the donations, lobby groups underhanded and aggressive tactics, ASIO’s head pre-determined assessment and his close ties with the “Israeli” lobby groups, politicians and intelligence, that Tony Burke announced on 22<sup>nd</sup> December 2025 that he will ban HT by introducing new laws. The Home Affairs Minister declared Australia’s intention to develop a new legal framework that would serve the express purpose of criminalising Muslim dissent, starting with Hizb ut-Tahrir. He said: *“(These) organisations for a long time have been able to take hate right to the threshold without using the words violence and escape any further terrorist listing. We will be establishing a new form of listing for those who do not meet the terrorist organisations – of being able to prescribe organisations ... Their behaviour needs to be unacceptable, their behaviour needs to be unlawful, their behaviour needs to be enough that we can prescribe the organisation and prohibit their activity in Australia.”*

In other words, like all activist efforts, everything Hizb ut-Tahrir said or did was entirely legal in this country. But Zionists did not like them, and have unsuccessfully lobbied state and federal governments for years to ban them, and saw a unique opportunity to muzzle pro-Palestinian activism in the Muslim community.

The ban ultimately confirmed three points:

1. The ban on Hizb ut-Tahrir in Australia could only occur through the introduction of a two-tier legal system. The PM had alluded to it, and his Home Affairs Minister expressly said it, that despite there being no legal basis to ban Hizb ut-Tahrir, Australia sought to create an entire new legal framework that expressly targets the Muslim community. This was confirmed when Neo-Nazi’s were subsequently dismissed against the laws.
2. The efforts to proscribe Hizb ut-Tahrir were part of wider Zionist demands to criminalise all pro-Palestinian activism.
3. The government’s case to ban Hizb ut-Tahrir in Australia rested upon lies and racist, Islamophobic tropes that should be offensive to all people of conscience.

## **11. Impact of the Listing**

### **11.1. The listing being based on Islamophobic tropes**

The Australian government's move to ban Hizb ut-Tahrir can be understood as the product of a longer discursive process shaped by narratives entrenched during the decades long War on Terror. The proscription rested on a pattern of (mis)representation in which Muslims are not engaged on their stated positions, but are instead reframed through assumptions that render them inherently suspect.

Within this framework, Hizb ut-Tahrir's views are not treated as political arguments open to agreement or disagreement, but as indicators of latent danger. If Muslims articulate dissenting perspectives, those perspectives are taken as evidence of radicalisation; if they express grievance, it is recast as hostility and hate; if they organise politically, it is interpreted as a precursor to extremism and a threat to society. Such tropes have been normalised over decades, allowing governments to advance claims that rely less on substantiated evidence and more on the persistence of public suspicion, an agenda pushed by those who have colonial designs over the Muslim world.

This dynamic was visible in the lead-up to the ban. Statements from figures such as Tony Burke drew on broad and ambiguous categories like "extremism," enabling the inclusion of organisations like Hizb ut-Tahrir that had long operated within legal bounds. Comparisons to violent or fringe actors, alongside unverified associations with acts of violence or social disorder, served to collapse important distinctions. The effect was not to clarify the nature of any specific threat, but to ensure that some connection to danger was maintained to justify the passing of the most draconian laws in Australia's History that has only targeted the Muslim community, as with the anti-terror regime introduced during the War-on-Terror.

Substantive political positions expressed by Muslim and pro-Palestine groups, including opposition to war, occupation, and all the associated war crimes, were not addressed. Instead, these positions were sidestepped through a process of reframing, critique became "hate," advocacy became "incitement," and lawful speech was recast as a problem requiring legal intervention. Again this reframing arose from a broader environment in which certain voices (Muslims) are more easily delegitimised, through the influence of aggressive state actors.

The result is a policy outcome that is less grounded in new evidence than in the cumulative weight of long-standing narratives constructed by colonising states. The banning of Hizb ut-Tahrir thus reflects a continuity with the War on Terror era, in which Islamophobic tropes only confirm to the Muslim community locally, and those observing internationally, that Australia's government policy is one that is hostile to Islam and Muslims period.

In a world whose geopolitical landscape is changing rapidly, Australia is best served to build relations with the Muslim world instead of irreversibly damaging them.

The Muslim world is observing how such targeting of the Muslim community, of which Hizb ut-Tahrir is a part of, as a consequence of Islamophobic government policies has led to violence upon it, incitement against it and the targeting of the community's sanctities.

