

Binary

binary.org.au/clamping_down_on_free_speech_and_truth_speech

Kirralie Smith October 22, 2024



Free speech, truth speech and political speech are all at risk in Australia today.

These are hallmarks of a free and democratic nation. To remove or diminish these foundational aspects means we run the very real risk of becoming a totalitarian state where political opposition is non-existent and legally impossible.

From the federal Misinformation/Disinformation Bill, to anti-discrimination laws that allow discrimination against some but not others, to the attempted misuse of apprehension of violence orders, the red flags are everywhere.

The federal government is attempting to introduce legislation that will make them sole arbiters of truth. Opposition will simply be labelled as misinformation or disinformation and the Australian public will not be able to access or discuss opposing views.

The Victorian government is trying to expand anti-vilification laws from simply race and religion to encompass disability, gender identity, sexual characteristics, and sexual orientation.

Claire Lehman wrote this recently in the Australian newspaper:

If such an expansion is passed, it will become illegal in Victoria to offend people who are disabled, trans, non-binary or “sexually diverse”. Maximum prison sentences will be up to three to five years.

The legal thresholds for what constitutes vilification will be lowered. Currently, one must “incite hatred” to breach the law. Under the proposed changes, however, speech that is “likely to incite” will become a criminal offence. Under such a standard, almost all speech referring to those with protected attributes – regardless of intent or context – could be deemed criminal. This means journalists, writers, comedians, academics, artists and activists will all be open to prosecution.

This new orthodoxy operates on multiple levels. First, it holds that speech inflicts harm equivalent to physical violence, which means stringent controls must be placed on expression. Second, it establishes a hierarchy of moral authority based on perceived victimhood, where some voices are deemed more virtuous than others. Third, it promotes a series of dogmas about identity, privilege and systemic oppression that brook no dissent. This means debate is off the table.

Like any religion, this belief system has its own heresies. Questioning the concept of gender fluidity or expressing concern about biological males in women’s sports or suggesting that factors other than discrimination might contribute to disparities between groups – all these become dangerous utterances, potentially worthy of legal sanction.

In NSW this could also become a reality sooner rather than later. In October 2023 a male soccer player applied to have an apprehension of violence order made against me. The first magistrate to hear the case denied the application.

The male footballer appealed the decision, and the matter was heard last Friday.

A decision will not be handed down until the end of November.

The outcome of the decision could have profound implications for freedom of speech in Australia.

Freedom of Speech VIC Government