

Free speech under threat in Australia



The Australian Parliament is set to resume in November. The House of Representatives will sit in the week from Monday 4 November and will sit again, together with the Senate, in the fortnight from Monday 18 November. In that period, it is highly likely that Communications Minister Michelle Rowland will use these sittings to make her foreshadowed *Combating Misinformation and Disinformation* (M.A.D.) bill law.

Behind the promotional spin, the M.A.D. bill aims to take away of the right of Australians to speak their views freely if those views are contrary to those of this government. They plan to coerce social media - Facebook, Instagram, Youtube, Rumble, etc. - into censoring "Misinformation" by imposing prohibitive fines should they fail to do so. The M.A.D. bill, in many ways, mimics the Ministry of Truth in George Orwell's "1984" and flies in the face of the overwhelming opposition expressed by Australians in September this year (I inadvertently did not meet the deadline in making my own submission - it can be found at <https://candobetter.net/james-sinamon/blog/6905/reject-combating-misinformation-and-disinformation-bill>) and to an earlier attempt in June 2023. Prior to that, in 2013, when the then Coalition government tried to introduce similar legislation, it was withdrawn in the face of overwhelming public opposition.

This bill is clearly contrary to Article 19 of the United Nations Universal Declaration of Human Rights which was adopted at the UN General Assembly of 10 December 1948 in Paris. Article 19 states:

"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."

Censorship is also contrary to the First Amendment to the United States' constitution which was adopted on 15 November 1791. The amendment states:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

The fact that free speech has not yet been similarly protected by our own Australian Constitution is the result of either oversight by past legislators or wanton neglect. This must be rectified as soon as possible. A good start would be for the Australian Public to get behind those MPs and Senators who have stated their opposition to the M.A.D. bill so that it is defeated on the House floor or, if not there, in the Senate. Queensland Liberal Senator James McGrath stated his opposition to the M.A.D. bill on 10 October:

The coalition [does] not support ... the dystopian reforms included in the government's Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill. Freedom of speech and the contestability of ideas are necessary, indeed compulsory, for a healthy liberal democracy. Distinguishing between truth, opinion and falseness is an inherently subjective process and one that is appropriately left to the Australian public. The federal government and its bureaucrats, no matter how independent and qualified, has neither the scope nor the ability to adjudicate what is or is not misinformation. It is inappropriate for any government body, let alone a government minister, to have the authority to censor the Australian people and their political parties in their communications. Australian democracy ought to remain a marketplace of ideas. If Australians share statements that are considered to be false, it is the role of civil society to hold their statements to account, not for the federal government to prohibit such statements in the first place.

How you can help

Obtain the PDF file of this leaflet and print your own copies and distribute them to neighbours, letterbox them, and distribute them at large protests, for example at the next weekly protests against genocide in Gaza which commences this Sunday at 12pm outside the Victorian State Library.

Contact parliamentary representatives, including your local parliamentary representatives, including your local MP, and ask them to oppose the "Combating Misinformation and Disinformation" (M.A.D.) bill should it ever be put to the House or to the Senate. Ask them to oppose any attempt to gag debate before all members who want to speak have spoken. Should that procedural motion be lost, call for a division so that the Australian public can know which MPs and which Senators are opposed to free speech even on the floors of our Parliament.

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