### **11.2. The listing being based on silencing legitimate dissent**

The banning of Hizb ut-Tahrir did not occur in isolation, but within a broader tightening of political space in Australia with respect to the opposition to the genocide against Palestine. Protests have

already been restricted, slogans outlawed, police powers expanded, and new laws introduced that places sole authority in the hands of the Home Affairs minister to ban certain types of speech and organisations. Taken together, these developments point to a worrying shift where dissent that challenges state-aligned narratives on international issues are regulated.

At the centre of this shift is the question of Palestine and the actions of “Israel”. Despite sustained global opposition to its conduct, reflected in mass protests, international criticism, and growing public scrutiny, domestic measures in Australia have increasingly focused not on the substance of that criticism, but on those expressing it. In this context, the banning of Hizb ut-Tahrir can be seen as part of a broader effort to silence dissenting voices that challenge “Israel’s” actions, thereby suppressing the scope for meaningful public debate, especially with regards to genocidal foreign influences dictating Australian policy to its detriment (as a state that enables and sides with genocide).

Within this environment, the targeting of Hizb ut-Tahrir serves a dual function. First, it reinforces the framing of dissent as inherently suspect, particularly when it emerges from Muslim community. Second, it contributes to a broader political dynamic in which criticism of “Israel” is constrained, while pro-Israel advocacy faces comparatively little to no scrutiny. The effect is to create an imbalance in which certain perspectives are systematically marginalised, even as global opinion continues to move in the opposite direction.

This imbalance reflects the growing influence of pro-“Israel” lobbying networks on both domestic and foreign policy settings in Australia. While such influence is rarely acknowledged explicitly, its perceived impact is evident in the alignment between legislative developments and the priorities of these advocacy groups. The result is a policy landscape in which the boundaries of acceptable speech are narrowed in ways that disproportionately affect those critical of “Israel”.

More broadly, these developments raise questions about the state of free expression within what is described as “Western civilisation.” The gradual expansion of legal categories such as “hate,” combined with the selective enforcement of restrictions on protest and speech, has eroded long-standing principles around open debate and political contestation. When dissenting views are curtailed through state power, the integrity of those principles is called into question.

The banning of Hizb ut-Tahrir has exposed that it’s not simply about one organisation, but about the conditions under which political and religious speech is permitted or prohibited by state power, particularly when it comes to issues of injustice, Palestine of which is most prominent and has revealed the ugly truth about the state-actors who are adamant on continuing their unfettered injustices.

### **11.3. The listing being based upon Australia’s support for genocide, ‘Israel’s’ aggression and continued colonial endeavors:**

The crimes of ‘Israel’ are continuing unchallenged by state powers. Not content with the genocide it has carried out in Palestine, it has further sort to engulf the whole region into a large scale war that is increasingly drawing the rest of the world into, and whose catastrophic effects cannot be avoided.

This carries reputational consequences for Australia. As global opinion by the citizens of the globe increasingly shifts toward criticism of 'Israel', domestic measures that constrain pro-Palestinian advocacy can position Australia as holding in contempt the broader international sentiment. Over time, such alignment risks associating the country with a period that is marked by injustice and impunity, leaving a legacy that will be judged harshly.

#### **11.4. Silencing peaceful (and influential) dissenting voices**

There are also domestic implications. Restricting organisations and expressions, especially those with credible Islamic political and ideological principles, that oppose grave wrongdoing can deepen social divisions rather than resolve them. When dissent is curtailed, particularly on issues such as war, occupation, or allegations of genocide, it will foster resentment, alienation, and a sense that certain communities are being selectively silenced.

## **12. Hypocrisy and Selective Enforcement in Application**

Placing sole authority in the hands of the Home Affairs Minister to list organisations against a "hate" assessment opens the door to gross abuse for political purposes. Selective enforcement of the ambiguous "hate" crime laws brings into question the impartiality of the laws, processes and those that hold authority in this respect. This is further exacerbated when considering the political lobbying through donations and other means by foreign state-supported groups in this country. Several examples can be raised in this context of selective enforcement:

Pauline Hanson's and One Nation's public statements about Islam, Muslims and migrants, the most recent of which was to claim that there are "no good Muslims", undoubtedly incites abuse and violence towards the specific groups. Such remarks do not come in the context of challenging policies by state political actors, but specifically targeting ordinary citizens. This encourages communal violence. Despite repeated controversy, these remarks have generally been left unabated rather than triggering serious legal consequences under hate crime frameworks. This reflects a much higher tolerance for rhetoric targeting Muslims compared to other groups. There are numerous examples of racist inspired attacks against Mosques, ordinary Muslim individuals and daily physical and verbal abuse.

