



# Free speech: a world view

*From an international perspective, the government's professed commitment to freedom of expression appears patchy.*

**T**he Howard government was wrong to refuse visas for Sinn Fein's Gerry Adams and revisionist historian David Irving to enter Australia. It challenges the government's claim to have led Australian society into a period of freer expression, for Mr Howard's claim that the decisions were 'character' issues and not related to principles of free expression, is evasive and should be discounted.

Mr Howard's pronouncement made on 22 September that the 'pall of censorship on certain matters' has been lifted since his government assumed office, was constructed in the passive. It is therefore ambiguous whether Mr Howard merely intended to express satisfaction at the replacement of a government that allegedly restricted free expression with one that benignly welcomes it, or whether his statement expressed a positive commitment to principles of free expression.

The problem with benignity is that it is not sufficient to deliver outcomes in a volatile social and political environment, despite Mr Howard's expressed optimism that Australian society has the maturity and benevolence to debate issues in a 'tolerant and moderate' manner. The demonstration of a true commitment to the principle of free expression is rarely politically comfortable, because its curtailment usually concerns contentious issues. In practice, commitment to this principle involves a recognition of the necessary part it plays in a democracy, together with an attendant faith that democratic processes will deliver socially desirable results. Rights theorists may argue that the principle may be circumscribed where its exercise

may undermine the democratic ends it is designed to promote - this is why, for instance, David Irving will never be allowed to set foot in Germany. But in a society such as Australia's, where socially contentious issues may be aired more safely than in most others, the circumscription of this principle reduces it, leaving only pragmatism to fill the space.

Of course, few will raise any objection to the absence of Irving, who would have sought to argue that the Holocaust was an exaggeration and that Hitler was falsely blamed for it. Many would argue that the expression of these views would cause unnecessary distress to Australian Jews and other sufferers. However, the principle of free expression is most vulnerable when there is popular support for its exemption. It is possible that Irving generated greater interest by having his visa application refused than if it had been granted. In any case, Irving's presence would have provided an opportunity for the media to reaffirm the truth of the Holocaust and thereby safeguard against the Jewish community's primary fear: that the Holocaust may be forgotten. In this way, the non-discriminatory application of democratic principles could have served desirable social outcomes.

In seeking to distinguish his government's approach from that of the Keating government, Mr Howard therefore risks confusing leadership with partisanship. In this case, the latter is the advocacy of a particular point of view, while the former may simply involve a robust commitment to principles of free expression. Democracy is a process, not an outcome; and while this distinction may be fine

on the domestic stage, it becomes stark from an international perspective.

In recent months, while domestic coverage of the 'free speech' debate has been dominated by local race-related issues, the government has not only refused visas to Adams and Irving, but has also granted an entry visa to the Dalai Lama, refused to express support for Australian delegates expelled from a conference on East Timor held in Malaysia, and explained away Australia's traditional practice of free expression as 'cultural differences' to Indonesia's President Soeharto.

Two inconsistencies arise from these events. The first is the differing treatments given to the visa applicants. There can be little doubt that the government was lobbied by the Israeli government and sections of the local Jewish community, in the case of Irving, and by the United Kingdom government and, possibly, sections of the local Anglo community, in the case of Adams. However, bearing in mind that the government withstood strenuous resistance from the Chinese government to the Dalai Lama's visit, the other decisions question whether the government has proclivities or susceptibilities toward particular foreign governments or sectors of Australian society.

Secondly, the dichotomy between Mr Howard's domestic proclamation of Australia's new freedom and his reticence to do so abroad fosters at least one of several disturbing impressions: that the principle of free expression is encouraged for 'local' but not 'international' topics, that it is subordinated to foreign affairs considerations, or that Australia is a hermetically sealed enclave for the expression of embarrassing views. □