



Sovereign Union

of First Nations and Peoples in Australia

Asserting Australia's First Nations Sovereignty into Governance

www.sovereignunion.mobi

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“We are being crushed.” Pangarte Rosalie Kunoth-Monks

Pangarte Rosalie Kunoth-Monks and Ghillar Michael Anderson, head spokespersons for the Sovereign Union had a meeting in Sydney and both agree that our Peoples have reached a point where they feel totally overwhelmed by the tyranny of the Australian government and its state counterparts.

If we look at the Commonwealth laws in relation to Aboriginal Peoples, the Federal government has created spin, a pretty picture which is only an illusion in respect to our rights. My Mother and Pangarte Rosalie Kunoth-Monks both agree that what we are witnessing now is worse than when they were children growing up under the oppressive laws of that era.

Australians generally have never been subjected to the oppressive legal system that we have been subjected to since the coming of the whiteman. The forced removal of children to de-aboriginalise them; forced into Christian homes and schools to learn about white culture, white beliefs, white values and white customs; endured child slavery where the states were the masters under state and territory legislation; imprisoned without the right of freedom and association; where laws were made for the police to relocate Aborigines and return them to their State of origin, should they attempt to flee the oppressive rules of that State; garnisheed family earnings to pay for children who were forcibly removed from their siblings to pay for their upkeep and welfare whilst in custody; fed flour, sugar and tea as a staple diet; prevented Aboriginal people from burying their dead according to their Law and custom; prevented ceremonial teaching according to our spirituality and religion; destroyed our open temples and sacred places of ceremony; and they called us barbarous, uncivilised savages.

In the debate leading up to the referendum of 1967 in the Federal Parliament PM Robert Menzies advised that deleting the words 'Aboriginal race' from the Constitution meant that the Commonwealth government does not have powers to pass laws for Aborigines in the States. He then reminded them that the Federal Parliament could only use the Race Power to make laws for the Aborigines. He admitted that this took Aboriginal people outside their (colonial) legal system, which was able to be contested by Aboriginal people [see below – Hansard 1 April 1965].

When you read current Commonwealth legislation you will see what Menzies predicted is playing out in the current definitions and interpretations at the commencement of the Acts. Commonwealth Acts relating to Aboriginal people thereafter have as a statement that the Purpose of the Act is for the Aboriginal Race. The Commonwealth parliament cannot make specific laws for Aborigines other than by using the Race Power.

The laws that Commonwealth diplomats promote to the international community are dressed up with words like for 'redress for dispossession'; for 'economic advancement' of Aboriginal and Torres Strait Islander people and 'cultural protection'. When you scratch the surface and look deeply inside there lies the devil-in-the-detail, where the administrative operations of these laws place the ownership into the hands of a white Minister of the Crown. Aborigines own nothing. Just like the *Aboriginal Protection Act in NSW 1909*, where the details of the Act provided clothing and blankets for winter and summer but they are on loan only and the Minister of the Crown was always the owner. To dispose of them without the authority of the delegated person eg commandant of the mission, our people could be prosecuted for disposing of Crown property.

Nothing has changed. Our people are now being bludgeoned into submission through the imposed tyrannical laws of the Australian State and our people have no redress and/or protection from these evil-doers.

White South Africans who migrated to Australia must be asking themselves: How in the world did we fail? But now, having used their British citizenship, come to this continent, which truly is the last bastion of white supremacy, and help rule Blacks with an iron fist.

On the ground here at home we have a military intervention in the Northern Territory, where the retired senior member of the military forces has the ability to do what he wishes with Aboriginal lands without ever consulting the true owners, nor gaining free, prior and informed consent; controlling their income under the false and deceitful charge; criminalising Aboriginality and that's not just in the Northern Territory.

“Our people are absolutely devastated by the continuing oppressive rules applied to our people. We are being crushed.” Pangarte Rosalie Kunoth-Monks stated.

The laws in the States, which are being changed with the approval of the Commonwealth, are now winding back the gains made in Mabo and the white courts of Australia are shielding the rights of the whites. There appears to be no justice. We certainly do not stand equal before the law when the courts in Australia protect white law, irrespective of whether it breaches international law, as if to say: What we do in Australia is our business. Yet they will join forces and go to war with their big bother America and their mummy England to fight and kill others over the right to be inclusive and the democratic process, forcing them to obey the rule of international law and to desist from violating human rights.

With Australia a temporary member of the UN Security Council it is surprising that Australia can get away with what it is doing. Clearly the UN means little to so many Australians, who participate in spin merely to paint a pretty picture of themselves for the benefit of the international community.

In last Thursday's (3 July 2014) Queensland Supreme Court decision in *The Rates Dispute Ngurampaa v Balonne Shire Council* the Judge Phillipides agreed with the opposition barrister that we cannot contest Australia's sovereignty and if Euahlayi are asserting sovereignty we should not be in their court, to which the judge agreed. This

means our territorial integrity must also be recognised and cannot be challenged in their courts. In essence we are sovereign, we behave sovereign and govern within our own land, then what we do under our Law on our lands as a self governing Nation of Peoples can no longer be challenged by or within the Commonwealth and State jurisdictions.

The people promoting Recognise campaign for a referendum on constitutional recognition for Aboriginal and Torres Strait Islander Peoples should surely feel insulted by PM Tony Abbott's statement later the same day -when he resurrected the whole concept of *terra nullius* in his economic speech to Australian-Melbourne Institute [<http://www.buzzfeed.com/jennaguillaume/this-is-how-unsettled-australia-was-before-the-british>].

