



## PRIME MINISTER

### MACQUARIE NETWORK WEEKLY BROADCAST

By the Prime Minister, The Rt Hon.  
William McMahon, CH, MP.

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### F R E E D O M   U N D E R   T H E   L A W

Of late, we have heard a great deal about the problem of freedom under the law, and what it means.

Democracy and the guarantee of individual human rights to freedom and independence depend on two concepts. They are the rule of law and the maintenance of public order, and regular free Parliamentary elections.

The rule of law means that everybody has equal freedom and equal rights under laws which are administered fairly, impartially and honestly. That means freedom for everybody, without any sort of discrimination. To be effective the rule of law requires discipline and the use of sanctions which, in turn, require legal enforcement. That is what the maintenance of public order means.

It is truly said that without law is without liberty. When we speak of freedom we mean your freedom under the law. It is not a licence to do as you please without restraint, or without respect for the rights of others.

For some, particularly some young people, these ideas may now seem dull and boring. For some, it may seem fashionable or exciting to become involved with the so-called conscientious breaking of the law, through civil disobedience. Such people are easily exploited and manipulated by a small hard-core group of militant activists because of their relatively innocent political idealism. This hard-core group makes no pretence whatsoever of respect for the law or concern for democracy, although as most of us know, they fully exploit democratic freedoms to preach their own propaganda.

Our political opponents try to ridicule and degrade freedom under the law with a smokescreen of self righteousness, or with attacks on the police. Let us look at the facts about this kind of civil disobedience. In 1969, there were 18 such incidents throughout Australia, In 1970, the total was 34. In 1971, it more than doubled to 88. 1972 is going to be much worse. This month alone, there have been 16 incidents, almost as many as for the whole of 1969.

Of these at least 25 per cent are claimed by self-styled "liberation army" groups. These groups have a distinct terrorist flavour and their aim is destruction rather than dissent.

The foremost objective of the Liberal Party platform is "An Australian Nation Dedicated to Political Liberty and the Freedom and Dignity of Man". We believe in the right of dissent. But dissent must be within the law. Repeated campaigns of civil disobedience of the kind I have mentioned tend to weaken the authority of the law. It is the old story of dripping water. Each particular act may not be important in itself - but each one does its bit to bring the whole notion of the rule of law into contempt, and each act encourages the idea that the law can be brushed aside or crushed if it interferes with political objectives of others. That is where we differ so strongly from today's Labor Party.

So I want to emphasise that Labor deliberately promotes and publicises the notion that if a law interferes with political purposes, it can be brushed aside. What a contrast between today's Labor leadership and when John Curtin led the Labor Party ! He said it would be treading on dangerous soil to set the Labor Party up as a non law-observing party by accepting a policy of revolt against the law.

Many Australians must wonder why, and how, the Labor Party abandoned John Curtin's principles.

Last year we amended the Commonwealth law about public order, and one of Australia's leading constitutional lawyers - an acknowledged expert - commented -

"The underlying theory of all these provisions is that peaceful assembly and procession should be allowed, but not to the extent of persistent occupation or sit-in. "

"This", he said, "Won't please the many contemporary civil libertarians who are prepared to give the demonstration priority over all other public occupations, but I should think it corresponds to the majority view on the proper limits of civil protest."

We think the same way - that is why we strengthened the law.

These principles are the guarantee of your freedom.

That is why we stand for freedom and liberty within the authority of the law.

The law is there to protect you.

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