



A WEEKLY COMMENTARY

ON TARGET

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The price of Freedom is eternal vigilance -

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THOUGHT FOR THE WEEK: *"England has become great by her institutions."* - Benjamin Disraeli.

THE HIGH COURT AND THE "FOREIGN POWER" by David Thompson:

Last week's decision in the Heather Hill case, that the United Kingdom is a "foreign power" may well open up legal and constitutional issues never before envisaged. As a person entitled to some of the rights of a citizen of the UK, Mrs. Hill is ineligible to be elected to the Senate, according to a majority of High Court judges. Although Mrs Hill. *is an Australian citizen*, she was not aware of the technical necessity to take the additional step of renouncing her British citizenship rights, and is thus ineligible. How many others in the Parliament are also ineligible?

There are many issues that need addressing as a result of this landmark case. Perhaps the first is that of the High Court itself. Although the decision was a majority decision, it was a *narrow majority* (4-3), leaving the clear impression that many distinguished jurists do not agree with the decision, which now becomes a part of the law of the land.

The dissenting judges do not appear to challenge the reality of Australia's independence from Britain, but challenge the High Court's jurisdiction in the case. Justice McHugh took the view that it was the Parliament, not the Courts that should initially be addressing this problem.

It is also clear that the majority judges rested their case strongly upon the "evolutionary theory" (not principle, but *theory*, mind), that the status of "foreign power" evolved over time. Part of that evolution has been renouncing access to the Privy Council, which might have been a useful back-up in this particular case, had we access to have it heard.

Another part of the "evolution" is the changes in the Oaths of Allegiance. If she had used the 1976 oath for citizenship, Mrs. Hill would have said: *"I Heather Hill, renouncing all other allegiance, swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Queen of Australia, her heirs and successors according to law, and that I will faithfully observe the laws of Australia and fulfil my duties as an Australian citizen."* But if she used the insipid 1987 oath, the words "renouncing all other allegiance" were absent. Would the 1976 version have saved Mrs. Hill's Senate seat?

This theory of "evolution" increasingly undermines the Constitution, leaving it open to all sorts of strange interpretations, like the "discovery" of native title in 1992. In effect, it means that while the Constitution can clearly say one thing, a High Court can construe it as meaning *something completely different*. While the text of the Constitution can only be changed by a referendum of a majority of people in a majority of States, its *operation* can change almost by bureaucratic fiat, without our

people in a majority of States, its *operation* can change almost by bureaucratic fiat, without our approval at all. The whole concept of "evolution" should be regarded with the gravest suspicion. It is the basis for the Fabian Socialist theory of "gradualism", so effective in undermining the free society.

The petitioners (the Attorney-General and Mr. Henry Sue) acknowledge that the UK was certainly not a foreign power at federation. But neither of the petitioners can say just when it did become so. Justice Callinan makes the point in his dissenting judgement that in the absence of any clear date or statute that asserts Australian independence, the High Court would be establishing just that legal precedent by finding against Mrs. Hill.

This, notes Callinan, means that there is considerable doubt about peoples' rights, status and obligations in law. One important example of this is the status of hundreds of thousands of British people who have lived in Australia, brought up families, and even borne arms in the Australian military. We recall the case of the South Australian ex-serviceman who returned to Europe to visit relatives, and tour familiar theatres of war. Upon his return, he was refused entry to Australia, because *he was technically an Englishman!* No matter that he had raised Australian children here, and paid exorbitant taxes for years. Surely his ilk are entitled to know just when they became "foreigners"?

The reality is that, with each new "evolutionary" alteration in our constitutional status, the public confidence in stable government is undermined. "Evolution" implies an aimless drift, and certainly serves the centralists well. What might the High Court "find" in the Constitution next?

There was never much doubt that Australia was an independent nation. Monarchists and the more sensible republicans all agreed on this. But what made Britain a "foreign" power? The term "foreign" is almost a perjorative term (to anti-British activists), meaning "alien" or at least "not native" to Australia. Are Australian-born people "natives"? Contemporary fashion insists not - only aborigines are genuinely "native", Pauline Hanson was told. So are Australian-born Europeans of British stock native, or foreign to Australia?

