



A WEEKLY COMMENTARY

ON TARGET

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The price of Freedom is eternal vigilance –

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THOUGHT FOR THE WEEK: Capt. Martin Toohey: "In conclusion, is there a general statement you would like to make on the whole affair?"

Lt. Col. Lance Collins: "I wouldn't be pursuing this course if I didn't think it was important for the well-being of the army and the defence force in general. As the leader of the Czech Republic said, 'You don't wake up one morning and decide you're going to be a dissident.' It happens because your moral choices and the force of circumstances diverge. You just find yourself cast out from the system and in conflict with it."

Interview of Lt. Col. Lance Collins by Capt. Martin J. Toohey, Victoria Barracks, Sydney, 2003.

THE DESTRUCTIVE LEGAL AVALANCHE by Jeremy Lee:

Small children learning about history and citizenship at the beginning of last century easily digested the principle that all should be equal before the law. But few learn that principle these days, and conventional justice through the courts is the privilege of the few.

Coupled with this fact is a deluge of laws so vast that no-one can grasp the full extent of the legal invasion. Humans have fewer and fewer choices about work and leisure, and are curbed with well-meaning but irritating restraints on freedom of speech, freedom of assembly, freedom of property, freedom of consumption and thousands of other quite puritanical invasions of action.

Cicero, in collapsing Rome, said: "The more laws, the less justice." The Roman historian Tacitus added: "The more corrupt the State, the more numerous the laws".

The Australian (29/4/04) had an article on the growth of law in Australia. It said: ".... There has been a relentless rise in government power. In the first decade of the 1900s 23 new acts of commonwealth legislation were passed each year on average. At the beginning of this century the annual average is more than six times higher. In 2003 the Commonwealth Parliament passed 150 new acts"

State governments and local councils add their own share of acts and regulations. The tyranny of law is now with us. In May 1992 Mr. David Miles QC, president of the Law Council of Australia wrote to *The Australian* (15/5) saying *inter alia*: "....The proliferation of laws in Australia is opposed by the legal profession, even though our parliaments, by their lack of control, no doubt create work for lawyers. The Law Council of Australia has repeatedly called upon governments and parliaments to stop inflicting such massive amounts of complex laws on the community ..."

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Added weight was given by Gordon Hughes, president of the Law Institute of Victoria, who wrote: *"In 1990, Federal Parliament passed more than 3000 pages of new legislation. When rules and regulations are added, the total volume of new federal law that year alone took nearly 6000 pages to document. Victorian lawyers had to cope with more than 3000 pages of Victorian statutes, rules and regulations as well"*

The average Bible is about 1,200 pages. Thus the Commonwealth is adding the equivalent of more than 4 Bibles to our laws and regulations each twelve month. Victoria adds another two!

Perhaps the last word should be left to the late unlamented Adolf Hitler, in his chapter on totalitarianism in *Mein Kampf*: *"There is no way to rule innocent men. The only power and government has is the power to crack down on criminals. Well, when there aren't enough criminals, one makes them. One declares so many things to be a crime that it becomes impossible for men to live without breaking laws. Who wants a nation of law-abiding citizens? What's there in that for anyone? But just pass the kind of laws that can neither be observed nor enforced nor objectively interpreted – and you create a nation of law breakers"*

DEFEAT IN IRAQ: It seems terrible to suggest that, after the huge loss of life, the destruction of property and infrastructure and the monumental debts incurred, the war in Iraq is now being lost. But the "coalition of the willing" has now humiliated Iraqis to such an extent that all old religious divisions are being side-lined, and a new, implacably-united Iraqi face is being turned on the occupiers. Any idea of a smooth transition to a false "sovereignty" on June 30th, with power over defence, economy and oil still in the hands of the Americans, is ludicrous.

Unless some way of creating a firm agreement between the United Nations and sectarian leaders in Iraq for an interim administration can be reached, it would be better for the "coalition of the willing" to withdraw unconditionally on June 30th, abandoning any plans to exert control over oil, or keep military bases in the region. The Iraqis could hardly make a worse job of it than at present, and may very well produce a spirit of unity in which re-building could commence.

SNIPPETS TO KEEP IN MIND: This is the America of Vietnam, napalm and agent orange, whose school of Americas at Fort Benning exists for the purpose of training home-grown terrorists, largely for the deployment in Latin America.

5,000 Iraqis marched on a fort in Najaf on Sunday, April 11th, 2004, to protest at the closure of a newspaper and the United States arrest warrant on a cleric. Suddenly soldiers opened up killing 30 and wounding hundreds of women and children. It turns out these were mercenaries from Blackwater Security (4 fools set up by Mossad).

An attack by hundreds of Iraqi militia members on the United States Government Headquarters in Najaf on Sunday was repulsed not by the United States military, but by eight commandos from a private security firm, according to sources familiar with the incident.

Before United States reinforcements could arrive, the firm, Blackwater Security Consulting, sent in its own helicopters amid an intense firefight to resupply its commandos with ammunition and to fly out a wounded marine, the sources said.

Today, in occupied Iraq, Israeli special forces are teaching the Americans how to "wall in" a hostile population, in the same way that Israel has walled in the Palestinians in pursuit of the Zionist dream of an apartheid state.

The State Department is the body with experience in international affairs and administration. The civilians in the Department of Defense only know how to blow things up....(and are) staffed with .. Neoconservatives most of whom had no administrative experience, no Arabic, and no respect for Muslim culture.

