

## **Sovereign Union formal objection to the Act of Recognition**

To:

The Crown via the Governor General of Australia, Quentin Bryce  
Commonwealth Government of Australia with our

### ***Website Introduction to the serving of formal objection***

*13 February 2013*

*Aboriginal Sovereign Union diplomat Graham Merritt, speaking today from Parliament House Canberra said:*

*"Today is an historic moment, when on behalf of the Sovereign Union I am serving the Crown via the Governor General Quentin Bryce and the Commonwealth Government of Australia with our formal objection to the Act of Recognition.*

*"This Act of Recognition is a sleight of hand, as the Crown and Government continue to bypass proper recognition of our continuing Sovereignty. The Commonwealth Government is using the reform process to attempt to bring Sovereign Aboriginal Nations and Peoples into the Constitution of a foreign illegal occupying force."*

*"Now that the Crown and Commonwealth Government have the Sovereign Union's written objections they cannot claim ignorance of the significance of our Sovereign position, nor do they have the free, prior and informed consent of Aboriginal Nations and Peoples to usurp our sovereignty."*

*"Even more insulting to me as a member of the Stolen Generations is that the Federal Government is doing this on the fifth anniversary of the Apology. Since the Apology the Commonwealth Government has further stripped back our human rights. Now they want to use the Act of Recognition to achieve the legislative equivalent of Constitutional Reform, usurping our Sovereignty in a way that attempts to undermine our inalienable connection to country and our true ownership of the Land and Waterways that are so significant to us: the rocks, the hills, the rivers that will always be a part of our culture and traditions.*

*Sovereignty is the most important issue today in this country they now call Australia. The Gillard Government may be educated but we as an Aboriginal Sovereign peoples are smarter and are here to stay. Our proposed solution is the negotiation of Sovereign Treaties, or other instruments under international supervision such as a Peace Accord.*

**Timing:** Presenting to Senator Rachel Siewert at 2pm, Parliament House, Canberra. Meet in Parliament House foyer at 1.45pm followed by a presentation to the Governor-General at Government House, Yarralumla

Contact : Lara Pullin Sovereign Union 0433 449 024

Attachment ...



**Sovereign Union of First Nations and Peoples in Australia**

Asserting Australia's First Nations Sovereignty into Governance

[www.sovereignunion.mobi](http://www.sovereignunion.mobi)

13 February 2013

## **OPEN LETTER**

Dear Governor-General,

### **Re: Sovereign Treaty not the Act of Recognition**

Please find attached Act of Sovereign Union that has been endorsed and adopted by several and various nations within Australia.

Correspondence between us, the Queen of England, Prime Minister Ian Cameron of UK and his Parliament, which was responded to by the British Foreign Office confirmed to us that there has never been any form of Treaty, Compact or arrangement that signified that Aboriginal Nations and Peoples around this nation have ever ceded their sovereignty to England during and after British invasion in 1788, nor is there any evidence that Aboriginal and Torres Strait Islander Peoples have ever acquiesced to the current Australian system after the establishment of the various State legislatures nor to the Federal government after Federation in 1901.

Reading of past court cases from the 1830s and the 1840s clearly demonstrates that the legal system during its formation in the colonies was at a total loss as to the legal status of Aboriginal people, in particular the jurisdiction of the courts and their ability to prosecute Aboriginal people.

In the Jack Congo Murrell case of 1837 the full Supreme Court concluded

that they had legal jurisdiction because as Chief Justice Forbes states if Aborigines were to be afforded the protection of English law then they must be subject to it. In legal terms the Supreme Court erred, because any reasonable person within the legal jurisprudence knows that if there are no legal foundations or precedents and/or in the absence of legislation, then this decision is flawed. In response to the court's conclusion Jack Congo Murrell's lawyer, Sidney Thomas, then said that if Murrell was to be prosecuted as a British subject then surely he was entitled to bring a case against the British Crown for compensation for the lands that had now been taken from him by force.

It was at this point in time that the court examined how land can be acquired and the court concluded that land could only be acquired if the occupiers of the land were conquered as a result of a declared war; voluntary cession on the part of the original inhabitants; or the country was barren and therefore unoccupied by people which made it terra nullius. We know the court in the Murrell case decided that the Aboriginal people were in no way in a state of civility that they could be regarded as an organised society governed by their own, capable of believing in the higher order of the Supreme Being e.g. God, thus they were without religion of any form which categorised them into a state that could be likened to a civil sovereign society of people and as a consequence the country was not peopled by a civilised society and therefore terra nullius. It was from this position that Australia maintained the lie of terra nullius, that is, until the High Court Mabo 1992 decision. Since this date all we have seen are newly imposed injustices through legislation at the Federal and State levels that continue the perpetration of a lie, creating laws that prevents them from having to pay just compensation for land and our resources being illegally removed from our Peoples. Therefore maintaining the tyranny of dictatorship over our Peoples and thereby maintaining our Peoples' state of poverty, having to rely on government and welfarism for our continued survival.

In respect to this proposed Act of Recognition we recommend this matter be referred to the Joint Parliamentary Committee on Constitutional and Legal Affairs to look at its possible legal impacts on Aboriginal Peoples' continuing sovereignty. Aboriginal people do not want to be involved or engaged in deceitful legal deceptions. We are tired of being dictated to and remind you that Senator Aiden presented a petition to Senate declaring Aboriginal Nations and Peoples have never ceded our sovereignty.

We have looked at the Bill for the Act of Recognition and the words chosen are so deceptive that the legislative draughtsmen have chosen

words 'first inhabitants'. The wording does not give recognition to any legal title First Nations and Peoples have as owners of this land under OUR law and custom. The words chosen in respect of our status as First Nations and Peoples is equivalent to that of a kangaroo or wallaby who also occupy this land under their customs, whereas as we humans have no title proclaimed as the original owners of this land under our law and customs. We are always classified as guardians or custodians, which is a clever legal play on words, that fails to give recognition to our title as the true land owners.

In conclusion it is more appropriate at this time for the Federal Government to be considering a plebiscite amongst Aboriginal Nations and Peoples as to whether they want to become part of an assimilated multicultural society, But it appears that all political parties continue to pursue their own political agenda as defined in the 1930s and 1960s that Aboriginal Peoples must be assimilated into a single Australian society observing the same customs and beliefs as all other Australians. But this is absolutely contradictory when we consider the Jews, Catholics, Anglicans etc. who have their own private schools. Moreover, they have their own churches, mosques synagogues and temples where they pray and observe their own religion. As Aboriginal Peoples we are not afforded the same courtesies and respect.

Sincerely

Michael Anderson

Convenor

Sovereign Union of First Nations and Peoples in Australia

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1 Attachment:

Act of Sovereign Union

<http://nationalunitygovernment.org/pdf/Act-of-Sovereign-Union-12Feb13.pdf>