Similarly, far right or nationalist actors have used inflammatory or exclusionary language without facing the same level of legal scrutiny. While some organisations have been investigated or, in rare cases, proscribed, many individuals and groups expressing anti-immigrant or explicitly racist views continue to evade hate speech laws. This is another example of enforcement thresholds being applied unevenly, particularly when compared to the speed and intensity with which Muslim communities and organisations are scrutinised.

Another example raised is the treatment of public commentary around Indigenous Australians. Statements minimising historical injustices or opposing recognition measures have, at times, included rhetoric that are racially harmful, and has led to violence against the first nation's communities.

Further, extremist Hindutva groups have often followed their "Zionist" allies and extremist government in openly targeting Islam and Muslim citizens. These groups are further emboldened by

the total disregard by the Australian government of barbaric abuses instigated by the Modi regime and instead rolling out the red carpet for him.

Post Bondi, we saw an avalanche of inflammatory attacks towards Islam and Muslims from politicians of all persuasions. These attacks went on unchallenged despite an increase in violence and abusive attacks upon ordinary Muslim citizens.

By contrast, pro-Palestinian activism, including slogans, symbols, or organisational affiliations, has increasingly come under legal and political pressure. Not because they target Australian citizens, but because they were aimed at the crimes of a genocidal entity. In this environment, any group that maybe targeted by the draconian hate speech laws is seen as part of a broader pattern where the definition and enforcement of “hate” is shaped more by the identity of those speaking, the political context in which they speak and the political issues they raise. And whether these accord with the influencing powers upon the Minister(s) who hold sole judicial and executive powers.

It can be seen that both the laws themselves and their application are not neutral tools of protection but are instruments that can be applied selectively. This raises ongoing questions about consistency, fairness, and equal treatment before the law.

### **13. Conclusion**

The introduction of the new hate speech laws and its consequential new listing regime will have far reaching consequences on how politics is conducted in this country. These laws grant the executive branch of government extraordinary discretionary powers, with inadequate protection and an absence of natural justice.

The listing of Hizb ut-Tahrir is a case in point. Hizb ut-Tahrir’s explicit rejection of violence and its commitment to principled political activism has seen consecutive governments and security agencies consistently reject every call for its banning in this country. When the criteria are objective and evidenced based, the case against Hizb ut-Tahrir has always floundered.

The new hate speech laws remove any pretense of objectivity by instituting a discretionary, circular and self-referencing listing regime. These new powers have widened the definition of criminality so drastically that it now captures ideology, not just behaviour. Moreover, Ministers can now institute extensive punitive measures through mere claims of criminality without the obligation of those claims being tested in a court of law. Importantly, these claims are entirely hypothetical, without the requirement to evidence actual criminality, just potential criminality.

The consequences of these laws, as evidenced by the listing of Hizb ut-Tahrir as a prohibited hate group, is that thoughts are now criminalised, peaceful political activism is now criminalised, and legal precedents in this country are being overturned to legitimise such draconian measures.

Rather than protecting social cohesion, these new laws entrench divisions in society by criminalising opposition to genocide whilst protecting its staunchest advocates. These laws will disproportionately affect Muslim and Palestinian communities, resulting in a two-tiered legal system with unequal access and treatment under the law.



## Appendix

# Australian Muslims reject Tony Abbott's moves to silence legitimate criticism

By  
5Pillars (DH)

-  
22nd February 2015

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**Numerous Australian Muslim organisations, scholars, imams, community leaders and activists have issued a joint statement condemning Prime Minister Tony Abbott's attempts to silence legitimate criticism of draconian anti-terror laws, and the country's foreign policy in the Middle East.**

The following statement was published on the Islam in Australia website:

"This joint Muslim community statement expresses our position with respect to the Abbott Government's ongoing demonisation of Muslims in Australia, their organisations, their leaders and their values.

We – the undersigned *Sheikhs*, advocates, community leaders, community organisations and student bodies of the Muslim community – make the following points in this regard:

1) We reject the Abbott Government's predictable use of Muslim affairs and the 'terror threat' to attempt to stabilise a fragile leadership and advance its own political agendas.

2) We deplore and denounce the continued public targeting of Muslims through abominable 'anti-terror' laws. The laws passed in late 2014 have been used to justify opportunistic raids on Muslim homes, have created media and community hysteria where in the majority of cases no crime was committed, and have created distressing and harmful backlash towards Muslims, especially women and children.

3) We unequivocally reject Prime Minister Abbott's and his party members' use of language that portrays Muslims and the Muslim community as a

security threat. This narrative threatens social cohesion as it invites suspicion and ill feeling from members of the broader community. The presence of Muslims in Australia as productive contributors to society is not the exception; it is rather the rule.

4) We deplore the undefined and politically expedient use of the words 'radicalisation' and 'extremism' to criminalise legitimate political discourse and critique of the Government's policies by members of the Muslim community.

