

## Submission: Exposure Draft: Communications legislation Amendment (Combatting misinformation and Disinformation) Bill 2023

This submission is in the form of thoughts noted during or after reading the draft bill, and then expanded upon later.

- My first thought as I began reading this exposure draft was that the concept of a governing body making rulings based on whether someone is communicating "truth" or "untruth" is fraught. I am sure that anyone with a widely read knowledge of history could produce numerous illustrations of this. Here is one example: Galileo<sup>i</sup> was an outlier in his time, communicating ideas that went against the prevailing orthodoxy, and was deemed to be spreading falsehoods, forced to recant, and spent the rest of his life under house arrest. The charge brought against him was of "heresy", which I take to be the big stick they brought out whenever the ruling class felt threatened. History now paints Galileo as a persecuted superstar (albeit a quirky one) and one of the fathers of modern science.
- Although there are sections labelled as safeguards included, for me this bill still evokes images of the "Ministry of Truth" in George Orwell's book, "1984"<sup>ii</sup>, which is, eerily for us in Australia, set in a place called "Oceania". However, instead of the ministry doing the "work" themselves, as the novel portrays, this bill cleverly delegates this to commercial entities to do it for them -- and faithfully report back -- on pain of civil penalties. I do not want our government to emulate Orwell's bleak vision of the future.
- The fact sheet of this bill states that ACMA will have no role in determining truthfulness, rather delegating that to the private entities running media platforms. However, it seems to me that the reporting requirements and the penalties for "incorrect" reporting implicitly channels back the power to define what fits into these terms to ACMA. I do not know how this contradiction could be resolved, since any legislation needs some means of monitoring and enforcement.
- I submit that this bill, at least in its current form, would begin to steer Australia towards what China has done (China also largely uses private entities to do the work, but via a contract<sup>iii</sup> [W]), and that Australians know how that has panned out and we do not want it. The Chinese population, I presume, does not want it either, but now they have no choice and cannot band together to protest it (or anything else).
- An April 2018 article<sup>iv</sup> published online by Cambridge University Press was entitled, "How Sudden Censorship Can Increase Access to Information". It describes a "gateway effect", whereby citizens react to sudden government censorship by seeking out the same information [sources] that they could previously access, and to do this they acquire tools and skills to evade the censorship. The result could be summarised as an unwanted (by the censoring government) inverse effect of the censorship, since these citizens, inadvertently, tend to go on to access further information sources that have been censored for even longer. In the context of this proposed bill, I see this article as warning that by the act of imposing censorship (via information platforms) of misinformation/disinformation, more interest will be generated in what is being

categorised as misinformation/disinformation than if the government did not enact censorship.

- I encourage the government to, instead of introducing this bill, promote the growth of critical thinking among the Australian population so that more people will be truly safeguarded against real misinformation. The focus on critical thinking in our country's educational standards bodies should be expanded, and teachers should be encouraged to implement the concept in their classes. Authoritarian governments, and any government in manipulation mode, typically employ fear tactics to get the citizens to comply; what I want instead are antidotes to such fearmongering, which include critical thinking skills and free and open debate.

This submission was written by Eldon Rosenberg of NSW, Australia.

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<sup>i</sup> [https://en.wikipedia.org/wiki/Galileo\\_Galilei](https://en.wikipedia.org/wiki/Galileo_Galilei)

<sup>ii</sup> <https://bookanalysis.com/1984/ministry-of-truth/>

<sup>iii</sup> <https://doi.org/10.1017/S0003055413000014>

<sup>iv</sup> <https://www.cambridge.org/core/journals/american-political-science-review/article/how-sudden-censorship-can-increase-access-to-information/A913C96E2058A602F611DFEAC43506DB>