

WE DEFEND



Frank Hardy

AUTHOR OF

**“POWER WITHOUT
GLORY”**

THE FRANK HARDY DEFENCE COMMITTEE

which includes leading Australian writers and publicists, trade union leaders, lawyers, teachers and workers, came into being to defend the freedom of the writer against the revival of the repressive and undemocratic weapon of criminal libel.

CRIMINAL LIBEL

The charge against Frank Hardy, the author of "Power Without Glory," is an ancient legal process which in past times was directed against those writers who exposed the ills in society. During the time of the Court of Star Chamber and for centuries afterwards, criminal libel was used to silence and suppress political opponents of the lords of wealth and privilege. In the 18th century, Daniel Defoe, the author of "Robinson Crusoe," and Smollett, were amongst the writers who were imprisoned for criminal libel. The prosecutions of those great writers were inspired by political forces that were afraid of their social criticism.

CRIMINAL LIBEL IS POLITICAL AND REPRESSIVE

Where there are no political motives, persons who feel aggrieved by a book follow the ordinary procedure and take civil libel proceedings. In all past cases in Victoria where a private person has regarded himself as libelled by a writer he has sought to vindicate his reputation through the normal channels of a civil libel action for damages.

NO CHARGE OF CRIMINAL LIBEL HAS EVER BEFORE BEEN LAID IN VICTORIA BY A PRIVATE PERSON. In fact until the Hardy case, criminal libel had fallen into disuse in this State. The last case instituted by the Crown was over 30 years ago.

The revival of criminal libel at the present time is a flagrant attack on freedom of expression and is a serious encroachment on democratic liberties in Australia.

Henceforth no writer can regard himself as safe from prosecution. All writers who criticise and expose the evils in society are equally threatened with loss of liberty and severe curtailment of freedom of expression.



Frank Hardy with his
wife and two children

Why is Frank Hardy on trial?

Frank Hardy wrote "Power Without Glory," a novel which gives a vivid picture of the political and social life in Australia, particularly Melbourne, over the last 50 years.

Like all writers of critical social novels, Frank Hardy has sought to describe society through the actions of characters he has created—characters who are historically typical of the age.

Just as Charles Dickens exposed the abuses of the law in his "Bleak House," and offended some persons, so Frank Hardy by using his imaginative powers to create situations and characters that reveal corruption in politics has aroused great hostility in certain places.

So much so that a number of politicians of all parties in the Victorian Parliament grossly abused parliamentary privilege by attacking Frank Hardy in Parliament soon after his arrest. The speeches which branded Frank Hardy as guilty before he has been tried were clearly intended to prevent him from receiving a fair trial. They received great publicity. On the other hand publicity has been denied to the Hardy Defence Committee which has been refused access to the

columns of the press and to public halls, including the Melbourne Town Hall. So along with the revival of criminal libel goes the prejudicing of the right of every man to a fair trial.

The Hardy Defence Committee warns every citizen that freedom of expression and the right to a fair trial are at stake in the Hardy case.

To support Hardy, to work for his defence, to raise funds for his legal expenses, is to fight not only for freedom of expression but for all our democratic rights. To fight against the use of criminal libel is to fight against the further suppression of liberty in Australia.

We must not permit such a state of affairs to develop here as developed in Germany where novels and books containing even the mildest criticism were burnt and their authors imprisoned.

You can play your part in safeguarding our democratic rights by actively supporting the Hardy Defence Committee.

BY signing and asking others to sign the petition of protest.

Contributing to the Hardy Defence Fund.

Asking the Attorney-General by letter, resolution or deputation to have the criminal libel laws repealed.

Arranging meetings and social evenings to be addressed by a speaker from this committee.

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