

17th August 2023

I give my consent to this submission being made public.

I write to voice my absolute and vehement opposition to the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. This sort of censorship and control has no place in a free and democratic country such as ours.

Censorship, no matter what it is called, and precision of language is most important in this discussion, is the sign of an unhealthy and fragile society where those governing feel threatened by their own electors, those whom they are tasked with serving. It is a signal that those in charge are failing in their duty to listen to and carry out the will of the electorate and fear them rather than look to their own failings. Dissenting voices are vital in democracies, if only to point out that the king has no clothes. On the other hand, grubby and distasteful ideas force us to ask 'Are we truly like that?' confronting those things which lurk in the depth of our collective psyche as a nation finally rejecting them because we know that they are there and they are wrong. Suppressing them allows them to fester and grow in darkness. On both fronts, censorship is deleterious to society.

To deny freedom of speech is to deny democracy itself. Absolute freedom of speech, which necessarily includes the ability to voice 'dangerous' ideas was essential for the rise of democratic ideas and nations in the 18th Century which overthrew oppressive and stultifying societal structures thus leading to the formation of the Western World and all that has arisen from that ideal. We would not be here in this place and time without this right of expression. Thomas Paine's 'dangerous' ideas directly influenced the founders of the United States in their writing of the Constitution of the United States and this was a very real influence on the fathers of our own constitution, that of the Commonwealth of Australia. These men were only too aware in the drafting of that document of the dangers in being too prescriptive or proscriptive and tempered their words accordingly to prevent this nation falling into the trap of hard-line dogma bolstered by the inability to question it.

The Bill itself is very poorly conceived and loosely worded. It mentions 'harm' to a number of entities including 'health' and the 'environment' but, who is it that defines what this harm is? This is a very broad statement which would allow a broad number of things to be called harmful. Is my calling someone a name on line harmful and therefore subject to provisions outlined? Is the statement of a verifiable, objective fact which offends someone harmful? Would advising someone to take a vaccine which subsequently proves to be harmful fall under those provisions? The incidences are far too many to list and provide a too broad avenue for abuse. Many of these would be covered under existing laws any way. Loose definitions are notoriously easy to manipulate in the pursuit of nefarious ends and in politics it is all too easy to lose integrity in pursuit of a political aim. The past is littered with many examples of this.

That deeming something harmful or dangerous can be misleading or wrong in itself is amply demonstrated by our recent health crisis. During the Covid-19 pandemic many ideas were portrayed as dangerous and harmful, not because they were wrong in themselves but because they defied the decided course of action of the government, much of which itself has since been proven to be erroneous. Suggestions that the approved vaccines had not been properly tested were termed misinformation. Early assertions that the 'vaccines' did not stop transmission of the virus were erroneously called misinformation. The idea that the virus came from a Chinese laboratory was similarly labelled misinformation. Questioning the entire Covid-19 narrative itself was given the name misinformation by the government. The absolute propaganda surrounding all of this was relentless, offensive and damaging to us as a nation. Much of this 'misinformation' has since been proven to be true through various rigorous studies undertaken by qualified and respected individuals around the world. If a government can get something like this so very and bloody-mindedly wrong,

I do not see how they be trusted with such a responsibility in future when deciding that something is 'misinformation'.

Such a bill also displays a distrust of the good sense of the people themselves. Australians have proven themselves time and again to be able to discern a good idea from a bad one and have acted accordingly in various referenda. Menzies' attempt to censor and ultimately ban the Australian Communist Party at the height of anti-communist hysteria failed because Australians in their collective wisdom were able to see the underlying danger to democracy through what was being proposed. They saw that an idea or movement being banned was a double-edged weapon which could be turned against anyone or any group in society if the right conditions prevailed. It frightened them more than the very real malice the communists harboured against democracy. Likewise, they had the sense and compassion to allow the constitutional change of 1967 to occur, again because they thought the concept through and saw the inherent fairness of voting yes to that proposal despite the emotional hype going on around the referendum. Censorship treats people as infantile and is insulting. It betrays a profound mistrust of the democratic system and the people themselves. And they know this instinctively.

Nothing good has ever come from censorship. Societies which resort to censorship ultimately wither and die through a lack of pollination of ideas. It stifles progress in both society and science. One only has to mention Galileo to understand this. His assertions about the solar system were equivalent to 'misinformation' according to the church of the time as his ideas, though true, conflicted with the dogma of the church which was concerned with propping up church hegemony. His teachings were suppressed for quite a while and only really gained acceptance in the later Renaissance, the beginning of the flowering of Western intellectual tradition which led to the Enlightenment where science and dangerous ideas colluded in an explosion of creativity and endeavour to create our modern world. Who is to say that a modern government would not resort to political censorship in a similar effort to bolster power under the guise of online 'misinformation' causing 'harm' thus stifling real progress? The works of the aforementioned Thomas Paine would certainly have been subject to the misinformation label despite their obvious and real benefits for us all in today's Western World. In fact, he was derided by one James Chalmers (no relation, I am sure) at the time because it was felt his ideas might lead to a degeneration of society into democracy, an apparently horrific prospect for some.

Ultimately, this bill is a very underhanded way of a government imposing censorship as the Constitution itself prevents government from doing so directly. Getting a third party in the form of powerful social media platforms to do the work prohibited in our founding document for a very good reason could be interpreted is a betrayal of the spirit and safeguards of democracy which that document sought to implant in the heart of our society. It is an attempt to circumvent the integrity of our country itself and undermine its foundation. It is an indication of the depths to which our political integrity has fallen that governments of both stripes seek to put in place an instrument which could be corrupted to suppress truthful and honest discourse by the people, no matter how distasteful it may be to some. It is a fact that 'sunlight is the best disinfectant' for grubby and murky thoughts and actions. The already proven good sense of the Australian people as a collective, imbued as they are with a universal wish for equality, should be trusted to see anything truly harmful for what it is and reject it on its own terms. A government which seeks to tell people what they should or should not think, even by *de facto* means, ceases to be a truly democratic government and has started on the slope into authoritarianism and unwarranted control.

I oppose this amendment as a fundamental change in the character and tenor of this nation for the worse. It is to be opposed as a possible instrument of co-ercion and control and is offensive to the spirit of democracy.

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