While we push to have sovereignty accepted, the Australian governments are paying to make new Black trackers in the guise of those running the "Recognise" campaign for constitutional recognition. These people think they are doing something nice and good but they do not understand the legal implications of what they are co-operating with. Our total demise as a race of people with a proud history and culture and the oldest people on earth will be the legacy that will be left by these new Black trackers who are promoting our demise. Good blackfellas paid by the whiteman do not help our Peoples.

We call upon all those persons to resign their positions in Recognise campaign for constitutional recognition in protest for what is happening on the ground with our people. We are not Australians. We belong to our own pre-existing and continuing sovereign Nations. To be assimilated into the illegally occupying power's British Constitution spells our demise.

The question is how members and supporters of the Recognise campaign justify supporting a racist constitution from Britain. How can they try and reconcile differences while being part of a racist and fascist regime that is ripping our people apart and wilfully destroying us and everything we stand for. How can the big R change the laws that send our people to prison and thereby decriminalise Aboriginality? How can recognition in the Constitution ensure our full entitlements of our inherent rights and protect our culture and gives us compensation from mineral resource extraction, etc?

We have survived an undeclared war and are now experiencing it over again minus the guns but through the legislative process and the promoting our demise under the banner of freedom of speech. They would never get away with these actions in the USA or Canada, but then many of our people are not that politically aware. Our mob has a great tendency to not bite the hand that feeds them such is the extent of the assault and demise of any dignity that we may have.

How can you promote the whiteman's wish while the parliaments create laws that criminalises Aboriginality. If you don't believe me, consult the recent statistics on imprisonment rates; children removed from families to adult prisons and the deaths by suicide of our youth and the self-destructive practices being committed by our young people against their own person in total frustration and inner anger. Our people need help to release us from the oppressive laws and subjugation and need it fast.

We need a reparation recovery framework to fix the trauma of the genocidal past that continues to permeate throughout our communities in order to re-emerge as the pre-existing and continuing sovereign Nations and Peoples that we are. .

Reacquaint yourself with the reality of life at grassroots.

<http://www.sovereignunion.mobi/content/when-will-income-management-critics-be-heard>,

<http://nationalunitygovernment.org/content/just-20-years-ago-indigenous-suicide-rates-were-same-rate-all-australians>

<http://www.sovereignunion.mobi/content/aboriginals-over-represented-deaths-vulnerable-children-australia>

<http://www.sovereignunion.mobi/content/jail-rate-first-nations-children-soaring-alarming-rate>

Aboriginal children taken into care due to 'misunderstandings'

More: <http://www.sovereignunion.mobi/node/956>,

<http://www.sovereignunion.mobi/content/australia-using-superior-force-suppress-movement>.

Contact:

Joint Head Spokespersons for the Sovereign Union of First Nations and Peoples in Australia www.sovereignunion.mobi

Pangarte Rosalie Kunoth-Monks – kunothmonks6@gmail.com

Ghillar Michael Anderson, ghillar29@gmail.com, 0427 292 492

Head of State of Euahlayi Peoples Republic

Background document:

In the Australian parliamentary debates on the proposed amendment to the two sections of the constitution, Prime Minister Sir Robert Menzies expressed concern about the possible legal outcomes when he said at 533 and 534 Hansard No. 13, Thursday, 1 April 1965 TWENTY-FIFTH PARLIAMENT FIRST SESSION—THIRD PERIOD:

'...the removal of what has been called the "discriminatory provisions" of section 51. On that I would, with great respect, challenge the assumption that is made. May I read the provision to the House in order to refresh its memory? Section 51 states— The

Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:— (xxvi.) The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws: It has been suggested that that provision discriminates against the Aborigines of Australia. I would have thought that the contrary was the fact. Parliament has been given power to make discriminatory laws in relation to the people of any race—special laws which would relate to them and not to other people; laws which would treat them as people who stood outside the normal grasp of the law, enjoying its benefits and sustaining its burdens in common with all other citizens. I would have thought that the perfect state of affairs in Australia would be that any Aboriginal citizen felt that he did stand equal with every other citizen before the law, enjoyed its benefits and took his own part on a proper basis in sustaining its burdens. I have no doubt whatever that this provision in the Constitution was designed having regard to conditions that existed at that time and the possibility of having to make a special law dealing with, for example, kanaka labourers—perhaps a special law to deport them from the country or to confine them to some particular area. There was a good deal of discussion about this at the time this provision was framed. Therefore the framers of the Constitution inserted this provision, but they left out the Aboriginal race because they did not want to discriminate against the people of the aboriginal race. All we have to do now is to cross out this reference “other than the aboriginal race” and we confer on this Parliament a power to make a special law which relates to the Aborigines and to no other people.

Mr Reynolds.—But

Sir ROBERT MENZIES.—If you do not mind I want to pursue this. I do not think it is at all out of place. There is a second point about it, and this does concern me. If the Commonwealth, as one of its heads of power under section 51, has the right to pass special laws with respect to the Aboriginal race, I wonder what limitations will be on that separate head of power. Would this enable the Parliament to set up a

separate body of industrial laws relating to Aborigines or some other kind of law— health laws, quarantine laws or laws under any of the other powers of the Parliament? It may well be true that it could because, make no mistake about it; this would be a head of power standing not inferior to any other power contained in section 51. That is a matter that requires a great deal of thought. I do not want honorable members to think that I have arrived at some positive conclusion about it. I am raising it here in order to indicate that it wants a good deal of thought and that we would want to give it a great deal more investigation than we have before we favoured changing the provision in section 51. But we would be very happy to see the end of section 127.'