In October 1986, I was invited to address the annual general meeting of the NSW Council for Civil Liberties in Sydney. This was before I resigned but after the Liberal Forum group had begun (too late) to fight against an emerging conservative tide. The council reprinted the address in their newsletter in March 1987.

My late father first introduced me to the Council for Civil Liberties [CCL]. He supported it strongly and supported strongly much of the work it did and the issues it pursued in the 1940s, 1950s, and 1960s.

Indeed his support was sometimes practical and important. In Don Watson’s book Brian Fitzpatrick: A radical life, complimentary reference is made to my father in the following terms: ‘the time on [radio station] 3XY was arranged by a friend with a public conscience and an advertising business, Sidney [Bill] Baume.’

There are so many things which could with advantage be raised tonight. The merit of some of the burning contemporary issues—some new, some continuing. The appropriateness of some of the issue selection by the CCL. The difficult balance needed by an organisation like CCL to maintain its credibility as an impartial and issue-oriented organisation.

They are not my choice tonight. I wish to discuss not issues but values, and in particular some liberal values for which I have been taken to task and which are coming under attack from both extremes of the political spectrum.

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1 Watson (1979).
At this point some of my own relevant values should be identified clearly. Because you are entitled to understand clearly my prejudices and values—values relevant to my political activity and relevant to my interest in this council.

My vision, my ideal, is of a society of autonomous individuals each able to make his or her own critical decisions and to determine individually those critical matters that determine her or his destiny.

I supported—and do support—the Government’s recent legislation for employment equity for women, because it empowers individuals to compete more equally than has been possible in the past.

I supported—and support still—legislation to prohibit discrimination on grounds of sex, marital status, race or pregnancy, because these measures too seek to empower individuals to compete more equally and to outlaw practices which prevent them from so doing.

To the extent that conservatism as a philosophy or state corporatism now represented in power are both underpinned centrally and essentially by a belief in the status quo as regards the distribution of power, and of access to power, then I am in philosophical terms neither a conservative nor a state corporatist. Nor do extreme manifestations of so-called economic rationality hold attractions for me.

Central to my vision are pluralism and the value of tolerance. To paraphrase Harold Macmillan, who expressed it well in 1966, we do not stand and have never stood for collectivism or the destruction of private rights. We do not stand and have never stood for laissez-faire individualism or for putting the rights of the individual above his duty to his fellow men. We stand today, as we have always stood, to block the way to both these extremes and to all such extremes, and to point the way towards moderate and balanced views.

I am a philosophical liberal, an endangered species some say—wrongly—precisely because liberalism seeks to enhance the capacities of individuals, to enlarge the liberties, the rights and capacities and opportunities for individuals, to share to the maximum degree possible in the decision making about events that affect them and their lives, and not to have third parties making those decisions—even better decisions—on their behalf. To that extent my passion is ideological.

Part of my world view, part of my philosophical liberalism, and the goal of enhancing independence and individual autonomy, is even more important to me as a liberal than are the passing political crises of the moment.
And it is critical, in the society of which I dream, that two attributes are valued highly and protected jealously. They are the quality of tolerance and the acceptance of pluralism.

And why do I value tolerance?

Well, first, because I acknowledge the sovereignty of the individual in making decisions about oneself for oneself, while ever certain obligations towards others are accepted and discharged. Even if we argue about the details and limits of that proposition, the proposition itself seems to have merit.

Secondly, tolerance is valuable because on many contentious matters, we might be wrong and others might be right. Holbrook Jackson said: ‘suffer fools gladly; they might be right.’ And Sir Arnold Lunn wrote:

\[\text{T}he \text{ modern theory that you should always treat the religious convictions of other people with profound respect finds no support in the gospels. Mutual tolerance of religious views is the product, not of faith, but of doubt.}\]

Bertrand Russell recorded that ‘a characteristic of Locke, which descended from him to the whole liberal movement, is lack of dogmatism’.

And thirdly, we need tolerance in society because of the enormous dangers of any alternative course. History is replete with examples of cruelty and oppression, carried out by regimes motivated by doctrinal zeal but unwilling to accept diversity of view or practice as part of that zeal.

What concerns me today is that more and more, in more discussions, in more decisions, in more value systems, pluralism is being rejected and tolerance is criticised.

