

# This Menzies Bill Can Put YOU in Jail!

## THEN:

### HITLER'S ADMIRERS

"I have a great admiration for the Nazi organisation of Germany . . . We must not talk of destroying Hitlerism or shooting Hitler."

—R. G. Menzies,  
as quoted in Federal Parliament, April 22,  
1940.



"Sooner Hitler than union leftists."

--A. W. Fadden,  
as reported in Adelaide News, February 10,  
1941.



## NOW:

### HITLER'S IMITATORS

"I can think of one or two or at least one Labor Senator whom it would be perfectly easy to declare. I can think also of one member of this House [the House of Representatives] who could be declared."

—R. G. Menzies,  
referring to his "Communist Party Dissolution Bill" as reported in the Sydney Morning Herald, May 5, 1950

"The Country and Liberal Parties will stand together to rid Australia of Communism. When that is done, they will turn to its twin illegitimate brother, Socialism" [that is, the Labor Party.]

—A. W. Fadden,  
in a speech at Bunbury (WA), reported in Sydney Sun, November 23, 1949

"The fundamental principles and objectives of the Labor and Communist Parties are identical."

—A. W. Fadden,  
in a speech in Parliament urging the passage of the "Communist Party Dissolution Bill," as reported in Courier-Mail, May 11, 1950

THERE was a very good reason why, when he was introducing his "Communist Party Dissolution Bill" to Parliament, and speaking over a nation-wide radio network, Menzies devoted the greater part of his time to anti-Communist rant and gabbled over the actual operative clauses of the Bill.

The reason was that, under the cover of the tawdry banner of "anti-Communism," the Bill's provisions mean fascism here.

Menzies knew very well that, while tens of thousands heard his broadcast, only a tiny proportion of the Australian people would actually see a copy of the Bill itself. He reckoned on ramming the Bill through Parliament without the people knowing what it meant—until it was too late!

This leaflet is to tell you what Menzies suppressed—to tell you just what the Bill says and what it means to you yourself, irrespective of your politics.

**MENZIES' Bill** will give the absolute powers of a fuehrer to Menzies, with Fadden as his deputy-fuehrer. Under it, the Menzies-Fadden Government will have statutory power to do everything that Hitler's Nazi gang did.

- Under Hitlerism, those at whom the Nazi chiefs—or their Gestapo, pimps and stooges—pointed were hunted into the jails and concentration camps. Under Menzies' Bill, this can be done here. ANY individual, however baseless the pretext, can be "declared" a Communist, and the victim will have no practical means of redress.
- Under Hitlerism, first the Communist Party, then the trade unions, then the Labor Party, then the Churches, then every democratic organisation of the people was outlawed or otherwise persecuted. Under Menzies' Bill, similarly, ANY organisation which opposes the policy of the Menzies Government and the millionaires can be declared an unlawful organisation, its property seized, and its members jailed simply because the Menzies Government chooses to think that they are **LIKELY** to continue with their activities. And once again, there will be no redress.
- Under Hitlerism, genuine trade unionism was destroyed and replaced by the fake "Labor Front." Under Menzies' Bill, free trade unionism is to be destroyed here and workers chained in some sham Menzies outfit, powerless to protect themselves against the millionaires' assaults on their hard-won conditions.
- Under Hitlerism, the Gestapo could smash their way into any home at any time. Under Menzies' Bill, "Security" police or any "authorised" person can do that here, strip and search citizens and take away their property. As Menzies himself said (Brisbane Telegraph, 1/5/50), when asked what redress a person would have against misuse of this sweeping power: "There is no redress . . . Action taken will be under the laws of the land" (that is, under this vile Bill—if it is allowed to become part of "the laws of the land").
- Fantastic? Then check what the Bill itself says.

## It Makes You a "Communist"

**THE** trickery begins in **Section 3**, which defines the terms used in the Act. This says: "'Communist' means a person who supports or advocates the objectives, policies, teachings, principles or practices of Communism as expounded by Marx and Lenin."

This definition is so worded that it is wide enough to include any Socialist, including any member of the Labor Party (which has a Socialist objective), and anyone who, in practice, strives for higher wages or better working conditions, calls for world peace or any other principle or policy point of the Australian Communist Party. It is wide enough to include anyone who opposes the Menzies Government on any point.

