



ON TARGET

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The price of Freedom is eternal vigilance—

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Thought for the Week: "The human mind is particularly given to "wishful thinking" at critical periods such as this, and one of these tendencies is to persuade ourselves that there is hidden somewhere, a bright idea which, if we only knew it, would solve our difficulties. There is no such idea for the simple reason that no such idea has sufficient force behind it. To anyone who will take the trouble to observe events with a dispassionate mind, it is beyond dispute that what we are witnessing is a supreme struggle for temporal power. No amelioration of the human lot is possible until this issue is resolved, and its resolution will involve either victory or defeat both for despotic bureaucracy and monopoly finance.

- C.H.Douglas, in "Whose Service is Perfect Freedom".

THE HIGH COURT DECISION: The nightmare-ish implications of the High Court decision are beginning to make a sluggish impact on even the most superficial observers. There is still a considerable number of Australians who believe the decision was confined to the building of a dam in Tasmania. An article by Dr. Winterton, senior lecturer in law at the University of NSW, and described as "one of Australia's leading constitutional lawyers" (Australian, July 4, 1983), spelled out the impending impact. Dr. Winterton cited the fact that there were three powers under which the Commonwealth sought control - the "External Affairs" power; the "Race Power"; and the Corporations Power. His conclusions on each was as follows:

".. The decision on the external powers is very significant. It means that the Commonwealth can now implement any obligation incurred under any treaty, including the wide range of United-Nations-sponsored civil liberties treaties, such as those protecting the rights of children, women and the handicapped, as well as the covenants on civil and political rights... It is significant to note that at least two of the majority judges, Justices Deane and Murphy, have taken up a point made 47 years ago by Justices Evatt and McTieran which would allow the Commonwealth not only to implement treaty obligations, but also recommendations of international bodies like the United Nations General Assembly ..."

On the "Race Power" Winterton concluded: " ... the majority's decision indicates that the Commonwealth could have stopped construction of the dam under this power had they provided fair compensation ... the race power would authorise the Commonwealth Parliament to intervene to stop mining of Aboriginal sites, legislate widely to protect Aboriginal Reserves and also implement a Makaratta, or treaty, with Aboriginals..."

On the "Corporations Power", Dr. Winterton went on: "...If Mr. Justice Brennan was prepared to endorse the view of three colleagues of the majority (and remarks made in previous cases ... suggest that he would) the Commonwealth could probably control virtually every activity engaged in by a trading or financial corporation, including regulation of its labour relations, its internal affairs and trading in securities. These would be very significant powers since the Commonwealth could regulate much of the securities industry of Australia, and would not have to rely on joint Commonwealth-State scheme as at present. It could also directly regulate all significant labour relations in Australia, rather than rely on conciliation and arbitration as at present ..."

Dr. Winterton concluded: "... The composition of the Court is likely to remain constant for some time, with the result that the States have little immediate prospect of any change in the current trend, let alone a reversal of recent decisions. Whereas the States have resisted every effort to expand Commonwealth Powers through the Australian Constitutional Conventions, the High Court has simply by-passed them and endorsed the Commonwealth's interpretation of its powers in virtually every recent case."

All of which confirms the remarks made by Mr. Justice Wilson, in the earlier Koowarta case, which set the current sabotage in motion. Mr. Justice Wilson said: (pages 660-661): "It is no exaggeration to say that what is emerging is a sophisticated network of international arrangements directed to the personal economic, social and cultural development of all human beings. The effect of investing the Parliament with power through sect. 51 (xxix) in all these areas would be to transfer to the Commonwealth virtually unlimited power in almost every conceivable aspect of life in Australia, including health and hospitals, the work-place, law and order, the economy, education and recreational and cultural activity to mention but a few general heads ..."

It is, therefore, inescapably true that the recent decision is the most momentous, the most frightening, the most cynical and the most undemocratic in our history since Federation.

The former State Liberal Premier Sir Charles Court, in a hard-hitting letter which appeared in a number of Australian dailies, said: "This is something far more important than a dam and a hydro-electric scheme in Tasmania. It strikes at the very heart of the political integrity, stability and security of Australia ... the latest High Court decision also spells out another serious danger, the fear many

of us have that the Australian Constitution is being rewritten by the High Court and not by the people..."