I am certainly criticised by close and old friends for being ‘too tolerant’, for accepting the autonomy of people and the choices they make rather than requiring them or actively desiring them to conform to one preferred set of values and priorities. Our forebears fought in past years against the absolute tyranny of the Crown. Even with the act of settlement and even into the nineteenth century ideas of democracy and the sharing of power in society left much to be desired. It is hard to remember now that while the United States wrote religious freedom into their Constitution in 1776 there was not religious tolerance within the structures of British society until a century later.

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2 Available from: www.brainyquote.com/quotes/authors/h/Holbrook_Jackson.html.
3 Lunn (1933: 101).
4 Russell (1948: 630).
For example, Mr O’Connell, Roman Catholic, elected for County of Clare in May 1829, refused to take the oath of supremacy—so a new writ was issued.\(^5\) Baron Lionel Nathan de Rothschild, Jewish, upon in 1850 being elected as one of the members for the City of London, took oaths of allegiance and supremacy but omitted the concluding words of the oath of abjuration ‘on the true faith of a Christian’, adding instead ‘so help me God’\(^6\)—he was not allowed to sit or vote but no new writ was issued as the Act did not so provide. Mr Alderman Salomons, 1851, returned for Borough of Greenwich—same process, but returned on a later day and sat in the House and voted until removed by the sergeant-at-arms. The House determined he was not able to sit or vote.\(^7\)

It was the liberalism of the nineteenth century, the reform bills, the ending of slavery, the factory acts, the religious tolerance acts, the empowering of women, free and compulsory education—all of them promoted by liberals against the opposition of conservatives; all of them civilised society and made it more generous, more tolerant, more diverse, more interesting, richer and more democratic. We cannot do better here than look to the battle women had to achieve tolerance, to achieve opportunity, to achieve choice and fairness. That battle has been a microcosm of all the battles over centuries, of the battles which we now face and which we must fight.

Let us look just at women’s battles in a few areas. Every attempt to empower women to participate in society has been opposed, and every advance has been won with difficulty. First, let us look at equal opportunity in education, vitally important because it provides a capacity for women to participate. Denied much education at all, women’s attempts to enrol, to graduate, and to use education were all opposed during the nineteenth century. It was 1880 before women were permitted to graduate from Australian universities—and Adelaide was the first. Oxford and Cambridge universities resisted completely the equal recognition of women students for decades; Elizabeth Windschuttle has recorded that the theme of most opposition to women gaining full educational opportunity was that they would lose their femininity if educated and reject the role of wife and mother. In this way it was argued that education of women would lead to a breakdown of the family and so of society as a whole. It was an objection based on the desire to maintain an unequal society.

Indeed, Dean John William Burgon in a sermon at Oxford in 1884 argued that allowing women to study mathematics and natural science was ‘a proposed reversal of the law of nature which is also the law of God governing woman …

\(^6\) Available from: en.wikipedia.org/wiki/Lionel_de_Rothschild.
\(^7\) Available from: www.jewishencyclopedia.com/articles/13038-Salomons.
so far at least as women’s education is concerned’. He ended the sermon with
the following sentiment: ‘inferior to us God made you, and inferior to the end
of time you will remain.’

Indeed, Cambridge University only admitted women to full honours degrees
with complete equality with men in 1948. We all know of the recent and
continuing inequalities in school offerings and in the different expectations and
ideology of schooling for girls.

Yet there has been progress. Today women students represent 45 per cent
of total higher education enrolments, but they still represent only 7 per cent of
ing engineering undergraduates. While women represent 45 per cent of the most
junior academic staff, they represent less than 3 per cent of those at professorial
level and less than 5 per cent of those at the level of associate professor.

And let us consider some milestones of progress—using South Australia as a
convenient example—which reveal other discrimination which has made it
impossible for women to compete as equal members of the society. Women had
been little more than chattels through most of the nineteenth century. In 1884
the South Australian Married Woman’s Property Act gave women some rights
to own property, and to continue to own their own property after marriage. In
1911 women were allowed to practise law, and in 1921 they were allowed to
become public notaries and justices of the peace. Not until 1940 did women gain
equal parental guardianship rights. South Australian women gained the right
only in 1948 to have individual nationality, not necessarily the same as their
husband. Not until 1965 did women gain the right to serve in juries—though
they had appeared as defendants before male juries for centuries. They were
still barred from serving in the public service if they married and could not buy
drinks from the front bars of hotels.

