

## **Comments on the Exposure Draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023**

As an Australia citizen, I have serious concerns with this draft Bill.

I object to the general principle of the Bill, that our Government or governments are to be given the role of final arbiters of 'Truth' with power to censor and control what is accessed by citizens.

I object to the general strategy of the Bill, that the best method of dealing with the search for truth from misinformation is to control the sources of information that people can access - in other words, to limit their freedom to make their own minds up.

I am not convinced that the problem of 'misinformation' is the way this Bill depicts it. Specifically, I believe that the Governments of Australia, who are excepted from the provisions of this proposed legislation, have a track record of being misinformation spreaders themselves.

I want to address three areas of concern that are noted on the ACMA website information and the Fact Sheet 1.

1. *That misinformation and disinformation pose a threat to the safety and well-being of Australians.*
2. *That misinformation and disinformation pose a threat to our democracy, society and economy.*
3. *That misinformation (alleged) about Covid has resulted in lower levels of trust in doctors, health officials, and other authoritative sources.*

Let me take up these three concerns to challenge the faulty thinking behind this Bill.

- "Misinformation" is not countered by government censorship or control but by the free exchange of ideas.
- The real threat to democracy does not come from citizens that are mistaken but from authoritarian governments in the thrall of bad ideas or captured by vested interests.
- The way to rebuild trust in governments, health officials, and other authoritative sources is not by draconian and authoritarian censorship but by freedom, debate, and engagement.

In short, this Bill approaches this issue from the authoritarian political tradition, not from the liberal freedom tradition behind our institutions.

While the Bill is framed in the language of keeping us all safe (which has ever been the pretext for government control), there is an iron, authoritarian fist inside that glove of 'concern'.

### **1. What is the Problem of Misinformation?**

In societies there has always been disagreement about truth, ideas, facts, interpretations, and judgments. Where is the empirical research evidence that a pluralistic intellectual exchange of views, beliefs, and ideas is *harmful* to our society?

The best antidote to 'misinformation' or 'disinformation' is the free flow of information and debate in a truly free public square. This will force everyone who wants to promote ideas to compete on a level playing field of knowledge, and even governments cannot rig the game to squelch disagreement with their views.

How often in history has the truth been first proposed by a loner or outsider, despised by the 'authorities' and powers that be, even censored and persecuted, until finally the truth wins out over government suppression and community rejection?

In a pluralistic society, now powered by the internet, people can share all sorts of ideas, knowledge, views, opinions. Much that is shared will be wrong or unpleasant, but through the democratisation of information exchange, knowledge can get past powerful entrenched gate-keepers who have vested interests in maintaining their own version of 'truth'.

The control of the beliefs and ideas of a society by censorship will not lead to more truth but will actually *prevent* the clarification of ideas. Think of Lysenkoism.

The paradox of the emergence of truth through the allowance of discussion and even incorrect views is lost on the commissars of control that are behind this Bill.

Misinformation is best dealt with by good information. Mistaken views are best challenged by full and open debate.

I am on the side of John Stuart Mill about how to deal with other ideas that differ from our own, a.k.a. 'misinformation':

"He who knows only his own side of the case knows little of that. His reasons may be good, and no one may have been able to refute them. But if he is equally unable to refute the reasons on the opposite side, if he does not so much as know what they are, he has no ground for preferring either opinion... Nor is it enough that he should hear the opinions of adversaries from his own teachers, presented as they state them, and accompanied by what they offer as refutations. He must be able to hear them from persons who actually believe them...he must know them in their most plausible and persuasive form."

We are heirs of long political struggle to win the right to be free of the imposed control of authoritarian governments.

## **2. The Real Problem of Misinformation Behind this Bill**

'Misinformation' and 'Disinformation' have always been with us in societies. Why then did they start being talked about in the last few years? Fact Sheet 1 points to the answer. During the Covid years, our Government revoked many of the freedoms of citizens under the rationale of dealing with an emergency. There was a government narrative and policies that shut people in homes, forced people out of jobs, damaged mental health, propagandized a climate of fear, and coerced people to take a medical treatment that had no long-term safety data. Medical privacy and many other civil protections went out the window.