Sir Charles' sentiments were brilliantly, and perhaps surprisingly, echoed in the front-page Editorial in The Australian on July 7th. It started: "Control over the basic principles of Australia's system of government has been taken out of the hands of the people and delivered to judges not answerable to any electorate..." It concluded: "... those Australians who believe in democracy must work to restore to the people that right to govern themselves which has been taken from them ..."

Australians would be entitled to believe that the Federal Opposition, the Liberal-National Coalition, whose platforms are committed to the maintenance of Australia's sovereignty and the federal system, would be united in a nation-wide roar of anger and disapproval at this constitutional hijack! But an uneasy and down-cast silence is all we have been treated to. The Opposition, sad to say, cannot point to the specifics of the betrayal without also confessing to indecent self-exposure. After all, they prepared the path for the socialist onslaught. Even the advocate for Tasmania in the recent case, former Attorney-General Bob Ellicott, must have had a few uneasy qualms in recollecting his own remarks when the Tasmanian wilderness was gazetted under the Heritage Commission Act. Ellicott was on hand to herald the Act he had prepared as a "step forward for conservation". One could ask "Conservation of what?" - Certainly not Australia's sovereignty, integrity and democracy!

We can only hope the remarks of the few like Sir Charles Court will finally shame the pathetically-superficial Opposition to stumble to its feet and set about mending a few fences.

AMBASSADOR FOR DISARMAMENT: In what appears to be an oblique response to the United Nations Association advertisement asking for a "Ministry of Peace" prior to the Federal election, Foreign Minister, Bill Hayden, has announced the appointment of Mr. Richard Butler as Australia's first Ambassador for Disarmament. The Australian (8/7/83) commented: "... Mr. Hayden said as well as representing Australia in international forums, particularly the Committee on Disarmament in Geneva, the ambassador would visit overseas governments aligned to domestic nuclear policies with a view to forming a multinational group to lobby for arms reduction..."

Mr. Butler, who was once a private secretary to Mr. Gough Whitlam, and also at one time married to Minister for Education, Susan Ryan, must be considerably fortified by the fact that Prime Minister Hawke looks like totally disarming Australia before the new Ambassador can take off for the international arena. Australia's political Messiah seems determined to beat every Australian sword into a ploughshare - or at least into another fleet of Ministerial cars, a few more tax department computers, or some

extra bars in the new Parliament House!

REMEMBER THOSE OIL SHORTAGES? Four years ago the prevailing propaganda theme was "a world without oil". The League's documented material showing the true figures on world reserves was met with incredulity and silence in many quarters. Senator Garrick, at that time Minister for Energy, hummed and hah-ed, and rushed off to the International Energy Agency, which issued edicts for "world parity pricing" on all forms of energy.

The Financial Review (27/6/83) now says: "The Federal Government is facing what is shaping up to be the most vital and far-reaching issue in the country's oil industry since the introduction of parity pricing of indigenous crude in the mid-seventies. Contrary to expectations as recent as a year ago Australian oil fields are now seen to be capable of producing more crude than can be absorbed into the home market. This realisation presents the Government with the thorny problem of whether to leave oil in the ground and lose a vast source of revenue as well as deaden incentive for further exploration, or whether to allow short-term export of indigenous crude and take a gamble on finding enough new reserves to take care of the country's needs in the long term ... there is general accord that Australian production will outstrip demand during the rest of the 1980s At the moment production from Bass Strait is being reduced by an average of between 30,000 and 40,000 barrels a day, and quite apart from the loss to the producers, Esso-BHP, this represents a loss of \$500 million a year in Government revenue ..."

Although conscious of the massive increases in fuel prices, few realise how dependent the Government is on taxes on fuel. The following figures give some indication:

<u>YEAR</u>	<u>Cost of oil imports</u>	<u>Federal tax on fuel</u>
1969-70	\$254.4 million	\$289 million
1979-80	\$2,066 million	\$2,117 million
1982-83	not available	\$3,237 million

- all for our own good, of course! However, it doesn't seem to have occurred to our political servants' that, with a world glut of oil, self-sufficiency of petroleum products in Australia for the first time, and a massive recession through the nation due to high costs, there just might be a case for a reduction in the price the consumer has to pay for our own production.

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