Reality insists that, although a separate, sovereign nation, the United Kingdom is not "foreign" to Australia. As a matter of fact, Australia's political, cultural and certainly constitutional history comes directly out of Britain, brought here by *British people*, whose descendents still enjoy that heritage. There is nothing *foreign* about it. What was once "British" has organically developed into something that is now also "Australian".

But every attempt is being made to sever Australians from their cultural and constitutional roots. This High Court decision will be manipulated to further that process.

CREATIVE ACCOUNTING LEADS TO DESTRUCTION by Jeremy Lee:

Over the last few months we have drawn attention to the massive increase in household debt. In mid-June Treasury officials answered questions on this issue before a Senate Committee. A major summary by Ian Henderson under the heading THE URGE TO SPLURGE appeared in *The Australian* on June 25th, 1999. It appeared that Treasury saw nothing dangerous in the situation, so long as Australian ownership was considered unimportant.

Henderson's article illustrated how far the philosophy of globalism has seeped into the thinking of Australia's administrators - and by implication into that of our politicians. He pointed out that Australians have launched themselves into the biggest debt-driven spending splurge in our history. This was in contrast to the borrowing binge in the 80s, which brought such high-rollers as Alan Bond and Christopher Skase to their knees. The gamblers now are ordinary Australians, whose debts as a percentage of disposable income have almost doubled - from 50 to 90 percent.

"... *The weird thing is the buffins who run the Australian economy - the same ones who insisted in the*

1980s that we all tighten our belts – don't seem worried about it. They have stopped worrying about the current account deficit and the level of national saving . . ."

Henderson said this complacency was despite the fact that the current account deficit was at record levels; that household savings were at a record low; that the economy's expansion was being led by a consumer-binge that was blowing debt levels to a record high; and that household consumption was now outstripping production.

Obviously this means that the consumer-binge is feeding on the very imports that are blowing out the current account deficit. Put another way, we are borrowing from international banks to buy foreign goods.

The replies given by officials to questions on this state of affairs were bizarre – or an indication that Australian sovereignty and ownership are regarded as expendable.

" . . . 'I would accept that private sector saving is low. Is that a problem?' was how Treasury secretary Ted Evans responded to a query from ALP Senator Nick Sherry a fortnight ago. 'It depends on whether or not we are satisfied with the overall outcome. If we are satisfied with drawing on foreign savings to finance our investment, then it is not a problem as such. It is a problem if you have other objectives. If you would like the investment to be done by Australians rather than foreigners, if you have that particular objective as an objective in its own right, then yes, there is a problem.'"

"But that, Evans firmly told a Senate estimates committee, is 'not an economic question' . . ."

For Australians who believe in the constitutional sovereignty of their country, that Australian ownership of domestic industries is important, and that we should not rely on foreign debt for survival, such thinking is inexplicable. But that's the global argument, and its exponents are deciding our policies, with either the agreement of our politicians, or their ignorance as to what is going on – which provides no barrier to the sellout of Australia:

" . . . People are saving less and borrowing more. But that is creating no problems for policy-makers . . . This means households are now more vulnerable to a hike in interest rates or a slump in asset prices such as for housing or the stock market than once they were . . ."

They are also more vulnerable to policy-makers who are dispossessing the Australians of today and tomorrow.

REPUBLICANS HI-JACKING MONARCHIST CAMPAIGN: Following David Thompson's timely warning in last week's *On Target*, comes confirmation in an *Australian* article describing the debate in Old Parliament House on June 19th. The monarchist case was opened by republican Ted Mack. The article by Mark McKenna continued:

" . . . When (Kerry) Jones was pressed repeatedly by members of the audience to explain why she believes the British monarchy is an appropriate symbol for Australia in the 21st century, she failed to answer. This points to the great vacuum at the heart of the No side's case. They no longer believe in the symbolism of the Constitution they are striving to protect. Their strategy is clear – 'Don't mention the Queen!' . . ."

It appears that a coup has taken place. \$7.5 million has been allocated to the case for the retention of the Monarchy by the Howard Government. This sum is now monopolised by a strange mixture of "alternative republicans" and others who are mute on the values of the Monarchy. The fiercely loyal majority who have served the Queen in war and peace are thus deprived of an authentic voice.