5) We strongly oppose Prime Minister Abbott's politically convenient threats to 'tackle' and 'crack down' on Islamic groups such as *Hizb ut-Tahrir* who disavow and have never supported terrorist acts, and whose only 'crime' has been to criticise the Abbott Government's stance towards Muslims domestically and abroad, as they are well within their rights to do. We also oppose the bullying of Sheikh Dr Ibrahim Abu Muhammad by Mr Abbott for his criticism of Mr Abbott's attempts to silence individuals' and organisations' legitimate criticisms of his policies.

6) We affirm our commitment to robust political and ideological debate and discourse for the betterment of humanity at large. The Abbott Government's attempts to undermine this brings into question his Government's commitment to its very own purported values and liberal freedoms.

7) We affirm our concern about peace and security for all. We refuse, however to be lectured on peace-building and harmony by a Government that plays divisive politics, uses fear to elicit uncertainty in the general public, undertakes the oppression of asylum seekers and incarceration of children in detention centres, treats its indigenous population tokenistically, and pledges its explicit support to dictators such as Egypt's El-Sisi, who continues to brutalise legitimate political opposition to his tyranny.

8) We call on all fair minded Australians, including politicians, journalists, academics, bloggers and others concerned about Australia's social justice, to continue to scrutinise the Abbott Government's scare tactics, fear-mongering and political machinations. They do not bode well for societal harmony and only increase the alienation felt and experienced by Australia's Muslim community.

It is time the Abbott Government stopped diverting the attention of the Australian public away from its disastrous domestic and foreign policies by playing the 'Muslim' and 'national security' card."

**19 February 2015**

**Signatories:**

## **Organisations, mosques and community initiatives**

Ahlul Sunnah wal Jamah Association New South Wales  
Ahlul Sunnah wal Jamah Association Victoria  
Al Noor Islamic Association [Masjid Nur] [Sydney, NSW]  
Australian Muslim Advocates for the Rights of All Humanity [Brisbane, Queensland]  
Ansar Sisters [Youth Group]  
Assalam Initiative [Indonesian community organisation]  
Auburn Islamic Center / Arcade Mosque [Sydney, NSW]  
Australian Islamic Mission – Punchbowl Mosque [Sydney, NSW]  
Australian Muslim Faces Portal  
Australian Muslim Voice  
Azhar Mosque [Belmore, Sydney]  
Baytal Hikmah Islamic Center [Melbourne, Victoria]  
Cumberland University Muslim Students Association [CMS] [NSW]  
DawahMatrix [Queensland]  
Fajar Islam – Indonesian Community organisation [Sydney]  
Fitzroy Mosque [Melbourne, Victoria]  
Forum on Australia’s Islamic Relations [FAIR]  
Forum Pengajin Jum’at – Indonesian Community organisation [Sydney]  
Global Islamic Youth Centre [GIYC] [Sydney, NSW]  
Gold Coast Mosque [Queensland]  
Hiraa Muslim Sisters of Canberra [Muslim Women’s Association]  
Hizb ut-Tahrir Australia  
Indonesian Islamic Association Inc. Sydney  
Islam in Focus Australia [Queensland]  
Islamic Awareness Forum of UNSW [IAFUNSW] [NSW]  
Islamic Council of Western Australia  
Islamic Information and Services Network of Australasia [IISNA] [Victoria]  
Islamic Society of Belconnen [ISB] [Australian Capital Territory]  
Islamic Society of Deakin University [Victoria]  
Islamic Society of Gold Coast [Queensland]  
Islamic Society of Victoria University [Victoria]  
Islamicate [Educational institution]  
IslaminAustralia.Com Web Portal  
Keluarga Jawa Timur – East Java Community [Sydney]  
La Trobe University Islamic Society [Victoria]  
Macquarie University Muslim Students Association [MUMSA] [NSW]  
Monash University Islamic Society [Victoria]  
Muslim Debate Initiative Australia [MDI]  
Muslims in Medicine [University of New South Wales] [NSW]  
Muslim Legal Network Western Australia  
Muslim Students Association of Victoria [peak body]  
Muslim Women Welfare and Advocacy Association of Western Australia  
Noble Park Mosque [Bosnian community] [Victoria]  
Preston Mosque [Victoria]  
Raudhatul `Ilmi – Indonesian community organisation [Sydney]  
Regents Park Mosque [Sydney, NSW]

