



Sovereign Union of First Nations and Peoples in Australia
Asserting Australia's First Nations Sovereignty into Governance
www.sovereignunion.mobi

Media release

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***Anderson: Finding solidarity in the core of the
resistance to 'recognition' in the racist constitution.***

Ghillar Michael Anderson, Convenor and Joint Spokesperson of the Sovereign Union and Head of State of the Euahlayi Peoples Republic said from Orange today:

“The time has come where we must draw the line in the sand to use Arabunna Elder, Kevin Buzzacott 's statement: 'The Black Line is drawn', in respect to the issue of constitutional reform and recognition.

We must now call a spade a spade. We can no longer pretend that there is a markedly wide chasm between those Aboriginal people who were taken away from their roots and/or were separated from their people by way of the 'Dog Tag' , or as it was known 'the Exemption Certificate'.

It has been said for many years past that those who were given 'exemption' and granted franchise within the white society (granted civil and citizen rights) had a greater association with the white establishment than those who were forced to live in poverty in fringe dwelling shanty towns and/or government mission stations where the peoples' right to have freedom of movement, freedom of association were restricted by law.

Many of these people refused to recognise their Aboriginality and were either Maori, Indian , Afghan or some other ethnic race other than their own and it is the descendants of these people who now have control of Aboriginal organisations at the local and national level. The bitterness between the families of those exempted and those who were denied human rights the differences between the two is yet to be healed and remains a very sore point within many families. Too often our people point to them as our betrayers.

The people on shanty towns and government reserves/mission stations were nothing more than slaves to the invader State, essentially forced to be the workforce for the invading land holders, the stealers of our lands. We became refugees and displaced peoples in our own land begging for our survival, and as the laws of this country stated we were not franchised people, we were non-entities, aliens, to the dominant society.

The Commonwealth of Australia calls itself a civil democratic society providing fair and just balance for all its citizens, but for those of us who are not citizens, such as Aboriginal people and the now known 'illegal boat people' we are still locked out of the mainstream discussions on our rights, while a selected few have been given the right to speak for and on our behalf.

In our case I am so bold as to say that those who are currently engaged in government discussions about our future the majority have come from a background of being part of an exempted family who had greater opportunity than those of us stuck in shanty towns and mission stations, living from day to day on whatever we could find to sustain our existence. Those forcibly removed from their families were privileged enough to get an education, while at the same time remaining on the

outside of an association with their own people, who were still under government control as aliens.

It is a sorry state of affairs when we find we are set against each other. If we are to examine those running the campaign for 'Recognition' and constitutional reform we will find the majority come from that class of people who had very little if any experiences of growing up in those shanty towns or mission stations. Of course they will all be able to point backwards and say many of our families came from there and lived there, but that is not the issue. The issue is: Do they personally understand the trauma associated with being forced to live in those conditions with no rights at all and which continues to pervade out communities. I think not.

Our disappointment is that if the whiteman's education is a tool of enculturation and not education, then we are truly in danger of being assimilated without our knowing it and we will continue into the future with many of our people being churned out in the same mould as Noel Pearson, Marcia Langton, Michael Dodson and Warren Mundine – cowards hiding under the shade of the umbrella of the white masters and who are now the privileged and elite of our society, not accepted by any one community.

If these people truly had their peoples' interests at heart they would be calling for a just process on this question of Constitutional Recognition and Reform. What they should be calling for, as we are, is to follow the pathway established by Timor Leste, Scotland, New Caledonia and give our people a chance to first have a robust debate and education process, with all the cards on the table and have the community discussion that is required to fully understand the comprehensive length and breadth of ramifications of the proposed constitutional recognition.

Then let us decide amongst ourselves, by way of a co-ordinated referendum or plebiscite, so that we can decide our fate ourselves.

The mainstream population of Australia is being conned yet again, conned into believing that we want something that we truly don't know the content and possible consequences of:

- a) what will be the wording of this referendum?
- b) what rights will it establish, if any?
- c) will it make us Australian citizens, without naturalisation papers?
- d) will it force State, territories and Commonwealth governments to change all laws relating to Aborigines and Torres Strait Islanders?
- e) what effect will it have on Native Title Rights?
- f) What effect will it have on all the Land Councils throughout Australia?
- g) Will it mean that quasi-government organisations, such as the NSW Aboriginal Housing Office will be dismantled and incorporated into the mainstream housing sector?
- h) will it mean all Aboriginal cultural heritage legislation and our heritage is owned by the Crown and not us?
- i) will it mean that all languages and other educational instruments of our Aboriginality will be abandoned? The list goes on.

It is my assertion to all concerned that this is the intent of genocide in its rawest form. We will be finished as a distinct race of people, approved of by the selected few chosen Aboriginal people. This is wrong. This is wrong and absolutely unjust!.

If we are going to be wiped out through assimilation like this, then we must stand and fight by whatever means possible and people such as Tom Calma, Tanya Hosch must bear the brunt of the responsibility of this horror that is hanging over the heads of our people.