And the story of the winning of electoral equality for women was equally slow.
Women were given the vote in South Australia in 1894 and federally in 1902.
But the Bill granting women the franchise was itself bitterly opposed by some
conservatives. For example, part of the contribution of Senator Simon Fraser in
the Senate in 1902 read thus:

Woman naturally and properly clings to man. Naturally and properly, by an
instinct born in her, she seeks the advice of man, and looks up to him for advice
and guidance … I say that woman should not enter into the arena of politics,
the turmoil of it, and the chicanery of it. I say that if she enters into the arena of
politics herself: if she is a unit, as has been contended here; if she uses her own
judgment and discretion in politics, she throws away all the advantages which
have been extended to her from time immemorial. I say the one thing involves

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8 Available from: www.guardian.co.uk/books/209/sep/06/bluestocking.
the other, and were I a young woman, I would infinitely prefer the position of looking up to man as my director, my guide and adviser, to that of having the privilege, the sham privilege, of entering into politics and fighting and elbowing my own way in spite of man.9

His grandson, Malcolm Fraser, let me hasten to add, had very different views. In 1914, South Australian women were permitted to become municipal councillors. It was 1943, however, before a woman was elected to the Federal Parliament. Indeed, the gap between the right of women to stand for election and the successful election of a woman—more often than not a liberal—was often considerable.

May I digress and say something about my own family. My grandfather—and the grandfather of Senator Michael Baume—was Frederick Ehrenfried Baume KC MP, Liberal Member for Auckland City and then for Auckland East in the Parliament of New Zealand. He died while a Member of that Parliament in 1910.

In 1919, the first occasion on which women were permitted to offer themselves for election in New Zealand, his widow, our grandmother, Rosetta Ida Baume, an early woman university graduate and feminist, was a candidate for the Auckland seat of Parnell. She was unsuccessful.

Australia’s first woman MP was Edith Cowan, elected in 1921. During her first campaign, Edith Cowan was accused of being a disgrace to women and heartlessly neglecting her husband and children. Her youngest child was then 30, and her husband was out canvassing for her.

While the issues change in detail, the themes do not alter. On the one hand, those seeking to impose conformity of action, to narrow available choices, to preach and seek to enforce orthodoxy, to limit acceptable behaviour in line with a particular form or view of society, and to control access to resources in so doing. On the other, those groups in society who welcome diversity and who tolerate difference, who value pluralism and who seek to see power with individuals rather than with organs of state or church or establishment.

And the reason that I am fearful of state corporatism, just as I am fearful of moral absolutism or of extremes of the right or the left, is that each of them works from a collective starting point—either the organic societal whole of the conservative or the competing and antagonistic classes of the socialist—and because each of 9 This was Senator Simon Fraser, the grandfather of Malcolm, in the early years of Federation. (Malcolm has a different view!) Fraser, S., Speech on Commonwealth Franchise Bill, Senate Hansard, no. 15, 10 April 1902: 11,558.
them seeks to accrete power at the expense of individual citizens, and to lay down what others should be doing, often in areas which are no business of the state, rather than letting them do it for themselves.

I am fearful of those who feel a passionate need to prevent homosexuals living their lives without harassment, just as I am fearful of those seeking through a variety of strategies today to achieve a monopoly in education, just as I am fearful of those of extreme views who want to gather power into sectional groups of the right or the left and away from individuals.

And I believe it is worsening. A corrupt and opportunistic State Labor administration has little regard for diversity or for individual choice. Neither do those conservatives, ever more vocal and extreme who would try, so far unsuccessfully, to hijack the non-Labor side of politics.

This council does a lonely job. It is misunderstood—sometimes it seems deliberately—by people who should know better. It was not pleasant to hear the assault on the CCL by a Premier at a gala dinner not so long ago. It is not pleasant to hear the CCL smeared with some collective taint because it has as valued members people from all strands of political belief, people not always in the mainstream of power and influence.

To your president John Marsden—congratulations on a task well done. It just shows that a liberal candidate can achieve greatness even if he doesn’t win at the polls. To your volunteers go our grateful thanks, for without you the CCL could not function at all. To your committee, our gratitude. It has to be better than that committee on which Dick Klugman and I served as a kind of balanced and neatly neutered political duo, along with George Petersen, about whom neither of those adjectives are even remotely appropriate.

You are and remain the guardians of essential elements of our liberal and democratic heritage and tradition. Whatever your individual political preferences, you are, almost by definition, by your active membership in this council of civil liberties, the successors to Locke and Mill, and to classical liberal philosophy.

Your success is critical to the health and future of our liberal democracy. I wish you well as colleagues, as comrades and as friends.
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