RMIT University Islamic Society [Victoria]  
Salam Care [Muslim NGO]  
Sefton Mosque [Sydney, NSW]  
Shepparton Mosque [Melbourne, Victoria]  
Slacks Creek Mosque [Queensland]  
Somali Organisation for Development Aid [SODA]  
Stories in the Park Initiative [Sydney]  
Swinburne University Islamic Society [Victoria]  
Sydney University Muslim Students Association [SUMSA] [NSW]  
Taqwah Mosque, Canberra [Australian Capital Territory]  
The Islam Project  
University of Melbourne Islamic Society [Victoria]  
University of Technology Sydney Muslim Students [UTSMS] [NSW]  
University of Western Sydney Muslim Students Association [UWSMSA  
Bankstown] [NSW]  
University of Western Sydney Muslim Students Association [UWSMSA  
Campbelltown] [NSW]  
University of Western Sydney Muslim Students Association [UWSMSA  
Parramatta] [NSW]  
Werribee Mosque [Melbourne, Victoria]  
Western Australia Muslim Lawyers Association  
**Scholars, activists and commentators**  
Aamer Rahman [Social Commentator and Comedian, Victoria]  
Abdurrahman Crossingham J.P. [Community Activist, NSW]  
Almir Colan – Australian Centre for Islamic Finance [AusCif]  
Ataman Atlas [Barrister/Solicitor]  
Baha Yehia [Community Activist, Victoria]  
Dr Rateb Jneid [President, Islamic Council of Western Australia]  
Dr. Tamer Kahil [Community Activist]  
Hanan Dover [Forensic Psychologist & PhD Candidate]  
Sheikh Akram Buksh [Slacks Creek Mosque, Queensland]  
Sheikh Imraan Hussain [Gold Coast Mosque]  
Sheikh Khalil Hamed [Victoria]  
Mohamad Tabbaa [Terrorism researcher, University of Melbourne]  
Mohammed Hoblos [Speaker and Lecturer, NSW]  
Rashid Alshakshir [Community Activist & filmmaker, Melbourne]  
Rebecca Kay [Community Activist, Sydney]  
Sheikh Abdel Aziem Afifi [President, Australian National Imams Council]  
Sheikh Abdullah Hawari [Bilal bin Rabah Newport Mosque] [Victoria]  
Sheikh Abu Adnan [Markaz Imam Ahmed]  
Sheikh Abu Bakr Zaoud [GIYC Liverpool, Sydney, NSW]  
Sheikh Eljam Bardi [Shepparton Mosque] [Victoria]  
Sheikh Hassan el-Setohy  
Sheikh Ibrahim Omerdich [Noble Park Bosnian Mosque] [Victoria]  
Sheikh Issa Abdo Musse [Virgin Mary Mosque, Vice President of Board of  
Imams Victoria]  
Sheikh Jamil el-Biza [Ahlul Sunnah Wal Jamah Association]  
Sheikh Khalid Issa [Ahlul Sunnah Wal Jamah Association]  
Sheikh Khoder Soueid [Victoria]

Sheikh Mohamadu Nawas Saleem [Werribee Mosque, Treasurer of Board of Imams Victoria]  
Sheikh Mohamed Mahdi Fitzroy Mosque] [Victoria]  
Sheikh Muhamed Djidic [Deer Park Bosnian Mosque] [Victoria]  
Sheikh Nazeer ul-Hassan Thanvi [Sydney]  
Sheikh Nouredine Laraibi [Taqwa Mosque, Canberra]  
Sheikh Omar el-Banna [Al Noor Islamic Association]  
Sheikh Rajab Idrizi [Former head of Board of Imams, Victoria]  
Sheikh Rami Sharouni  
Sheikh Rian Wiramihardja  
Sheikh Zuhair Issa [Ahlul Sunnah Wal Jamah Association]  
Souha Alemmadine [Community Activist and Events/Projects Co-ordinator]  
Tarek Chamkhi [Researcher and Community Activist, Perth]  
Ustadh Muhammad Al Bizry [Teacher, activist]  
Ustadha Umm Jamal [Teacher]  
Will Scates Frances [Writer]  
Zulfikar Sharrif [Academic and activist] [Melbourne]

## **MUSLIM COMMUNITY STATEMENT REGARDING PROPOSED BAN ON HIZB UT-TAHRIR**

We, the undersigned, register our strong opposition to the proposed ban of Hizb ut-Tahrir under proposed new hate laws.

One does not have to agree with Hizb ut-Tahrir, and can in fact be strongly critical of it, but banning Hizb ut-Tahrir under the pretext of hate is wrong and misleading.

Moreover, the targeting of Hizb ut-Tahrir is part of a wider effort to hold the Muslim community collectively responsible for the Bondi attack.