The Sovereign Union's Unilateral Declarations of Independence are an alternate to being wiped out.

We have a vision. We have a pathway using the laws available to us under international legal and political norms. This is our way of retaining who we are. This is our way of maintaining our identity and ancient cultural responsibilities. It is not about calling conferences and having meetings any more. We must act, and act now! Let's look at our alternatives and options and then make our decisions accordingly, and for those who have been removed and isolated from their ancestry as Aboriginal people, the Sovereign Union welcomes you. We are here to talk with you so that you can begin to find your way Home.

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BACKGROUND:

FINAL NOTICE

BLACK LINE IS DRAWN

Whereas the time has come to clear the blockage to understanding and make peace;

Whereas Aboriginal Nations and Peoples are the oldest living culture in the world and hold the key to survival;

Whereas Aboriginal Nations and Peoples have a spiritual relationship to the land and love the land. The land is the foundation of a complex system. From this system flows our Law, religion, social structure, culture, birthright, kinship, title to our ancestors' lands and Sovereignty;

Whereas Aboriginal Law, the laws of the lands and the Peoples of this country, like the sun, cannot be extinguished as they are the laws of creation. They will always be, as it was from the first sunrise;

Whereas in the language of the earth, our Old Peoples, our Sovereignty just is. It is our natural right. We do not need it legitimised by the thief, we need the thief to stop the stealing, the desecration and prevent the genocide.

Whereas Aboriginal Nations and Peoples have owned and occupied the land now known as Australia for thousands of years, since the Beginning, and remain today as always the Sovereign owners of this country;

Whereas our Sovereignty is evident through natural law processes of Elders in Council, men's business, women's business, bloodlines back to territory and is the basis of a highly ordered and sophisticated society;

Whereas under the rule of international law, Aboriginal Nations and Peoples have never surrendered nor acquiesced in the original claims to our lands and territories;

Whereas the resistance to invasion has been so aggressive and protracted that the frontier has been described as a line of blood. The resistance has never ceased nor abated to this present day;
Whereas Aboriginal Peoples have survived massacre, systematic poisoning of food, flour and water, germ warfare, deliberate removal of children from our families, incarceration, killing in custody and other crimes against humanity;

Whereas the Aboriginal Tent Embassy, representing Sovereign Aboriginal Nations, has flown the flag of resistance since 26 January 1972 and spearheads the struggle for recognition of Aboriginal Sovereignty;

Whereas Captain James Cook disobeyed the legally binding orders given to him by the British Admiralty on 30 July 1768:

You are with the consent of the Natives to take possession of convenient situations in the country in the name of the King of England.... Or, if you find the country uninhabited, take possession for His Majesty by setting up Proper Marks and Inscriptions, as first discoverers and possessors.

Whereas the invaders' High Court, in the decision of Mabo, had the opportunity to make what was unlawful lawful. Instead the court maintained bad law, that is laws that are imposed up on the Peoples of the land, by the power of force, and not the power of love or the power of law. The Court decided:

...it must be accepted in this Court that the whole of the territory designated in Phillip's Commissions was, by 7 February 1788, validly established as a "settled" British colony.

Mabo - vs - Queensland (no.2) p.69

Whereas the outdated imperialist doctrine of act of state is used to conceal the invaders' lack of sovereignty:

It was an act of state by which the Crown in right of the colony of Queensland exerted sovereignty over the islands. Whatever the justification for the acquisition of territory by this means there can be no doubt that it was and remains legally effective.

(Mabo, ALR 1992 , p121)

but there is doubt and we do challenge the lawfulness of the thief. In the name of law and justice it is our responsibility to stop the attempted ecocide, ethnocide and genocide that is stealing the future from our children's children.

Whereas Aboriginal Sovereignty has never been extinguished by cession, nor by treaty, nor by formal purchase, nor by conquest, nor by annexation, nor by Act of State, nor by prescription, nor by inter-temporal law, nor by peaceful settlement of an uninhabited land, *terra nullius*;

Whereas the Commonwealth of Australia, as successor in title from Britain, is not a lawfully constituted nation and as such is an occupying power that is illegally in occupation of the lands of Aboriginal Peoples. The identity of the coloniser rests on lies not laws, on hate and not love;

Whereas true sovereign title to the land now known as Australia, the unencumbered root title to land, remains with the Aboriginal Nations and Peoples who are now captive nations and, despite being subjected to alien subjugation, domination and exploitation, have refused to surrender identity;

Whereas all colonised Nations and Peoples have the right to be free from alien subjugation, domination and exploitation. Australia's continual denial of Aboriginal Sovereign Rights and refusal to begin the process of decolonisation of Aboriginal Nations and Peoples constitutes a denial of fundamental Human Rights. Australia's conduct is a flagrant breach of international law, contrary to Article 1 of the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation;

Whereas the colonised Aboriginal Peoples and Nations call for the decolonisation of our territories and that our legal status be recognised in International law as the First Peoples of this land named by the colonised as Australia;

Whereas Aboriginal Nations and Peoples call for the recognition of our inherent right to self-determination;

Whereas each Aboriginal Nation has had a defined territory, population, language, government and an ability to enter into legal relations, or treaties, with one another. The relationships have been determined by Aboriginal Law.

