

To whom it may concern

Personal Submission:

Some concerns about the Proposed Bill to combat misinformation and disinformation

In the current political climate I regard the above-proposed bill to be rather contentious and therefore wish to lodge this brief personal submission outlining some of the concerns that I am aware of that are being expressed by other concerned citizens.

Censorship concerns

Despite the apparent intention of the bill to not lead to a restriction of free expression and political formations, this is obviously a critical concern for citizens who disagree with aspects of developing Australian government policies. Obviously some degree of censorship is intended as a consequence of any new legislation aimed at curbing certain “narratives”.

The new ‘Ministry of Truth’

Using the Covid situation as an example of official misleading information, Liberal Senator Alex Antic has said, “Labor is attempting to establish a ‘Ministry of Truth’ with the power to censor anything they deem as “misinformation”. He further went on to point out, “the ‘truth’ is whatever comes down the bureaucratic conga line. When the medical regulator, AHPRA, censored doctors from expressing legitimate concerns about the COVID vaccines – where did they get their information from? The TGA and ATAGI,” says Senator Antic, referring to the national drug regulator and vaccine advisory body.” So the information makes its way down the line, to be enforced as ‘truth’ by these big platforms. Contradictory information gets branded as misinformation.” **Without even addressing this most basic issue in the draft bill**, the ACMA says its proposed legislation is necessary to counter the threat posed by misinformation and disinformation to, “the safety and well-being of Australians, as well as our democracy, society and economy”.

Unequal application of the new proposed laws

As the government bodies will apparently be exempt from the proposed new laws, surely any consequent suppression of public opinion will most probably be frowned upon by large sections of the public. This will in turn likely have the effect of exacerbating the problem that it is ostensibly aimed at solving.

Impact on online digital discussions and freedom of expression

Of particular concern is that the government is apparently seeking new powers to set and enforce industry standards to combat “misinformation and disinformation” online. Due to the highly concentrated ownership of mainstream media and the close foreign policy alignment of our two major parties over recent times, there has been a predictable and healthy shift away from these corporate and government sources of information when seeking out alternative political perspectives to the dominant national narrative. For these reason I consider the ongoing availability of broad and open political discussion to be one of the most important aspects that we need to retain if we wish our kids and grandkids to thrive in a healthy democratic environment.

In his 1961 farewell address, U.S. President Dwight D. Eisenhower famously warned the public of his nation’s increasingly powerful military-industrial complex (MIC) and the threat it posed to American democracy. Obviously this has become a major issue today in the US. Of particular concern in the Australian context is the Australian Strategic Policy Institute (ASPI), which is funded largely by the MIC and seems hell-bent on driving Australia into conflict with our largest trading partner, China. I note that ASPI is highly supportive of this draft bill.

Exacerbation of feelings of political alienation

Giving social media entities power to financially 'punish' the breaking of fuzzy guidelines will obviously smother a lot of legitimate political input from those citizens or groups less able to afford such penalties. Furthermore, as Dr Tael Harper believes, attacking the freedom of speech of those with differing viewpoints may exacerbate their existing feelings of political alienation.

To make this proposed new situation even more alienating, government bodies and corporate news outlets will apparently be exempt from these proposed new laws!

Outsourcing the adjudication of information to digital platforms

This is an absolutely crucial issue not addressed in the draft bill ... i.e. how 'completely true' information will be differentiated from 'misinformation (false)' and 'disinformation (false with malicious intent)'. Interestingly, ACMA says that it will have no role in adjudicating truthfulness! So, obviously this will leave digital platforms as the final authorities, supposedly through their engagement with industry bodies, fact-checkers, and AI to arbitrate what is 'true' ... exposing even further all future Australian political discourse to the unhealthy relationship that currently exists between big tech algorithms and the US security state.

The need for an alternative (DEMOCRATIC) approach

Quoting Dr Harper again ... "the very nature of political speech is that it might disrupt the public order – so this [proposed legislation] could certainly be used to clamp down on legitimate political speech and protest that should be part of a functioning democracy."

In my opinion, there is a need to urgently address some underlying issues in our society associated with the huge level of distrust in government and corporate authorities in recent years. However, for the reasons that I have outlined above, I believe that the proposed legislation will likely exacerbate rather than help address these problems. The fundamental reason being that the draft legislation is based on an erroneous view that 'truth' can somehow be ensured through the constructed of a suitably legalistic model in conjunction with technocratic decision making.

Democracy is messy in whatever political systems are adopted by the various nations of the world. So, whatever the chosen system, there is the need to encourage debates rather than smother them. We need to have lively debates in this country, for example about ...

The underlying causes of the obvious loss of trust in our legitimate governance institutions and corporate authorities

The unhealthy political bipartisan relationship between our two major parties

How to undo the concentration of private and public corporate media, including how our national broadcaster has lost its way

How to put the emphasis back on truth through actual research, evidence and science (rather than through propaganda based political rivalry)

The absolute importance of preserving our national sovereignty

Our human condition requires that we continue to recognize that grey areas will always be a part of political life, thus the need to be prepared to use open dialogue, tolerance, trust and respect for different perspectives.

Lastly, before any new restrictive legislation is introduced we should take into account legislation that already exists to prosecute in a court of law maliciously dangerous disinformation. This should obviously also include disinformation (especially war propaganda promulgated at the highest levels in our society (e.g. the blatant disinformation aimed at justifying the Iraq invasion)).

