

We The People

Program 138

Clear and Present Danger



Most folk would have heard of the government's intention to honour its election promise to change section 18c of the Racial Discrimination Act. Section 18c says and I quote..... *It is unlawful for a person to do an act, otherwise than in private, if the act is reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate another person or a group of people; and the act is done because of the race, colour or national or ethnic origin of the other person or group.* The proposal is to change 18C to read and I quote..... *It is unlawful for a person to do an act, otherwise than in private, if the act is reasonably likely to vilify another person or a group of persons; or to intimidate another person or group and the act is done because of the race, colour or national or ethnic origin of that person or that group.* In essence the change is simply getting rid of the words that say someone is likely to offend another which is far too broad and suppresses freedom of speech for reasonable people to have a reasonable view. In my opinion the new proposal is just fine and frees up people to make a rational comment without the fear of perhaps offending someone which is clearly not always able to be ascertained before the words are uttered.

So why all the angst and why are the minority groups screaming so loudly and so you arrive at the conclusion they don't like people freely expressing their point of view. Now take note, the act as it stands in 18c says you cannot offend someone.....the clear and present danger is that we don't have a proper measure of freedom of speech. How on earth are we to know what may offend someone in advance. Really it depends on how sensitive another is to words regarding a particular matter and so we capitulate and say nothing. We are suppressed from reasonably expressing our view and so we refrain from speaking in case we are prosecuted or called a racist or a bigot and most of us are not. Again in my view the line has been crossed but we the people are disadvantaged because the Australian constitution makes no reference to freedom of speech and that needs to be changed and soon. In a country with multicultural roots and democracy we must have a proper measure of freedom of speech and we don't.

In keeping the politically correct lid on society we don't change society and the pressure just builds in every home and every town and city until inevitably it bursts forth in an unpleasant and ugly way. You can't re-engineer society through legislation and you certainly can't improve society or instil freedom by gagging the nation. So if I offend someone under the Act then I can be prosecuted and vilified. In my own case I am deeply offended when called non indigenous because it is aimed at lessening my station in Australia. It is a term used to separate me from aboriginal society and is clearly aimed to ensure in some way I am gauged as less worthy. I am not and it genuinely offends me. The problem is that if I state this then most likely I will be labelled a bigot and a racist and I am neither. However if expressing this view offends the aboriginal folk then I may be committing an offense. I was born here and therefore I am indigenous and I am not happy when the term non-indigenous is applied to me and in fact I am offended and the utterers may well be liable. Nonetheless common sense should prevail and I don't want the legislature to trample my right to reasonably express myself as the general debate is of immense value. Let's be clear here that I am just as Australian as anyone else, no more, no less and a term that seeks to lesson that value through discriminating against me is patently wrong.

I understand that others may not agree or see my point but it's my point of view and I would like the aboriginal society not to keep discriminating against me. Surely that's reasonable and so surely I have a right to express my view in this, my country. I use this example only to show how the sword of the law at present is double edged and it certainly needs review. In my opinion the government has a mandate to change section 18c and Labor should not stand in their way else they force the government to break their election promise. As Beatrice Hall said "I disapprove of what you say, but I will defend to the death your right to say it". That's the nub of it and that's the truth of it and the government's proposal is fair and reasonable and what it proposes still offers a penalty for those who would vilify others because of the colour of their skin and the like. I suggest if you agree with me that you let the government know you support their changes but if what I have said offends you then at the moment you might just take me to court for having a reasonable but politically incorrect view.

Until next time this is Kent Bayley