**That a person has never been a member of the Communist Party is no defence whatsoever on the basis of this definition.**

"Industrial organisation," under this section, includes

not only trade unions themselves but also any part of a union, down to shop committees. "Office" is defined so as to mean any union position, right down to even membership of a shop committee or strike committee.

## Violates UN Charter—

**THIS** section also gives a "specified date"—May 10, 1948, of more than two years ago. As later sections reveal, this makes it possible for Menzies to act against persons for what they did (or are said to have done) any time within the past two years.

**Such retrospective provisions—to make a "crime" out of something that was perfectly lawful at the time it was done—defies the United Nations Charter.**

**Section 4** declares the Australian Communist Party unlawful and "dissolves it." History shows that all attempts to dissolve the Communist Party have failed. But it shows also that, as in Hitler Germany, fascist Italy, etc., outlawing of the Communist Party is always followed by outlawing of all other democratic bodies. And this is specifically provided for by the Bill; **Section 5** gives the Government power to do it.

## Can Outlaw Any Organisation—

**SECTION 5** is so wide that it could be used against any democratic, progressive organisation. Any organisation, including the ALP, which opposes Menzies could be the target.

Under sub-sections 2, 3, 4 and 5, any organisation declared by Menzies to be "Communist" (under his own sweeping definition) becomes unlawful. (The Bill talks of orders by "Governor-in-Council" and the "Governor-General" doing this and that. Don't be fooled by that. The "Governor-in-Council" is simply a meeting of Menzies' Ministers, with the Governor-General sitting in the chair. All these phrases—"Governor-in-Council" and the like—mean in actual practice the same thing: the Menzies gang.)

The "right of appeal" to the High Court is a sham; in Court the Menzies Government does not have to prove that the ban is justified but the organisation itself has to prove its "innocence"—which, apart altogether from the cost, would be almost impossible for most organisations because of the dragnet definitions and wording of the Bill.

**Section 7** provides for five years' jail for, among many other things, carrying on "in any way" any activity in which an unlawful association "was engaged or could have engaged." Could anything be more sweeping and ruthless than this?

Just as examples: The Communist Party is now actively supporting a £10 basic wage, lower prices, banning of the atom bomb. Do you "in any way" take part in activity for any of these things? Then you can be jailed for five years if this Bill goes through!

## Paradise for Pimps—

**UNDER** **Section 9** (declaring persons "Communists"), any person who opposes Menzies can be "declared" by the Government, without trial. Menzies, on what one of his agents or any pimp might say against you, need

only form an idea that someone is **LIKELY** to do something in opposition to Menzies' plans for war or anything else. Do you want peace? Then you can be declared on the ground that perhaps you might do something for peace!

If you have enough money, you can appeal to the High Court. But once again, Menzies doesn't have to prove anything; it's you who have to prove that you weren't even **LIKELY** to do anything in opposition to Menzies or his policy.

Information might have been laid against you by a pimp, a neighbour who has a grudge against you. But the pimp won't have to come forward and face you or be cross-examined by you; you won't even be told who he is or what he alleges against you.

The section says that it applies only to "Communists." But, as we have explained, the definition of "Communist" in Section 3 is so broad that it could cover almost every Australian.

## Non-Communists Already Named—

**MOREOVER**, even Menzies hasn't even tried to deny that there will be mistakes in declaring persons "Communists." For instance, the Brisbane Telegraph (May 1, 1950), quoted Menzies as blandly saying:

"It is not impossible that a mistake might be made."

How grimly true this is has been promptly proved. When making his initial speech on the Bill, into which weeks of preparation had gone, Menzies named 53 people holding leading trade union positions whom he said were Communists. Within a fortnight, he had been compelled to admit in Parliament that he himself now knew of no less than five mistakes in that list—or an average of one wrong in every ten.

And, what is more, Menzies still hasn't admitted all the mistakes in the list. For instance, Menzies made a correction regarding the trade union position of a man named S. Hibbens (NSW), but still listed him as a Communist. In fact, Mr. Hibbens (who has a great trade union record as a militant), is not and never has been a member of the Communist Party.

