

Shut up, they explained

The Finkelstein inquiry isn't about protecting the truth
– it's about silencing dissent

JAMES MORROW

Back in what was to them the bad old days of the Howard government, the Australian Left was fond of claiming that the Coalition wished to take Australia back to the 1950s — an era when everyone lived behind white picket fences but no one got Arts Council grants to write unwatchable plays about the terrible things that occurred behind them.

Since Labor came to power in 2007, however, this fantasy has turned out to be the biggest case of projection since the pot made an off-colour remark about the kettle. If implemented, the recommendations of the government's so-called 'Independent Media Inquiry' — the first of many truly Orwellian terms encountered on this journey — would represent a real retreat back to the days when censors ruled and officials, in secret, met to decide which books would be barred from our shores.

This is no exaggeration. The result of the \$1.4 million inquiry, co-authored by Ray Finkelstein QC with an assist from academic and former *Age* journalist Matthew Ricketson, is not about improving the quality of journalism in Australia. Rather, it is a carefully-crafted attack aimed squarely at two targets: News Ltd, and those who question the official narrative regarding climate change.

Any website which receives more than 15,000 visits a year — that's just 41 visits per day — will also be subject to scrutiny. A \$2 million-per-year 'News Media Council' (there's your Orwell again) would all but license publications both online and print, something that should be abhorrent in a free society. The report calls for its powers to be extended to foreign publishers with 'more than a tenuous connection' to Australia to fall under its remit. No prizes for guessing to whom that recommendation refers.

But with such a relatively small budget and such a large remit, surely the point is not so much that everyone will be held accountable to this Star Chamber, but that anyone could be. Because the field of content

for proposed regulation is nearly infinite, any decision to investigate will almost by definition be seen to be arbitrary: why take up a charge made by an enemy of News Ltd, and not one by an enemy of Fairfax? Why investigate a scurrilous charge by one blogger but let 100 other sites go unmolested? Arbitrary, politicised investigations run by opaque, undemocratic committees are the hallmark of totalitarian regimes which rely on fear as much as favour and have no place in modern Australia.

Australia's press, already subject to strict defamation laws and a Press Council that goes a long way toward forcing newspapers to follow the approved script, need more regulation. Liberal MP Sophie Mirabella wrote this week of having the phrase 'illegal entrants' in an opinion piece she had penned changed to 'irregular entrants' because of an earlier decision by that body. So much for editorial independence.

Nor is the Australian public clamouring for the government to tell them what they can and cannot read. It is common for supporters of Finkelstein's recommendations to flood internet comment threads with the charge that Australians trust journalists even less than they do used car salesmen (something which this columnist, who comes from a family of journalists and who has partnered into a family of used car dealers, takes exception to). Yet of the 10,600 submissions received by the inquiry, 9,600 were

boilerplate emails organised by the George Soros-funded Avaaz, which has mobilised in other countries to pressure legislators to block and shut down media outlets that do not follow the proper narrative. They also have led campaigns to whitewash Hamas and promote the Occupy movement.

Nevertheless, it is clear the enemies of a free press smell blood. Hard on the heels of damaging revelations about the behaviour of Murdoch's tabloids in the UK and a Victorian court's decision silencing News Ltd columnist Andrew Bolt for the crime of, essentially, hurting the feelings of some professional activists, and encouraged by Bob Brown, an effort to rein in the press is underway. And no wonder: a free press is, to the so-called progressive Left, an obstacle to their attempts to nudge, tax and bully an ignorant population towards their own vision of the light on the hill.

Even the argument that one day the colour of government will change, and with it the targets the new regulator might have in its sights, does not go very far. Supporters of Finkelstein's measures are likely relying on the same sort of stasis that has kept the ABC the province of, with a few exceptions such as Chris Uhlmann, the elite cultural Left. While the ABC's *Media Watch* has criticised Finkelstein's recommendations — host Jonathan Holmes told viewers this week that 'for what it's worth, I think the cure might prove worse than the disease' — that show is instructive of how efforts to monitor the press generally wind up. No matter how even-handed one claims to be, the sense of bias always hangs in the air. *Media Watch* has still not, for example, corrected its claims that reporters from Rupert Murdoch's *News of the World* deleted phone messages from teenage murder victim Milly Dowler, claims that even the *Guardian* has stepped back from. Would a News Media Council be any more responsive to its own errors?

Finkelstein claims that he can devise a statutory regime to regulate the media without infringing on freedom of speech. This is logically all but impossible, and it is depressing to see how far the side of politics which once fought honourably under the Enlightenment banner, 'I disagree with what you say, but I will defend to the death your right to say it', has fallen. But when you have run out of good ideas, getting the other side to shut up may be the only argument left.

James Morrow blogs about food and culture at prickwithafork.wordpress.com.



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