We cannot ignore the genocide in Gaza, which pro-Zionist advocates have spent the last two years defending. If hate speech is really a crime, then the words of pro-Zionist advocates, who have provided cover for a genocide, should be first to be prosecuted.

Moreover, granting the executive arm of the government more discretionary power, through a politically subjective regime of hate laws and hate listings, is dangerous and counter-productive.

End.

## **Signatories:**

### **Organisations:**

AFIC (Australian Federation of Islamic Councils)  
Ahlul Sunnah Wal Jama'ah Association of Australia (ASWJ)  
Al Azhar Mosque Belmore  
Al-Hafiz Quranic Centre  
Al-Hasanat Deccan Welfare Association of Australia  
ASWJ Auburn (Bukhari Bookstore)  
ASWJ Dandenong South  
ASWJ Revesby  
Campbelltown Youth Centre (CYC)  
Deccan Australian Welfare Association (DAWA)  
FITYA Family and Youth Community Centre  
Global Islamic Youth Centre (GIYC)  
HIYC Coolaroo  
ICWA Maylands  
Ihya Institute  
IISCA Brunswick  
Islamic Council of Western Australia  
Masjid As-Salaam Wollongong  
Masjid Darul Imaan  
Rahilah  
Stand 4 Palestine Australia  
Stand 4 Uyghurs Australia  
Sydney University Muslim Students Association  
The Australian Arabic Association of Western Sydney Inc  
University of New South Wales Muslim Students Association



**Community Figures:**

Mufti Sheikh Riad El Rifai  
Sheikh Abdul Hadi Shah Idil  
Sheikh Abdulghani Albaf  
Sheikh Abu Ismail  
Sheikh Bashir Khan  
Sheikh Dr Khalid Alef  
Sheikh Jalal Chami  
Sheikh Jamaal Ud-Din El-Kiki  
Sheikh Mahmoud Alazhari  
Sheikh Mukhlis Mah  
Sheikh Tahar Mechraoui  
Sheikh Wesam Cherkawi  
Sheikh Yasir Ismail  
Sheikh Zouheir Issa  
Sheikha Umm Jamaal ud-Din  
Ustadh Ziad Hafda  
Ustadh Omar Hussein Agha

Dr Rateb Jneid (AFIC President)  
Dr Uthman Badar (Academic)  
Mohammad Yatim (Ustadh, Coach)  
Moodi Dennaoui (Public Speaker)  
Abubakir Rafiq (Flotilla Activist)  
Ghaith Krayem (MVM National Spokesperson)  
Kaled Kheir (Lawyer)  
Khalil Fleyfel (ICWA President)  
Majed Kheir (Lawyer)  
Sibat Sheikh (Lawyer)

## Reply to Zeyno Baran's *The Road from Tashkent to the Taliban*.<sup>1</sup>

Dear Ms Baran,

I read your recent article, "The road from Tashkent to the Taliban," with interest because it presented conclusions from a conference about Hizb ut Tahrir, the Islamic political party of which I am a member, and was published by the Nixon Center from which perceptive analysis might be expected. Furthermore, your visit to London a few months ago, where we met and discussed at some length, was an opportunity to assist you in arriving at informed opinions regarding Hizb ut Tahrir and the plight of thousands of our members in Uzbek torture camps.

I was soon disappointed, however, by the article's conflation, and its opening conjectures, which effortlessly transformed, as the paragraphs slipped by, into accepted facts. Along the way surprising charges were made against us; hatred, racism and anti-Semitism. I suggest that future conferences about us would be better served by having someone from Hizb ut-Tahrir present. I for one would be happy to oblige. Meanwhile, as Tom Paine once wrote, "It is often better, to pass some things over" and so, in deference to his wisdom, I will limit my response to the central argument of your article - that Hizb ut-Tahrir is a conveyor belt for terrorists.

First though, I must tell you that in one important respect I envy you your rare privilege. You are the director for international-security and energy programs within a centre that offers in depth thought and analysis, to a nation not only with the power to act, but more importantly with the moral conviction that its form of government, freely chosen, was built upon a set of declared thoughts; framed by Thomas Jefferson and approved by congress on the 4th July 1776. One year later John Jay expressed his sense of the blessing of a government based upon the choice of intellect; "The Americans are the first people whom Heaven has favored with an opportunity of deliberating upon, and choosing, the forms of government under which they shall live." Despite being labeled a terrorist, your first President fought, Jefferson's eloquent preamble etched into his heart, to liberate Americans from the arbitrariness of despotic British colonial rule. For the Declaration of Independence Americans can thank Tom Paine, one of Benjamin Franklin's 'value- added' recruits from Britain, who in January 1776 wrote a seditious pamphlet called Common Sense. The British viewed him as a traitor for the crime of calling for a declaration of independence, based, not upon the privileges of land or birth, but upon thoughts; "Can we but leave posterity with a settled form of government, an independent constitution of its own, the purchase at any price will be cheap." Had the conveyor belt been invented in that time it is conceivable that British international experts and law-enforcement agencies would have called his work a conveyor belt for producing terrorists. By calling Hizb ut-Tahrir a conveyor belt for producing terrorists, the Nixon Center showed its inability to appreciate a double irony.