More than that, when giving his inadequate corrections to Parliament, Menzies declared with Hitler-like arrogance:

"If I did not care to make the corrections, they would not be made." (Reported in Sydney Morning Herald, May 10, 1950). Under this Bill—and Menzies' own statements underline the menace—you're a Communist if the Government likes to say you are.

## To Smash Trade Unionism—

**SECTIONS 10, 11, 12 and 13** provide the Menzies Government, the deadly enemy of the working class, with the means to destroy the trade union movement.

Firstly, it needs only two strokes of the Menzies pen (one to declare the individual, another to name his union) and any trade union official can be ousted from the position to which his own union members elected him. Thus, Menzies plans at the outset to deprive the

trade union movement of all its outstanding militant leaders.

But this would be only Menzies' first step. As soon as a dispute brews in any industry or job, Menzies can at a stroke oust any or every official (Right, Centre or Left) of that union. And the section is so worded that a person who defies this tyrannical order can be sentenced for contempt of Court—which means jail for any period the Court likes to fix.

In plain language, this adds up to the end of the free trade union movement. It means a Nazi-style Labor Front. No one of whom Menzies disapproves can stay in office.

## Condemned to Starve—

**SECONDLY**, any Government employee "declared" by Menzies is dismissed from the Public Service. Any public servant who leads or takes part in a campaign for better conditions, for instance, can be thrown on the street.

More than that, it would, in fact, prevent such a person from getting a job anywhere. What boss would employ a "declared" person. If someone did employ a "declared" person, the "Security" snoops would lose no time in putting such an employer on the spot under the Bill.

Unlike a prison sentence, there is no time limit; a person "declared" by Menzies stays "declared." It means even worse than jail; it means starvation for the ~~victim~~ and his family. And anyone who helps him or mixes with him will have what Menzies calls "the taint of illegality" and can be "declared" too.

**Section 19** takes up the "book-burning" where Hitler left off. If you happen to have, for example, an old library book of an organisation declared unlawful, you can be jailed for five years for not handing it in to the authorities, even though no request for it has been made to you. If they nail you on this, once again it's up to you to prove that you had no intention of "obstructing" the work of the authorities.

## Denied Trial by Jury—

**SECTION 21** wipes trial by jury; cases under Sections 5, 9 and 15 (that is, the hollow "right of appeal") are to be determined by a single High Court judge, with no right to appeal against his decision.

**Section 22** widens still further the power to "declare" a person. It provides, for instance, that anyone who since May, 1948, has attended a meeting by an organisation declared unlawful or has even passed on a leaflet advocating any part of its policy can be "declared."

More than that, you can be "declared" if your initials (or initials the same as yours), are found on what seems to be a list. And the onus on you is to prove that they are not your initials!

But even all this isn't enough for Menzies. Under Section 23, Menzies can make any regulations (without even prior approval of Parliament) and can impose up to six months' jail for "offences" against any such Menzies edict!

## For War and Depression—

THAT is what this vile Bill says. That is what can be done to YOU under it.

What is the motive behind it all? Why has it been introduced now?

The reasons are plain. With economic crisis deepening, the millionaires who dictate the Menzies Government's policy see two ways to keep their profits up. One is by slashing the living standards of the people (as in the last depression). The other is by aggressive war, now being incited by the US billionaires.

Both these courses mean suffering for the people. These foul schemes can be carried out only if the voice of the people—and particularly the leading fighters for the people, Communists, militants, progressives, peace fighters, democrats—are silenced.

That is why the millionaires and the Menzies Government want fascism here.

The time to fight is NOW! Remember the warning from the grim fate of the German people.

Remember what German Pastor Niemoller, himself a victim of Hitlerism, told Australian Methodists last year:

"Hitler attacked the Communists. I lamented but did nothing. Hitler attacked the trade unions. I lamented but did nothing. Hitler then attacked the Jews. I lamented but did nothing. Hitler then attacked my Church. I acted, but then it was too late."

- Don't wait until it is too late here. Stop fascism now!
- On your job, in your union, through your local organisation, denounce Menzies' fascist Bill!
- Demand that the Labor Party reject this Bill in its entirety! Mere "amendments" are not enough; fascism can't be "amended"!
- Raise your voice now against fascism, for democracy!

