



# ON TARGET

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*The price of Freedom is eternal vigilance —*

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**THOUGHT FOR THE WEEK:** ".....private, personal homosexuality is not the business of the rest of us, unless we are consulted as parents or doctors or father confessors or very intimate friends. But when it comes 'out of the closet' as it is constantly urged to do, and forms a mass-cult which sets out to attract others, then it becomes very much the business of the rest of us, whose culture, religion, morality, health and even lives are being threatened."

- Dr. Geoffrey Dobbs

**THE BRUTALISATION OF SOCIETY:** Older Australians will recall how shortly after the end of the Second World War, the first kidnapping in the history of the nation took place, with a murdered boy eventually found in the boot of a car. A chill of horror ran through the nation, one which even affected prison inmates at the time. It was generally agreed that a civilised society must have certain standards of behaviour which must be maintained if it was to be sustained. Art and literature were seen as a reflection of such a society and one of the means of sustaining it. But with the emergence of what might be described as a money culture, this basically the result of the manipulation of the debt system to drive centralisation programmes, much of which passes as art and literature, the tendency is to keep lowering standards in an attempt to shock and gain attention. There has been a progressive brutalising of society.

Every student of history knows that as the great Roman Civilisation was disintegrating, basically because of debt, taxation, inflation and centralisation, it experienced the same type of social disintegration afflicting Australia and other Western nations today. Homosexuality was elevated to cult level, with most destructive consequences. Homosexual and other types of sexual behaviour conflicting with the norm, have existed from the beginning of time and tolerated in integrated stable societies. But the aggressive promotion of homosexual and other cults has resulted in social discord. Minorities have

rights, but these must not be imposed by the minority upon the majority. The size of the homosexual minority has clearly been grossly inflated; it is certainly nowhere near the 10 percent so often claimed. But it has organised itself to the point where, in the case of the deadly AIDS, what were the normal methods of handling infectious diseases, have been made illegal - this to preserve the rights of those afflicted with AIDS.

Which brings us to the latest example of the progressive erosion of what were once regarded as normal standards of decency. Even matured film critics have described the film Salo, which depicts the brutalisation of a group of adolescents in a small northern Italian town. Based on sadistic and pornographic violence, for 17 years this film has been banned. But presumably Australians are now sufficiently sophisticated to be capable of viewing the debauchery of Salo without any serious effects. The Deputy Chairman of the Film and Literature Board of Review, Mr. Keith Connolly, admits that Salo is "an utterly appalling chronicle of human depravity". Melbourne Age film critic Neill Jillett said the film was "vile" and a "treat for sadists and other psychopaths". The policies which have reduced Australia to its present level have resulted in a growing number of psychopaths. Has not the general public the right to be protected from psychopaths stimulated by the type of filth portrayed in Salo?

It is interesting to note that the Film and Literature Board of Review was unanimous in its decisions that the 17-year-old ban on Salo, be lifted, and that Father Michael Elligate, Roman Catholic chaplain to the Melbourne University, is a member of the Board. When David Irving's video film, "The Search for Truth in History", was before the Board, its members clearly had the greatest difficulty in deciding on a rating, with, according to press reports, the majority in favour of a General Rating being only one, while one member rejected any rating. It would be revealing to know who that one was. However, Zionist leaders like Mr. Mark Leibler are on record as saying they are opposed to the Irving film being shown.

Instead of encouraging brutalisation, David Irving deplores it, pointing out that the manner in which the Second World War was conducted was a departure from the civilised and Christian standards upon which Western Civilisation had been created. A return to traditional civilised standards of behaviour requires a rejection of a money culture which stresses the primary of gross materialism over spiritual values.

**PROFESSOR WALKER LASHES HIGH COURT** by David Thompson: Last week Professor Geoffrey Walker, from the Faculty of Law at the University of Queensland, entered the nationwide discussion on the role of the

High Court in the wake of its decision on the title of the Murray Islands (Mabo decision). Walker, who is highly critical of the structure and performance of the Court, has some constructive suggestions that should be taken up vigorously. Walker, the author of The People's Law on initiative and referendum, was addressing a meeting sponsored by the Centre of Independent Studies (which published his book) in Sydney. In his address, he rejected the claims being made by some legal "experts" that the Mabo decision simply reflects the High Court's traditional role of 'making law'.

