

## Australia Dossier by Robert Barwick and Allen Douglas

### High Court pushes 'land rights'

*The Dec. 23, 1996 "Wik decision" turns the continent over to the British Crown's mineral cartels.*

In September 1996, the armies of Uganda, Rwanda, and Burundi invaded eastern Zaire. Four months later, on Dec. 23, Australia's High Court issued its "Wik" decision, named after an aboriginal tribe in northern Australia, which stated that vast swaths of the continent could be claimed under the notion of "aboriginal land rights." Both events were directed by the British Crown's Privy Council. Although the means used in the two cases are slightly different, the intended ends are identical: in the face of looming financial collapse, to secure for Crown-controlled multinationals such as Anglo American Corp. and Rio Tinto Zinc (RTZ), some of the richest mineral deposits on earth.

The High Court's decision has caused pandemonium in rural Australia, particularly in Queensland and Western Australia. In the latter state, which is one-third the area of the entire United States, 74% of the state is *already* under "aboriginal land claims." In Queensland, federal Member of Parliament Bob Katter told the Brisbane *Courier-Mail* on Dec. 27, that a "racial powderkeg" was being created, and that unless the problem were "sorted out soon," the state's \$2.3 billion cattle industry would be decimated.

The Wik case followed the 1992 High Court "Mabo decision," which for the first time established the notion of "aboriginal land rights." But, until the Wik decision, it had been assumed that only vacant Crown land, as opposed to privately owned or leased land, was affected. Now, anything may be claimed.

The "aboriginal land rights"-environmentalist movement in Australia

was established by Prince Philip, personally, during a 1963 visit, when he set up the Australian Conservation Foundation (ACF), a subsidiary of his World Wildlife Fund. A series of articles in 1995 in the *New Citizen*, the newspaper of Lyndon LaRouche's Australian co-thinkers in the Citizens Electoral Council (CEC), showed how an unholy trinity of the ACF, the Privy Council-controlled High Court, and Australia's (usually British-owned) major mining companies have made use of land rights and environmentalism to destroy Australian sovereignty.

The founding chairman of the ACF, for example, was Sir Garfield Barwick, the Chief Justice of the High Court, and a member of Her Majesty's Privy Council. In 1971, Barwick called for the ACF to become much more radical. Not wishing to appear "biased," because he was still the Chief Justice, he asked Prince Philip to replace him as ACF boss. The royal consort took over this job from 1971 to 1976, and then turned the post over to the man universally known as "the father of aboriginal land rights," H.C. "Nugget" Coombs, who had been for decades the chairman of Australia's Reserve Bank. And, in 1975, when then-Prime Minister Gough Whitlam proposed to "buy back the farm," to repurchase Australian sovereignty over its vast mineral wealth, Barwick, on behalf of Queen Elizabeth, directed Governor General John Kerr to dismiss Whitlam.

Meanwhile, the chairman of the ACF's "Benefactors Committee," i.e., its chief fundraiser, was Sir Maurice Mawby, Commander of the British

Empire, the founding chairman of Conzinc Riotinto Australia (CRA), a subsidiary of the world's largest mining company, Rio Tinto Zinc, one of whose largest stockholders is the Queen. Already by 1994, some 32% of Australia was locked up under Aboriginal ownership or in vast "conservation preserves," modelled on Africa's game parks.

As a "solution" to the mayhem unleashed by the Wik decision, the ACF and its raw materials cronies are now pushing "regional agreements." As applied in Canada, where they were first developed, such agreements carve out vast pockets of self-ruling land, such as the indigenous Inuit "nation," Nunavut, which covers one-third of Canada, and sits astride some extraordinarily rich mineral deposits. In the course of selling its Century Zinc mine in Queensland, perhaps the richest such mine in the world, RTZ-CRA is pioneering one of the first major regional agreements in Australia. Instead of taking the Queensland state government's offer to pass legislation to ensure that Century Zinc can in fact be mined in the face of "land rights" claims, RTZ-CRA is going the "regional agreement" route.

On Jan. 24, the ACF's executive director, Jim Downey, called for Century Zinc-style regional agreements to be negotiated all over Australia, like the one the ACF itself negotiated in northern Queensland with the aboriginal Cape York Land Council. That council's key adviser is Noel Pearson, an aboriginal regional agreement activist who recently joined the Melbourne law firm of Arnold Bloch Leibler, taxation specialists to many of Australia's largest companies. Pearson's call to make the RTZ-CRA plan the "model" for all Australia has now been endorsed by Chernyl Kernot, the leader of Australia's third largest political party, the Democrats.