In the case of the United Kingdom, clueless Ministers who have little knowledge of the Middle East and its culture, have sought to justify the invasion with the support of craven, self-interested fellow 'New Labour' politicians in Westminster. – From British *On Target*, April 3rd & 17th, 2004.

FORMER AMBASSADORS PUT THEIR FINGERS ON BLAIR: More than 50 former British Ambassadors have signed a joint open letter to the British Prime Minister Tony Blair. The signatures represent the combination of all past diplomatic skill in Britain, and is completely unprecedented. The subject concerns the endorsement of both Blair and President Bush of Israel's Ariel Sharon plan to pull out of the Gaza Strip, while continuing occupation of the West Bank. The letter pointed out that any semblance of the Road Map for Peace had been sabotaged, in exchange for a new policy which is "one-sided and illegal and which will cost more Israeli and Palestinian blood". ...Also included were these sentiments: *"This abandonment of principle comes at a time when rightly or wrongly we are portrayed throughout the Arab and Muslim world as partners in an illegal and brutal occupation of Iraq."*

All those with experience of the area predicted that the occupation of Iraq by the Coalition forces would meet serious and stubborn resistance as has proved to be the case.

To describe the resistance as led by terrorists, fanatics and foreigners is neither convincing nor helpful. Policy must take account of the nature and history of Iraq, the most complex country in the region....."

The letter concluded: *"... there is no case for supporting policies which are doomed to failure."*

The letter was included in the BBC news in Britain on April 26th. What can one say? That the invasion of Iraq was partly Israeli foreign policy is slowly emerging into the open. The whole tragic business marks a turning point in the strength and prestige of the Western World. The implications for all of us will be staggering. Yet still only a minority understand what is happening.

COMMON LAW OR STATUTE LAW? by Bevan O'Regan

"What seemed a rather simple one-page letter to *Oz News* sixteen months ago has become a major talking point. Graham Strachan, Barrister, has said if people follow my home-made laws they will look silly and be discredited. (*On Target* articles in Feb/Mar, 2004).

Yes, I am a friend of Graham and I am still lending his book, *22 Steps to Global Tyranny*, to people.

The story in the *Oz News* was about representatives being invited to join government organisations and being given the title of "stakeholders". Unfortunately stakeholders eventually became part of the problem and can never be part of the solution.

A good example is COAG. Even though COAG has no Commonwealth Constitution credibility, Local Government was asked to send along a delegate to help in the decision-making. COAG has about 20 groups or organisations. The chances of influencing a decision is also about one in 20!

Unfortunately, for instance, when a decision is made that is in conflict with Local Government, someone will say, "You were there, you had your chance; that's democracy."

COAG is a think-tank, no more no less. Unfortunately, again, when COAG says jump, stupid "stakeholders" ask "how high?"

Instead of decisions of national importance being made by duly elected people bound by methods put in place by our Founding Fathers, surrounded by common law, decisions are made by "stakeholders", who are, invariably, party political appointees who know that if they don't 'toe-the-line' they won't have party endorsement at the next election.

Now to get to my conflict with Graham:

The fact is Graham is quite correct. Subsequent laws made by parliament are over-ruling previous Acts of Parliament; even though those previous acts are bound by common law or our Commonwealth Constitution.

I know detail can be boring, but let me explain (from my own experience in Local Government [LG]) how a very important planning instrument, the "1979 Environmental Planning & Assessment Act" (1979 EP&A Act), is being over-ridden by subsequent, or new Acts of Parliament in NSW.

In 1979 the NSW Parliament enacted this EP&A Act, giving acknowledgement to Magna Carta Section 29, which says, in principle, you cannot take something away unless you pay compensation. Each State now has its own compensation laws to accommodate this basic principle.

To prove how important this EP&A Act is, I will list the age-old Acts that constitute this planning instrument. They are: The Real Property Act of 1900; The Land & Valuation Act of 1916; The Conveyancing Act of 1919; and of course the Local Government Act also of 1919.

At this stage it is critical to keep in mind: Where I am coming from; Where Graham is coming from.

I am saying Acts of Parliament, until repealed, should have force and Graham is correctly saying the Parliaments are creating statutes on Friday that overrule a statute created last Monday. To keep using this EP&A Act as our example let's see where it comes from and what is its purpose in life. The Act was born in the State's Planning Department and given to Local Government: To plan, to zone and to guarantee "use".

Now I hope people can appreciate my frustration.

After being on Council for 22 years, and having seen certificates issued to people telling them what USES can be carried out on their property, a judge now tells us that Torrens Title Freehold Land "USE RIGHTS" can be overturned by an Act of Parliament called the "1997 Native Conservation and Vegetation Act."

"Continuance" means the continuance of all the Fee Simple rights guaranteed at the point or time of sale.

Now, all of a sudden, a seven-year-old Vegetation Act contradicts Section 107 and places a new meaning on the word "continuance".

Unfortunately, and I keep saying this, this EP&A is a stumbling block for an easy take-over of land use by the government. There had to be a way, and the way came with the compliance, or acceptance if you like, of Agenda 21.

Yes, it was Ros Kelly, the 'whiteboard-girl' who signed us into the environment "cringe". "This "cringe" is so embarrassingly dominant that it is acceptable to break little rules like having Parliament ignore common law and the Commonwealth Constitution.

Yes, Agenda 21 is dominating the minds of politicians, yet it has never been before the people at a constitutional level. Again, Graham is stating the obvious.

I am trying to support the Christian democratic system our Founding Fathers thought was an impregnable document. But checks and balances of the 1890's are no match for the level of corruption we have in the year 2004. **to be continued next issue.**

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