

The Strategy Newspaper
92 Neale Street
Bendigo
Vic. 3550

“

The Secretary
Joint Select Committee on the
Republic Referendum
Parliament House
Canberra
ACT.

Friday, July 2, 1999

”

Republic Referendum

”

Dear The Secretary,

Please receive our submission to the Joint Select Committee on the Republic Referendum.

It is quite obvious from the sequence of events throughout this past ninety-nine years that to hold a referendum on the proposed basis is quite extraordinary, and in fact a complete waste of taxpayer funds to promote a fraudulent deception.

Why is the proposal a "republic referendum" when the historical facts prove Australia is already a republic in substance, if not in name; e.g. a sovereign independent nation. At this point let us qualify the 'name' republic from a dictionary perspective:

Webster's Dictionary says:

Commonwealth: 2. The (body of) people constituting a state or politically oriented community.

Republic: commonwealth. A state in which the sovereign resides in a certain body of the people (electorate), and is exercised by representatives elected by, and responsible to, them.

Having said this, we will give an itemised list proving the point to say the least.

1. The formation of the League of Nations admitting Australia as a signatory nation first brought about the nation's status as a "sovereign independent" nation. Some will argue this point, but the situations that followed over the next 70 years, both prove this fact, but need not rely on the 1920 issue, as will can be seen below.

(Billy Hughes signed the League of Nations Covenant, Article I stated that ONLY fully self-governing nations could become members: and Article 20 stated that "ALL Foreign Law", obligation, controls and interests are abrogated (null and void) on signing.)

Furthermore, the act of signing international treaties is one that requires a nation to be sovereign and independent for such treaties to be valid: the proof is contained in the two following references:

Sir Joseph Cook becomes the first Australian High Commissioner to the United Kingdom on 11 November 1921. **The United Kingdom recognises the sovereignty of Australia by the acceptance of his credentials.**

G F Pearce represents Australia at the Washington conference from 12 November to 6 February 1922 resulting in the signing of the Washington Naval Treaty. (Only sovereign nations can legally make treaties.) Australia's first treaty with a foreign nation.

The Commonwealth of Australia Constitution (was) the result of United Kingdom Law (Constitution Act 1900) — the UK was declared a foreign power by the High Court in the Robert Woods case (1988) and again in the Heather Hill case (Senator elect with dual citizenship). Under the 1947 Geneva Convention, no citizen of a member of the United Nations can be subjected to the law of a foreign country.

The 1982 Australian Citizenship Act which appears to have negated the status of British subject to all Australian citizens would, if read in conjunction with the Articles under the UN Charter and IBOHR make the decision in the case of Senator elect Heather Hill a nonsense. It can only be seen as a case of "having your cake and eating it as well."

Under **Article 51** of the UN Charter — which the High Court has recognised in the Teoh case (1994).

1942. The signing of the Statute of Westminster Adoption Act (Statute of Westminster, 1931) shows a further severance of any ties that had been held as a deception that the Australian Constitution was still a valid document. Refer to the previous comment on the 1920 League of Nations signing.

Again we refer to **Webster's Dictionary**:

Subject: ... **1.** Under the power or dominion of another; specif., *International Law*, owing allegiance to, or being a subject of, a particular sovereign or state.

Citizen: ... **2.** A member of a state; a person, native or naturalised, who owes allegiance to a government, and is entitled to protection from it.

Australia as a signatory member of the UN Charter and IBOHR Charter of the United Nations:

(Emphasis added for this submission)

Article 2. (1.) The Organisation is based on the principle of sovereign equality of all its Members. (Whilst this section refers to member countries, it flows through to the UN International Bill of Human Rights (IBOHR). The Federal Government has adopted both the Charter and the IBOHR.)

IBOHR

Preamble —Whereas recognition of the inherent dignity and of the equal and

inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

Article 21. (1.) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

21. (3.) The will of the people shall be the basis of the authority of government: this will be expressed in periodic and GENUINE elections which shall be by universal and equal suffrage and shall be held by secret vote or equivalent free voting procedures.

After the alteration to the Electoral Act immediately prior to the last federal election that took away the free choice of electors in favour of a forced direction of preferences it would seem they are in breach of 21. (3.) above as well as the constitution

Also, in 21. (3.) Above, very few of the elected representatives are listening to the will of the people, as evident regarding the GST, so again they appear to be in breach of the laws they have adopted for this country, without referendum under Section 128 to alter the constitution.

If you, as a Select Committee of elected representatives of the Australian people are prepared to accept this situation — then you are helping to install a dictatorship type government.

Quote: **LIBERTY**

Liberty has never come from Government. Liberty has always come from the subjects of it. The history of Liberty is a history of resistance. The history of Liberty is a history of limitations of governmental power, NOT the increase of it.

Woodrow Wilson.

“

If the present government want to maintain that the Australian Constitution is still a valid document, and that the Parliament abides by the Constitution, then there are major problems, in essence the High Court is ruling that it is not and so this issue must be resolved. If further situations are allowed to take place as in the proposed referendum, then the whole constitutional issue will only become a bigger quagmire.

The two Bills under review:

- a. Presidential Nominations Committee Bill 1999
- b. Constitution Alteration (Establishment of Republic) 1999

In reality are constitutionally illegal.

1. First must be established if the High Court's rulings are correct, and if they are, then there is no constitution to alter (b) and

2. Secondly, if the constitution is a valid document, then the parliament does not have the right to establish a President (a) without first having the people decide at referendum (one issue only) whether they want the nation to become a republic: of course, this will entail a lot of explaining as to how Australia has been a republic (even if not in name) since 1920: And why did the government of the day, and all subsequent governments, allow this deception to continue.

The time has come when the government must declare whether the Constitution is valid or not, and must be prepared to stand by that declaration. They must not have a set of rules, that they can change to suit themselves. They must be answerable completely to the electors, who have the sovereign power to enforce the rules.

Submitted by

Ray Platt
Editor
The Strategy