Were the production of terrorists our goal, we would find it hard to compete with American foreign policy, which Muslims perceive in the same way that Americans perceive the brutal tactics of the English during the War of Independence. A picture, it is said, tells a thousand words; and Muslims have many pictures of US foreign policy in action, from many theatres, over many years. I tend to agree with a recent headline from Robert Fisk, "What better recruiting sergeant could Bin Laden have than the President of the United States."

While it is true that Hizb ut-Tahrir is opposed to American colonial interests and dares to espouse an alternative ideology, it would be trivial to content ourselves with stirring up anti-American feeling

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<sup>1</sup> Baran, Zeyno, "The Road from Tashkent to the Taliban", National Review Online, April 2, 2004, <http://www.nationalreview.com/comment/baran200404020933.asp>

because there is no shortage of such feeling already in the world today. The effort that we put into changing people's thinking is to convey them towards a stated objective. We hope that it will lead there inevitably as if by standing upon a conveyor belt, and certainly we are not relying upon chance. We desire to see the fruit of our hard work, and that is why Hizb ut-Tahrir's ideology and its method of work has been meticulously thought out and published in many detailed books; including one on the subject of thinking itself. We have published a draft constitution for the coming Khilafah State, and this along with many of our books is available in the English language. We too are working, in one sense, as your forefathers did, upon establishing governance based upon the ideas that we hold dear. We share the confidence of your own forbears and we share their words when we say; "we have it in our power to begin the world over again. We are not insulting the world with our fleets and armies, nor ravaging the globe for plunder. Beneath the shade of our own vines are we attacked; in our own houses, and on our own lands, is the violence committed against us." Tom Paine was referring to the suffering of Americans, but Muslims in Falluja, Baghdad, Najaf, Ramallah or Gaza city could be forgiven for thinking that he was writing about them. Muslims are victims of what they perceive to be State terror, and for resisting occupation, are themselves called terrorists. Even those who have chosen to address the root cause of Muslim weakness by working politically and intellectually to reestablish the Khilafah are assaulted with the charge of terrorism - and for doing less than Tom Paine's followers. They fought on the battlefield with muskets and flintlocks - Hizb ut-Tahrir on the other hand has sought only to fight thought with thought.

Some in America argue that we might become frustrated and follow the example of your ancestors who resorted to changing their government by violence. While we appreciate their resistance to colonial exploitation, it must be understood that our reality is different to theirs in one very important respect, and that necessitates a different course of action - which we have been explaining for over fifty years.

The Muslim countries are indeed afflicted with despotic arbitrary rulers, and notwithstanding the West's active support for most of them they themselves are not foreign - they are sadly from amongst us and are supported by Muslim elites from amongst us. Furthermore, the Muslims who are suffering this despotism lacked, initially, a clear ideological thought as to the system that should replace them. Many Muslims have hitherto adopted one of two approaches.

The first, which acknowledges and strengthens the authority of illegitimate rule, has been to seek gradual reform through efforts to achieve power sharing. Hizb ut-Tahrir is not alone in believing that "to expend millions for the sake of getting a few vile acts repealed, and routing the present ministry only, is unworthy the charge, and is using posterity with the utmost cruelty; because it is leaving them the great work to do, and a debt upon their backs, from which they derive no advantage."

The second approach is violent insurrection against our rulers in Uzbekistan and other Muslim countries. This also we reject. While, for example, any wise observer can conclude that the US will probably, in the face of adamant local resistance, leave Iraq, weakened by the experience; Muslims will still not have solved their own fundamental problem of stable progressive governance. Iraq, like all the other colonial creations was in a pitiful condition prior to the recent US invasion and faces the same prospect also after the removal of foreign occupation. Here is where our experience of despotism differs from yours, for we Muslims ourselves, notwithstanding foreign interference against us, have primarily to change our own society by changing the thought upon which society is built.

