

Anonymous Submission

I wish to provide the following submissions regarding the proposed *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023*.

One of the main problems with this bill is it is advocating and legislating censorship. What kind of a society do you aspire to live in? One that allows creativity, open debate and discussion or authoritarianism and censorship. According to wikipedia "**Censorship** is the suppression of [speech](#), public communication, or other [information](#). This may be done on the basis that such material is considered objectionable, harmful, sensitive, or "inconvenient".^{[2][3][4]} Censorship can be conducted by [governments](#),^[5] private institutions and other controlling bodies."

Once people thought the Earth was the centre of everything but later we learned that the Earth is in orbit around the sun. Copernicus challenged the status quo and it turns out that he was right. He only published his book the same year that he died. The Catholic church banned Copernicus' book in 1616 because they believed a heliocentric theory with the Earth as it's centre and Galileo was put before the Roman inquisition in 1633, and he was put under house arrest for many years, even though this 'new' theory was the correct one.

Sometimes more of the story unfolds later, just like a detective finds more clues. Through advances in forensics and other advances for example, crimes have been solved that were not solvable before. People believed that Lindy Chamberlain was guilty but she was innocent the whole time and suffered so much, because people made a mistake. The truth might not be fully known yet, and we find out more later.

People used to think cigarettes were safe and sexy, but cigarettes contribute to lung cancer. There are discoveries all the time so our knowledge is growing. Truth is not immutable. $2 + 2 = 4$ but maybe other things should be questioned, debated and open to discussion. Someone may be ahead of their time in knowledge or ideas and not be appreciated or understood until a later time. Van Gogh struggled to sell any paintings but now they are masterpieces and he is seen as a genius or great artist.

There used to be segregation of blacks and whites and much more slavery than there is now. Martin Luther King and others had to fight to assert their rights. Rosa Louise McCauley Parks was a black woman who dared to get on a bus with white people. We need people like this to be able to question the status quo and help society wake up and move forward.

The fact sheet says "Misinformation and disinformation pose a threat to the safety and wellbeing of Australians, as well as our democracy, society and economy." However, I would counter this by proposing that censorship and not allowing freedom

of speech poses a greater threat to the safety and well being of Australians, as well as democracy, society and economy.

Freedom of speech is important to democracy and to inventions and discoveries. Without creativity and debate, we might not have new technologies and ideas. Albert Einstein said something like “The definition of insanity is doing the same thing over and over expecting different results.” If we prevent people from speaking freely, I think we are encouraging more of the same and preventing breakthroughs and progress. If we discard differing and new ideas, we might never move forward or change. If the designated authorities decide what is true or false and what is right and what is wrong, this is more like an authoritarian regime, than a model of democracy. Can this really be for the greatest good or a political tool or propaganda to push the preferred narrative and control people?

What kind of a society do you aspire to live in? One that allows free speech, creativity, open debate and discussion, or authoritarianism and censorship? Censorship is a concern because it may be politically motivated and is part of authoritarian and totalitarian regimes. Who is to say what is the real truth? Who will decide and how can they be infallible? All humans and all AI are fallible, so who can be given the task to know the truth about everything and anything. What are the checks and balances? The body of people deciding the truth - how will they be chosen? Will there be a minimum IQ or education required or would it be ordinary people? How will they maintain objectivity and avoid any conflicts of interest, corruption or bribes and threats? Would you have different people for different subject areas? What if the topic is over multiple areas of expertise? How can various media companies and digital platforms be sure that they have found the Truth?

What about the story about different perspectives of an elephant? If you see it from the front it is different from the back or the side or above. At the same time, it is still an elephant. What if you hide half of the elephant because you think it is dangerous or a threat. Perhaps someone has not seen this elephant before and you now offer them a restricted view. At the same time, for many people this elephant is safe because they have it in their circus or it is a form of transport in their culture. If someone has never seen an elephant before and does not know what it is, and yet you hide it from them for their protection - who will decide the ethics of that? We are still discovering new fungi, plants and animals and naming them. So how can we purport to know everything with certainty right now?

The NAZIs did not allow Jewish people to practise their religion and persecuted and killed many Jews. Perhaps disallowing certain viewpoints or religions because someone in authority disagrees is dangerous. Supposedly they were convinced they were right too. It is dangerous to be dogmatic about truth and policy, not open to questioning and change, because It is a form of authoritarianism and maybe a slippery slope.

Humans were given free will, according to some philosophers, Christians and individuals. We all have slightly different genes, viewpoints and upbringings. Everyone contributes something unique. There are still consequences for what we do and do not do, which could be physical, monetary, legal, or perhaps karmic. If you try to make society homogenised this is like assuming that everyone needs to eat the same food, or has the same likes and dislikes. We are not the same and this is part of the magic of life. The whole is bigger than the parts (Gestalt theory), so that a diverse team can achieve more than a single individual. If you try to make everyone think and believe and read the same things, you are destroying what makes people unique. Art and science rely on creativity to progress. Would you like to read the same book or same film over and over and over again a hundred times? People need variety, not just sameness to provide contrast and learn and grow optimally. Do we want our society and individuals to fulfil their potential and bring their unique gifts to the world?

If we seek a society that is only allowed to say yes, this could become a crazy world, based on homogeneity, fear and authoritarianism. This scenario was turned into a comedy in the movie *Yes man* with Jim Carrey? We were given minds to be able to think for ourselves and question and make our own decisions. Free thought is important. Have you ever changed your mind about something? People may change their religion, their political party, even their gender. So why can't we explore contrasting ideas and give diverse people a chance to speak and express themselves. Have you ever changed your mind on what is true or what is right?

In the past China banned *Jane Eyre* and *Alice in Wonderland* books that have enriched the lives of many and been made into fabulous movies. Some countries have even censored Wikipedia: *“Widespread censorship of Wikipedia has occurred in countries including (but not limited to) [China](#), [Iran](#), [Myanmar](#), [Pakistan](#), [Russia](#), [Saudi Arabia](#), [Syria](#), [Tunisia](#), [Turkey](#), [Uzbekistan](#), and [Venezuela](#). Some instances are examples of widespread [internet censorship](#) in general that includes [Wikipedia content](#). Others are indicative of measures to prevent the viewing of specific content deemed offensive.”*

Our freedom of expression is protected by various legislation such as the [Right to freedom of opinion and expression | Attorney-General's Department \(ag.gov.au\)](#)

International Covenant on Civil and Political Rights

Article 19

- Everyone shall have the right to hold opinions without interference.

- Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
- The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 1. For respect of the rights or reputations of others;
 2. For the protection of national security or of public order (ordre public), or of public health or morals.

Article 20

- Any propaganda for war shall be prohibited by law.
- Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

The UN's Universal Declaration of Human Rights includes provision for freedom of speech, particularly article 19 quoted below. .

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Wikipedia provides another good explanation as follows:

“Freedom of speech is a principle that supports the [freedom](#) of an individual or a community to articulate their opinions and ideas without fear of retaliation, [censorship](#), or legal sanction. The [right to freedom of expression](#) has been recognised as a [human right](#) in the [Universal Declaration of Human Rights](#) and [international human rights law](#) by the [United Nations](#). Many countries have [constitutional law](#) that protects free speech...”

In conclusion, this proposed bill *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023* is detrimental towards human rights and contradicts various existing legislation. It is harmful to artistic expression, political, philosophical and scientific debate and progress. This bill would take Australia away from democracy and progress, and bring us closer to authoritarianism, so we should not allow it. We need to learn from history and not

make the same mistakes. In order to grow and evolve, Australia needs to be open to change and allow alternative viewpoints that may be ahead of their time and in future prove to be right.