This simply confirms our view that the real battle for Australia's constitution and the Crown will be fought – as it always has been – by the "little people" – the ordinary Australians dedicated enough to contribute their own hard-won dollars to the real argument, stating the truth fearlessly without consulting misleading opinion-polls.

It hardly needs to be said that those too timid to "mention the Queen" should at least share the financial allocation with others who will. But don't hold your breath! Our individual efforts are needed more than ever before. Obviously this means that the consumer-binge is feeding on the very imports that are blowing out the current account deficit. Put another way, we are borrowing from international banks to buy foreign goods.

THE GST SCRAPES THROUGH: Five Democrats abstained from voting in the Senate on the Howard/Costello/Meg Lees GST package. Only two had the courage to cross the floor. What were the five about? They knew that the majority of Australians, plus their own rank-and-file, were AGAINST the GST. They can now say "I never voted for it!" But they weren't game enough to vote against it, knowing their abstentions would make no difference to the outcome. Wrong though she is, at least Meg Lees stuck to her guns. So did Senator Stott-Despoja and Queensland Senator Andrew Bartlett, who crossed the floor.

So Howard has squeaked his unwanted tax through. It will be an albatross round his neck. In 12 months time – after Australia's cornered Small Business sector has been forced to spend tens of millions on new computer software to tell a hot chook from a cold one – Australians will be turned into an unpaid tax department, with a whole raft of new conditions and penalties to add to the over-burdened log-jam of legislation.

Professor Peter Dixon of Monash University, who was commissioned by the Senate GST Inquiry to model the impact of the tax package, has now issued his own paper saying the GST will have a negative impact on Australia, and could eliminate 100,000 jobs. He criticised Treasury's advice for inadequate economic analysis. Dixon believes compliance costs will top \$1 billion: "... *'These extra compliance costs arise mainly because the GST imposes record-keeping on 1.6 million Australian businesses,'* he says. *'Once compliance costs are taken into account, the Government's package produces a long-term loss in economic welfare, even under the most optimistic assumptions'*..." (*Australian Financial Review*, 23/6/99) Professor Dixon is right. The Treasury officials who provided "inadequate" advice are the same ones who are unconcerned about Australia's debt position, who are committed to globalism, and who have complied with the International Monetary Fund's prescription for a GST.

THE BIG POLITICAL SELL: With a massive "educational" barrage on the benefits of the GST due shortly, it is obvious that Federal Coalition Members have been told to "Sell! Sell! Sell!" Government policy. Two examples in my own area are probably symptomatic of what's happening across Australia. Being on the edge of a Federal electorate, I receive the usual "blurb" from my own Member and the Member next door. My own Member, Cameron Thompson, got into office on Pauline Hanson's preferences. She beat him hands down in primary votes. His newspaper-style "Blair Bulletin" tries to justify on its front page why the Federal Government has taken \$5.4 billion more in taxes than it aims to spend (the Budget Surplus). I looked in vain for a good argument. After all, the Surplus represents \$300 for each Australian, or \$1,200 for a family of four.

Mr. Thompson assures me it's all to pay off the horrendous public debt left by Labor! It's quite true that our public debt is reducing – but at the cost of more and more poverty, homelessness and suicides amongst Australians, as household debt goes out of control.

Next door, we have a new Member in Groom, Mr. Ian MacFarlane, who distinguished himself by taking the usual oath of loyalty to Her Majesty and then declaring himself a republican! That fact alone has cost him a few votes in his electorate.

The indefatigable Mr. MacFarlane is a natural committee man. He is already on the Joint Standing Committee on Primary Industries and Regional Services. He is also on a "Special Prime Ministerial" committee to fast-track the proposed Melbourne to Darwin railway.

Fine! But the consortium behind this project, Transport and Energy Corridor Ltd. – whose spokesman is Toowoomba businessman Everaldo Compton – is made up of multinationals and foreign banks. There is no sign yet that Mr. MacFarlane has examined how an even longer railway – the Trans-continental – was built during the First World War by Australians and Australian finance. So Ian MacFarlane will, presumably, "rubber-stamp" the continued foreign takeover.

A special issue was made by the Commonwealth Bank for the project, which was progressively "retired" as the railway was built.

The multinational conglomerate Transport and Energy Corridor Ltd. will seek freehold title over the proposed railway.

It's irritating that I am one of the millions forced to pay for this Party propaganda.

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