British readers will understand the distinction between government and society from the writings of John Locke. Americans will have found this concept expressed a century later by Tom Paine; "Some writers have so confounded society with government, as to leave little or no distinction between

them; whereas they are not only different, but have different origins.” Americans should not be blamed, however, for not knowing Hizb ut-Tahrir's view of the distinction between society and government, and perhaps if they believe their president they would not expect Muslims even to hold a view about such things. They ought, however, to expect the experts from the Nixon Center to know Hizb ut-Tahrir's political philosophy before they seek to guide American foreign policy further into the abyss.

Whoever studies our literature will know that we too distinguish between society and government, and, that while we seek a change of government, it is society that is the object of our work. This important distinction drives our equanimity towards submissive power sharing and violent insurrection, both of which we reject, as the one serves to strengthen the corrupt thoughts and emotions that define society while the other bypasses society in order to place seized power upon a foundation of mere sand. We seek to establish the Khilafah form of government upon a foundation of firm insightful acceptance by Muslim society. We also believe in the necessity of Khilafah for the protection of humanity, and that the world will nevertheless challenge this new State and will rightly expect Muslims to explain their ideology. No one at the Nixon Center should feel patronized if I quote, for the benefit of a wider audience, the first sentence from the first of many books that our members, from Britain, Uzbekistan or elsewhere, are obliged to study and live by if they wish to remain in our Party, Man progresses as a result of his thoughts...”

Our members across the globe strive for the intellectual elevation of society, and one of our fundamental concepts is the adherence to the Islamic legislative texts in all areas of life. It was impossible to replace the tyrannical rulers in our countries when the society understood that the rituals of worship had to be carried out according to the Islamic texts but failed to grasp the importance of adhering to these same texts in political and economic matters. It would also make nonsense of our work to clarify to the society the details of Islam's political system, while ignoring its own method for gaining political power. We defined this method in great detail, deriving its legitimacy from the peaceful efforts of the Prophet Mohammad (peace and blessings be upon him) to spread his ideology to all sectors of society and to pursue the acquisition of support and authority from the influential leaders of his day. How could we forsake our own ideology by ignoring the prophetic method for change? For this, he was abused and banished for a time by the society he sought to change. Some of his followers were tortured - beaten, burned, crushed and humiliated, others were killed - both men and women. Nevertheless, he refused to take up arms against the regime and that is a legislative proof for us. Those humble Muslims, those heroes, those brave hearts who by the thousand have joined our work in Uzbekistan, who suffered most terrible torture at the hands of America's most cruel ally, seeking only the pleasure of their Lord, are the last ones on the face of the earth from whom we expect betrayal and abandonment of the principles for which Hizb ut Tahrir stands by conspiring in any way to create explosions in Tashkent.

Your article called for naming the war correctly as, “a war of ideologies” and at last I do agree with you.

Our only weapon in this war is thought, and there is no better weapon than this for those possessed of confidence in the intellectual strength of their ideology. You, on the other hand, wrote, “the ideology of democracy and capitalism has failed in most of the Muslim world.” You noted the need for U.S. allies to “pay attention to socio-economic equality and injustice in their societies so that people do not turn to radical ideologies in the first place.” By addressing this point it is implied that poverty and bad conditions, rather than intellectual disagreement, are the main factors promoting opposition to US allies, but please consider this - there is no moral equivalence between the food that buys submission and the lack of food that prompts resentment. The one is a measure of cowardice the other of intelligence. Tom Paine has expressed it better than I could, “Hath your

house been burnt? Hath your property been destroyed before your face? Are your wife and children destitute of a bed to lie on, or bread to live on? Have you lost a parent or a child by their hands, and yourself the ruined and wretched survivor?...The more men have to lose, the less willing are they to venture. The rich are in general slaves to fear, and submit to courtly power with the trembling duplicity of a Spaniel." Is it possible that the truths that Americans have held for three centuries to be self-evident are in some way flawed, or are they forgotten relics like the quaint language of Tom Paine? The Nixon Center could better advise American policy makers that a nation that rose from humbler beginnings to later sell its products all over the world ought not now to presume that the whole world can be bought over to accept its ideology by the filling of stomachs.

I hope you now understand the basis of Hizb ut-Tahrir's confidence in its ability to effect enduring change in the Muslim world without the need for a single bullet. We should meet and discuss these issues. Perhaps the ideology of democracy and capitalism has failed because we didn't understand it correctly, or perhaps it is just wrong. Either way, honest discussion could bear more enduring fruit than socio-economic and political cosmetic surgery. While our ideology is, of course, very different from the secular ideology of the Nixon Center, we should at least agree upon basing arguments on a high standard of reasoned thought - rather than a mosaic of hearsay, assumptions and orphaned facts. Let us raise a standard to which the wise and honest can repair.

Yours sincerely,  
Dr Abdullah Robin  
(Then) Member of Hizb ut-Tahrir Britain