



## **PRIME MINISTER**

**TRANSCRIPT OF THE PRIME MINISTER, THE HON P J KEATING, MP  
DOORSTOP, PARLIAMENT HOUSE  
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**PM:** Last night Ian McLachlan, the Liberal front bencher, was brazenly defying the High Court and endorsing the general thrust of the fanatical views put by Professor Blainey who said that the Chief Justice had failed in his duties and should seriously consider making way for another Chief Justice. In other words, here's the Party that has always believed in the rule of law, and the sanctity of private property, saying the High Court only works when it works for us, and when it doesn't work for us the High Court Judge, Chief Justice, should either explain himself or resign his position.

Ian McLachlan then endorsed that general thrust of those views. Now, I think, that it is imperative that Dr Hewson dissociate himself from Ian McLachlan's endorsement of Professor Blainey's fanatical right wing views about the High Court to dissociate himself from those remarks, and Mr McLachlan's remarks that he endorses the start of a process of reversal of the Native Title decision. And to not do so would leave Dr Hewson accused of the same arrogant refusal to accept a decision of the High Court, which even Mr Hugh Morgan describes as the keystone of the Constitutional arch.

So, here is a High Court decision very much along the lines of similar Supreme Courts in other countries. One that it is a sound legal decision, and now where a front bencher of the Opposition says the Chief Justice should resign.

Now, last week Alexander Downer was the only Liberal that came out and said that Mr McLachlan was out of court, he was out of line and he should be corrected and put back into line or stand down from the front bench and that Dr Hewson should ensure that he does. Dr Hewson has done no such thing, his weakness in relation to the High Court and Mabo, that is, a Liberal Party leader considering and tolerating such an attack upon the High Court for this decision simply means, I think, that

Dr Hewson now has no strength in dealing with the High Court, he is showing no leadership whatsoever in his Party, and that was again endorsed this morning by his make up with Senator Bishop. Senator Bishop has been campaigning for his job. A week ago he was kissing her on the cheek in a silly make-up, and today, apparently in another display of a total lack of leadership and weakness, he is saying it is ok, Bronwyn, if you are quiet it will be all right with me. The fact is John Hewson should try and stop Senator Bishop where she wants to start, in the pre-selection for the seat of Mackellar, he is not doing that. He is going to let her through and now let her slide onto the front bench providing they all kiss and make up.

Well, I just say to you, Dr Hewson is a weak leader. I told you last weekend that I think his days as leader are finished, and to tolerate the brazen contempt by Mr McLachlan for the High Court in endorsing the fanatical views of Professor Blainey just makes that abundantly clear.

J: How long do you give Dr Hewson in the job?

PM: Not long. I think now, any Liberal who would have seen his interview with Laurie Oakes on the Sunday Program last weekend would simply despair about the state of the Opposition leadership.

J: Prime Minister, didn't you earlier in the year also invite criticism of the High Court for leaving a lot of the questions unanswered on Mabo?

PM: No, there is one thing about the tidiness of the judgement, that is, whether or not some of these questions about leases etc should have been referred to, that is, leaving so much of it to the Parliament. It is another thing to say that the whole decision is illegitimate and the High Court and the Chief Justice should stand down. It is an absolute outrage. They were always invoking Menzies, I mean, Menzies would turn over in his grave on this sort of an attack on the High Court. These are people that believe in the rule of law. The West Australian Government is contemplating the most far reaching obliteration of private property rights in the country's history. They want to take Native Title and extinguish it.

J: Prime Minister, do you think Mr Blainey is a racist?

PM: We know of his notorious positions on these things, you can put him in the Hugh Morgan category. The problem here is McLachlan, McLachlan is a front bencher in the Opposition. He is endorsing Blainey's views that the Chief Justice should stand down, that the Justices should explain themselves or stand down. And the leader of the Opposition is letting that position remain, and letting those remarks stand without disciplining Mr McLachlan.

- J: Does Professor Blainey have a point when he says that Aborigines have too much land and that anyone who criticises that is being labelled a racist?
- PM: Well, in 1788 they had all the land didn't they. What are they to get now? Not that in the coastal periphery of the country, but only in the main, in the hinterland and only where they can establish native title on a customary basis. In the end, these people don't want to see land conferred on people, they want to see land conferred by Parliament - they don't want to see it as an inherent right of indigenous people.
- J: Prime Minister, when will we see your legislation on Mabo?
- PM: Probably, you'll see it when I introduce it in the Parliament - not so far from now.
- J: You can't give us a date yet?
- PM: I think probably about the 16th or 17th.
- J: Prime Minister, do you see a democratic right to be able to criticise the High Court ... the Labor Party's position on the ad ban decision?
- PM: It is not a democratic right to go and say that the principal and most supreme court in the country should explain itself or resign over a matter like this, not when the party who is endorsing it was saying that the native title decision was correct. I mean, in a statement which Dr Hewson published in June he said - the Liberal Opposition supports, the Coalition, supports the native title decision of the High Court. Now, to have a front bencher say that the High Court, endorsing a view that the Chief Justice should explain himself or resign is an outrage.
- J: That was only a principle; it wasn't policy.
- PM: Yes, that was only a principle, it wasn't policy - that's right. We discovered that with your very important probing on Sunday Laurie (Oakes).
- J: Mr Keating, you talk about a vested interested, in your statement, you talk about vested interests - are you talking about Mr McLachlan being a pastoralist there?
- PM: No, but look, Mr McLachlan is a pastoralist and a substantial one and he comes from that area of Australian life that believe that the country's bounty is for them to enjoy, but nobody else. The fact is, the Court has made a principled decision here and Professor Blainey's views are an outrage, but the greater outrage is the endorsement of them by Mr McLachlan and the failure of the Leader of the Opposition to stand him up. What is politics coming to?

- J: Mr Keating, the Greens seem to be suggesting now that there won't be time to consider this legislation this year - are you concerned that it won't get through the Parliament this year?
- PM: I would like to see it through the Parliament this year and the Greens have got to know and have got to understand this well, that what Richard Court wants to do is to extinguish native title. He wants to wipe out the private property rights of Aboriginal people, that is what's on here. Richard Court wants to take the private property rights and to use Mr McLachlan words "*start the process of reversal of the native title decision*". I mean, they're the stakes here, so we are not worried about some petty debate about time tables, we are worried about matters here of great principle.
- J: So, will the Federal legislation override the West Australian legislation?
- PM: Well, you wait to see that. Look, the Federal legislation will take primacy in these matters.
- J: And you are convinced that the West Australian legislation will be unconstitutional?
- PM: I am convinced that the Commonwealth Parliament's power to legislate in respect of Aboriginal people is secure, sound.
- J: Prime Minister, what is your response to yesterday's opposition questioning in Estimates about the Lodge?
- PM: I thought it was appalling and I mean Dr Hewson sanctioning this sort of behaviour ... could you imagine Menzies raking over John Curtin's tenure or staff arrangements at the Lodge or John Curtin raking over Joe Lyons family arrangements at the Lodge - this is the sort of dirty linen view that the Liberal party now specialise in. Where is the Liberal party under this man? How low does Australian politics need to sink? Can I say, I was also appalled at just how quickly the voyeurs of the Press Gallery took this up in a London tabloid way with alacrity that would even surprised the London tabloids, and ran it all on pages one and two of the newspapers. I might also refer you to the correction *The Canberra Times* hid on page two of its edition today after running two front pages on Saturday and Sunday about this phoney story about prints in the Cabinet Room. The Press Gallery ought to get on with the big issues and wake up to itself.

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