

Empathy Shouldn't Have a Colour Chart

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The Australian Government has drafted new laws that would require social media platforms to identify and limit the potential for harmful content before it reaches users, rather than cleaning up after harm is already done. This proactive approach, called the “digital duty of care”, would also allow users to opt out of platform-recommended algorithms via pop-up messages. According to the Government, the legislation will help protect social media users, particularly those between the ages of 16-18, from being fed problematic or illegal content against their will. It is my belief that the Government has a responsibility to ensure that racial hatred belongs on that list too, and if you’re unconvinced, then look no further than the comments that have followed recent coverage of the floods in Nepal and Tibet.

The flash floods that tore through Nepal and Tibet on August 26 after a glacier collapsed in the Himalayas have killed nearly 1400 people. Thirty-six Australians are still unaccounted for, many of them on pilgrimage to Mount Kailash, sacred to Hindus, Buddhists, Jains and followers of the Bon faith. Their grief-stricken families are doing what every family in that position does. Refreshing news feeds. Calling embassies and waiting, waiting and hearing nothing.

I know the Mount Kailash pilgrimage that likely attracted many of the unaccounted Australians to Nepal. Circling the mountain on foot is considered one of the most significant acts of devotion a person can make in a lifetime. My parents made the trek there a few years ago, and I'll take my own son one day. I've been watching the family members, many of whom are young women, speak to reporters on camera. They're calm, articulate, but their agony is palpable. I watch helplessly and think: that could be me. But it turns out that there's nothing quite like a catastrophic event involving Australians of South Asian descent to bring the racists out.

Under the news articles about these families and their loved ones, the usual nasty crowd have turned up in the comments. The gist of their comments, stripped of the ugliest words: your skin colour disqualifies you from counting as Australian. This is horrible, even without considering the sheer audacity that is demonstrated by the faceless accounts claiming that Australians must be white to “belong” here, when Aboriginal and Torres Strait Islander people, the traditional owners of this land, aren't white.

43-year-old Karan Bhardwaj, one of the missing Australians, serves in the Royal Australian Air Force. He didn't just hold a passport. He wore the uniform. And still, for a growing number of Australians, belonging comes with a loyalty test that white Australians never have to sit. Because their citizenship is considered conditional. You can hold the passport, pay the tax, raise your kids here, wear the uniform, and still discover, the day your family goes missing, that some of your fellow citizens always saw you as an unwanted guest.

Several outlets, including The Daily Telegraph and The Guardian, ended up locking their own comment sections after covering the floods because grieving families were being told, in the middle of the worst week of their lives, that their loss didn't count. This isn't the first time. When the Air India plane crashed in Ahmedabad, killing at least 271 people, social media flooded with similar racist mockery. It's the same stance that's filled March For Australia rallies, carried Pauline Hanson's One Nation to a historic high in the polls, and gave Liberal senator Jacinta Nampijinpa Price the confidence to claim, last year, that Indian migrants were let into the country in large numbers because they vote Labor. Anti-Indian sentiment has been climbing alongside a broader anti-immigration stance in this country.

Then there are the free-speech crusaders, first in line to defend anyone's right to say something bigoted. Here's what they're not telling you: free speech was never a blank cheque. It's already against the law in Australia to publicly insult or humiliate someone because of their race. Telling a grieving family they're not 'real Australians' because of their skin colour isn't a grey area. The law to deal with this exists. But enforcement is difficult, compounded by the veil of anonymity used by **most gutless keyboard warriors.**

That's why the Government's progressive new legislation must explicitly extend its protection to non-white Australians. The Australian Human Rights Commission has pushed the Government to target how platforms incentivise users to create racist content that is then amplified by their algorithms. When I interviewed Race Discrimination Commissioner Giridharan Sivaraman recently on my podcast, Culture Capital, he argued that "racism is profitable". It sounds like a slogan or exaggeration until you go looking for the proof, and you don't have to look far. Last month, an ABC News investigation found Meta's own "Content Monetisation" program (distributing \$US3 billion in 2025) had funnelled money to neo-Nazis, racists and conspiracy promoters whose content performed well with audiences.

The algorithm isn't a neutral bystander to the racist hate in these comment sections. It's one of the reasons the hate is there. Outrage keeps people scrolling, and people who keep scrolling see more ads. Hate is a business model. Sure, the Government's proposed legislation won't fix racism but it would stop grieving families from needing to battle the racist rhetoric that these trillion-dollar companies were never interested in catching.

Empathy shouldn't be based on a colour chart. The families waiting right now for news of their own parents, partners and siblings deserve to grieve without an audience deciding, in the comments, whether they've earned it. That shouldn't be a big ask. It pains me that right now, in this country, it still is.

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I interviewed Race Discrimination Commissioner Giridharan Sivaraman recently on my podcast, *Culture Capital*. He said something that's stuck with me since: "racism is profitable". It sounds like a slogan or exaggeration until you go looking for the proof, and you don't have to look far. Last month, an ABC News investigation found Meta's own "Content Monetisation" program (distributing \$US3 billion in 2025) had funnelled money to neo-Nazis, racists and conspiracy promoters whose content performed well with audiences. The algorithm isn't a neutral bystander to the hate in these comment sections. It's one of the reasons the hate is there. Outrage keeps people scrolling, and people who keep scrolling see more ads. Hate is a business model.

There's a mechanism on the table that could help. The federal government's proposed Digital Duty of Care would require platforms to build systems that catch foreseeable harm before it reaches people. The Australian Human Rights Commission has pushed for the duty to target the monetisation and amplification systems that let racist content thrive in the first place. It won't fix racism. But it would stop asking families in crisis to fix what a trillion-dollar company's own systems were never built to catch.

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