Walker said that the High Court had become the main agency for the subversion of Australian federalism, which began with the Franklin River Dam case in Tasmania, about which we have constantly warned. This case, Walker said, defied all recognised principles of constitutional interpretation. "This judicial coup d'etat gave Canberra the tools with which to over-ride the federal distribution of powers whenever it chooses."

On the role of the Court, Walker said it had again abandoned its constitutional role in the Mabo case, described as the most divisive and disruptive decision in its history. "While judges must be independent, they must also be bound by law, their function being to interpret the law and the fundamental principles and assumptions that underlie it. "If there are no limits to the power of judges to make law, we are at the mercy of a judicial oligarchy." (Emphasis added)

REFORMING THE HIGH COURT: Walker's criticism of the Court's Mabo decision included the following penetrating comment: "You will notice that most of the controversy has centred on how the Court's decision should be 'implemented' by Federal or State legislation, or both. Yet the hallmark of a genuine judicial decision is that it requires no legislative implementation, for the simple reason that it declares what the current law is and applies it to the facts.

"Each time a court applies a principle to new facts it is to a degree developing the law, but sweeping new proclamations of policy or calls to arms that require Acts of Parliament to put them into effect are quite outside the judicial function. The Mabo case, therefore, except in relation to the Murray Islanders, represents yet another usurpation by the court of the constitutional powers of the Australian Parliament and people."

To reform the Court, Walker suggests first that it should comprise the six State Supreme Court Chief Justices, who could return to their normal State duties between High Court sittings. "It affronts the common sense of the Australian people to believe that you could expect a fair match if one side appoints all the referees," he said.

Walker also suggests a system of recall by public petition to remove High Court judges. "Justices of the High Court, who in some respects,

have greater powers than elected governments, are not elected. The existence of a right of recall would be a powerful incentive for judges to remain within their constitutional functions." Such gems of pure common sense should be pushed up to all Members of Parliament in every part of the country. This is a constructive suggestion to begin to redress the one-way drift of constitutional power towards the Commonwealth Government; a drift which the founders of the Constitution tried to avoid.

MABO WATER STILL MUDDY: The day before Walker made his comments, the Chief Justice of the High Court, Sir Anthony Mason, complained of "sustained and abusive" criticism of the Mabo case while addressing a conference in Cambridge, in Britain. Mason admitted that the ruling that native title existed in common law was reached "only by recourse to a technicality". What does this mean? As one journalist commented, instead of hurt innocence, a better response from the Chief Justice would be to defend and explain the decision his court produced.

If there was any doubt that Keating and the Government propose to forge ahead with legislation to give effect to their reading of the Mabo decision, the appointment of Mr. Phillip Toyne as a consultant to assist in drafting the legislation should dismiss the doubts. Toyne is the former Executive Director of the Australian Conservation Foundation. However, few remember that prior to this, Toyne (a lawyer) was an "adviser" to various aboriginal groups on conducting their 'land-rights' campaigns for 15 years. The States cannot expect to receive fair treatment in terms of their powers from such "advice" as Toyne's!

There is increasing discomfort on the way the issue is being handled by the Prime Minister from his own back-bench. Quite apart from the incisive and courageous comments from Mr. Graeme Campbell (Kalgoorlie), Mr. Barry Jones, Federal President of the A.L.P., has also warned the Government not to legislate on its own. Mr. Jones called for co-operation with the States, saying that the ownership and the right to deal with land was a State power, and it "might prove to be completely inappropriate" for the Commonwealth to disturb this.

With the status of claims over huge areas of land still not clear, new claims are now coming in for areas of ocean, and the sea bed. The Murray Islanders are preparing such claims, with some lawyers saying that such "rights" will be easier to enforce off-shore than on-shore.

An additional comment from Geoffrey Walker summed up the general situation: He describes "a broad elitist approach to constitutional development which, overall, is supported by virtually the whole political/media establishment. Denigration of the people's intelligence, supported by misleading sample survey results, is used to bolster the case for insulating government from public opinion".

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