Whereas there has never been a time when Aboriginal Nations and Peoples have relinquished the right to speak and negotiate on our own behalf;

Whereas the Aboriginal and Torres Strait Islander Commission (ATSIC) does not represent the Sovereign Voice of the Aboriginal Nations and Peoples, neither does it qualify for its Non-Government Organisation, NGO, status in the United Nations as it is a government commission dependent on government, an agent of the coloniser;

Whereas on 26 September 1993 the consensus of a full national Aboriginal meeting rejected the proposed Native Title legislation, and burnt the draft bill on the mosaic in front of Parliament House. The Aboriginal negotiators of the Native Title Bill were given no mandate from the Aboriginal Nations and Peoples as the national voice had outright rejected Native Title legislation in favour of pursuing the path of Aboriginal Sovereignty;

Whereas the Native Title Act was imposed on Aboriginal Nations and Peoples without consent. Aboriginal “leaders” who, with no mandate, negotiated the drafting of the Native Title Act in 1993, have publicly admitted they were ‘political fools’ when they agreed to the validation of the colonisers’ land titles (Australian, 31 May 1997). These “leaders” are without lawful right to enter such an agreement. Lawful title continues to be held by traditional owners.

Whereas the Native Title Act claims to extinguish Aboriginal rights to land and attempts to validate the colonial land grants. Native Title, under the Native Title Act, is the weakest form of recognition.

Whereas Aboriginal Nations and Peoples continue against great odds to take care of the land and to keep the Law strong and it is now time for the Australian and the International communities to show respect, recognise and appreciate Aboriginal people, our country and our laws.

Whereas Australians, can only become lawful in this land when they have entered into a relationship with the laws of the Sovereign Aboriginal Peoples;

Whereas we call upon all peoples of Australia to enter into a Treaty with the Sovereign Aboriginal Nations and Peoples regarding the future of this country we now call Australia. A Sovereign Treaty recognises us and our responsibility to care for the land as the rightful caretakers empowered to heal our country;

Whereas the Australian constitution has suppressed but not displaced Aboriginal Sovereignty, which is the only true constitution for the new millenium;

Whereas the survival of the country is at stake and the country is talking. By breathing life into the Old Law in its contemporary form, we can recreate the sweet beautiful world where the needs of the babies, the children and those yet to be born can discipline the rule;

Whereas Aboriginal Peoples have come from too far to turn back and know there is a peaceful way or a hard way for this country;

Whereas it is a cruel hoax for Australians in illegal occupation, to want to feel sorry for us and justify a history of dispossession and genocide by speeding up mainstreaming through the process of “reconciliation”. The solutions will not be found in the mere provision of housing, employment and education in a mainstream context;

Whereas our country is becoming sick, all the people are sick and getting sicker, the rivers are dying, the soils are poisoned and desolate from the stripping of its trees, our air is a toxic mess no longer protecting us from the sun’s deadly rays;

Whereas the land needs the people and all of our stories and songs need to be told and sung, not for entertainment or education but for the survival of us all.

Whereas when the last of the Aboriginal owners of the land are gone and the country is no longer cared for, all the foreigners and their offspring will also be gone. The death of ourselves, the Aboriginal Nations and Peoples, will mark the passing of all humankind;

Whereas the Fire is the thing that will make or break you. The Fire is the healing that will take you home, that will fix you up and enable you to share the obligation to care for country;

The Old Country is now talking through the Fire. Be Aware. It is time to listen to the ancient voice, the Sovereign Voice, the ancient energy of the land. This is the true government, the true authority for this country. All members of the parliament of the Commonwealth of Australia are invited to begin the process of becoming lawful in this land.

All members of the parliament of the Commonwealth of Australia are warned of their knowing complicity in continuing and furthering acts of genocide by systematic denial of Aboriginal Sovereignty and of the need to reparate for crimes against humanity.

With Year 2000 the International Year for Indigenous Sovereignty, unless the issue of Aboriginal Sovereignty is addressed in a legalistic way in this country, Australia will be further incriminated in the international arena.

The Black Line has been drawn. All members of the parliament of the Commonwealth of Australia are accountable to the Old Country and our Peoples and have been on notice to be present at the Aboriginal Tent Embassy to be read the Ancient Rights of this Country under Aboriginal Law.

This is a peaceful protest. We are peaceful Peoples. You have failed to appear before the Fire at the Aboriginal Tent Embassy. We are asking you in a peaceful way: Please go and take your legislation with you. We are hereby giving you a Final Notice to come and be read the Ancient Rights of this Country under Aboriginal Law. If this is not done before your parliament adjourns an eviction order will be issued.

The message clearly is the sooner you come and listen the better. This Old Country is too ancient to be governed by the ignorant. The rightful people for this land are those who respect our Law and our Land. At the end of the day we are about peace and freedom.

Sovereign Council of Aboriginal Tent Embassy

31 March 1998