Thousands of Australians objected and disagreed with their governments.

But the Governments had a problem. They could control their own media and had willing colleagues in mainstream media, but social media was a worry. There were dissenting voices heard on these platforms – not just cranks, but distinguished scientists and doctors who were otherwise censored.

In many societies like Australia a secret censorship started to be detected on social media outlets. People knew it was happening, but the agents were hidden from view.

Then came the Twitter Files, which revealed how the Pharmaceutical and advertising industries, in alliance with their friends in the U.S. government, had been working behind the scenes to suppress and censor the open forum of social media. This has been called the Censorship Industrial Complex.

The freeing up of some social media, so that people could get a second opinion from that of the government and mainstream media, posed a big problem for the forces of authoritarian control of the narrative.

Now this is where your draft Bill comes from: a clever strategy to take back control of the narrative, to make sure that Australians don't hear what the government doesn't want them to know.

The new strategy from the Commonwealth is to combat free and open communication by threatening draconian fines on social media platforms and even proposing to call individuals in for some interrogation and intimidation. This whole Bill has an Iron Curtain feel to it.

This draft Bill looks like another attempt to get control back for political and industry interests, this time by penalising the platforms by legalized censorship.

This Bill claims to be about rebuilding trust in our institutions and authorities. This brings me to the question of why the Government has the right to claim our trust.

The last few years have demonstrated how unworthy of the role of censor are our governments. During the Covid years, the governments of Australia were the Godzillas of misinformation, issuing edicts that soon were revealed to be incorrect, and using their power to inflict coercive and harmful regulations on the population.

The Covid 19 vaccines have caused a huge number of serious adverse effects, and the excess deaths of Australians began to rise with the roll-out – but you won't hear this correlation on the mainstream news or from government health officials.

Why should I trust this Federal Government? Through their agency the Therapeutic Goods Administration, the government has an immense conflict of interest between their duty towards citizens and their entanglement with the Pharmaceutical industry, which almost totally funds the TGA that regulates the industry.

The same Pharmaceutical industry is one of, if not the biggest, sponsor of mainstream news media. No surprise then that the problems with the coerced and rushed Covid vaccines are only now being discovered by many citizens. It was only through social media, in the free exchange of ideas, that world-leading scientists

could voice their alarm and escape the censoring of government and their allies in corporate media.

It is not surprising that the terms 'misinformation and disinformation are now rising in use. They are buzz words used by governments that want to suppress sources of information that threaten their power or the influence of their business allies. Dissent is now called 'misinformation' and labelled dangerous.

This Bill sets up a censorship culture where the Government monitors the narrative. This is the classic profile of totalitarian and authoritarian polities. The Bill indirectly controls the expression of beliefs by punishing platforms, but it also envisages a system of tribunals that can call citizens to account for their beliefs.

This Bill exempts governments from its scope, but there is a strong case that Australian governments have been guilty of repeated misinformation and maybe disinformation. It gives them coercive control over the narrative that may challenge them or point out that the Emperor has no clothes.

If the Commonwealth Government is concerned about people not trusting them, then it should hold a Royal Commission about how the governments responded to Covid 19 pandemic. It should open up the channels of discussion and allow freedom of discourse.

### **Conclusion**

Is Australia a pluralistic society where there are many different views and beliefs or is the government to be the arbiter of 'Truth'?

Citizens of Australia do not need the Government to tell them what to believe or what views to hold, or how to sort out truth from error. In a free society we can make up our own minds, and we will be helped by hearing a range of views. It is always good to get a second opinion, despite what this Government says.

It is a good thing that we can disagree and have different views, even to the government's policies and views.

This proposed Bill is a brazen and shocking attempt to curtail the free expression and sharing of ideas, and to impose a government censorship regime. It has no place in a free, pluralistic and democratic society. The Albanese Government should be ashamed of itself for bringing it forward.

The government that can police information can thereby control information and squash discussion that displeases them and challenges their 'truth' (ie. their narrative).

This Bill is Orwellian. It has been said that 'misinformation is the word they use to shut you up.'

Please throw this Bill into the garbage can where it belongs.

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30.06.2023