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To all OSTF member Tribes, and others ...

Original Sovereign Tribal Federation

Press Release - ~1 FEBRUARY 2013

'The 1967 Referendum and Constitutional Inclusion'

Why Would they Wish To Include Us Now who benefits ?

In 2010, only two months after a number of Tribes formed the Original Sovereign Tribal Federation (OSTF) by way of a series of Ceremonies across the continent and created a Treaty between those Tribes which highlighted the flaws in the Crowns claim to Sovereignty here, the Prime Minister came out and stated that *'We need to bring the Aboriginal people under the Constitution.'*

The OSTF does not agree with the concept of the Tribes being 'included' in the Crowns' Constitution as this represents another step toward our complete assimilation into the Corporate State. A catastrophic step for the welfare and continuity of the Tribes. Particularly given our right to freedom - our right to retain our own separate, Sovereign State and be Self-governing exists.

The OSTF stated in a Press Release in August 2010 that, *'In order for the various Australian governments to complete the fraud of unlawfully usurping the Sovereign status and authority of the Original Tribes of this island continent it requires the icing on the cake of a constitutional inclusion which it will be claimed has the effect of skull-dragging the Tribes under the jurisdiction of the parliaments of the Commonwealth and the various states and territories.'* The OSTF stands by that prediction.

In a Media release in 2012 by the CONstitutional reform group 'You Me Unity', the "expert panel" of Crown-paid Indigenous leaders (including the same old sellouts) concluded in its recommendation for CONstitutional inclusion that: *"The overwhelming success of the 1967 referendum is a reminder that constitutional change in relation to Aboriginal and Torres Strait Islander peoples can generate majority support."*

This dodgy and misrepresentative claim by the usual government stooges, is clear enough validation that this "expert panel" are working in the interests of the Crown and not the Tribes.

The 1967 Referendum did NOT remove Sovereignty from the Tribes. It was nothing but a scam pulled by the Crowns minions over an uninformed people - Australians. All it achieved was consent from the British subjects living here to amend Section 51.26 and repeal Section 127 of the Constitution.

These two sections were negative averments (statements) which deny the Crown certain rights. In

particular, they deny the Crown the right to make laws for the Tribes and the Right to count the Tribes as part of the population of the Crowns' Commonwealth or any part thereof (any State or Territory). The referendum of 27 May 1967 merely removed these two negative averments, yet, due to the limitations of the Order In Council of Queen Victoria of ~2nd August 1875 the Crown could not replace them with positive averments. In other words, the removal of the negative text did not provide the Crowns ANY right to assert a positive claim. It STILL can not make laws for Us nor count Us as part of its' population.

It is a fact that the 1967 referendum was decided by British subjects and NOT the Sovereign Tribes. When those British subjects, to whom the Constitution applies, decided to amend THEIR Constitution in as much as it spoke about the Tribes - the issue of the acquiescence by the Tribes of Our Sovereignty was never considered. It was neither part nor parcel of the consideration by the Tribes in respect of our acceptance of, nor admittance to, 'Australian citizenship'.

The 1967 referendum was nothing but a fraud designed to smokescreen the fact that the Crown did not – and still does not hold Sovereignty over the Tribes lands. That is also why the Native Title fraud was introduced – to try to launder the Tribes lands to the crown Corporation.

The OSTF has also exposed that fraud in detail – another fraud supported by those who would deceive the Tribes.

In order to fully and clearly comprehend what Section 51.26 of the CONstitution meant, we need to look at the Quick and Garren Annotated version. It states clearly that the Crowns parliament could make laws for *'the affairs of people of any race with respect to whom it is deemed necessary to make special laws not applicable to the general community; but so that this power shall not extend to authorize legislation with respect to the affairs of the aboriginal native race of Australia and the Maori race in New Zealand.'*^[1]

The Crown made its' intentions in respect of the Tribes clear upon the creation of Section 9 of the United Kingdoms' statute titled *63 & 64 Victoria Chapter 12, An Act to Constitute The Commonwealth of Australia Act 1900* UK, that the tribes were not to be governed by the laws of the Commonwealth nor any part thereof – nor were we to be considered as being a part of the population thereof.

Having been created by way of the Royal Ascent of the Monarch of the UK parliament, the 'Constitution' is just like all other statutes of the Crowns' UK and minion parliaments, they apply to British subjects ONLY ! The Tribes have NEVER been British subjects - most certainly not to the exclusion of their right to remain Tribal Sovereigns first. A verbal claim by the Crowns agents that we are British subjects doesn't cut the mustard either – that claim does not carry weight under their own law, let alone Tribal law - which IS, incidentally, still the first and oldest surviving law of this continent, and has authority over the Crown Corporations statutes.

The assertion by some that the Tribes have been British subjects since the arrival of Arthur Phillip is laughable. It's laughable because of one simple fact - if the Tribes were in fact British subjects then it would have been mandatory, under the Crowns own statutes and common law, that the Tribes must be properly and fully compensated for any and all lands and natural resources the Crown takes from us.

It must also be remembered that the Tribes have never bargained with nor in respect of Sovereignty over Tribal land/s or selves. The lands remain the property of the Tribes.

The OSTF Member Tribes do not care who it is that claims they hold Sovereignty over OUR Tribal lands.

We suggest whoever it is that makes such a claim must show Us the carved Stone, the Bark instrument, the carved Boomerang, Message Stick or whatever they claim they have that they suggest evidences the Tribes intentionally, knowingly having sold OUR lands to the Crown or any of its' agents.

To the Malezers, Pearsons, O'Donohues and others who support Native Title and Constitutional inclusion, please, don't prattle on about Constitutional Inclusion as you slyly and slimily continue to use every deceptive, underhanded weapon at your disposal to deprive the Tribes of what is rightfully and lawfully Ours as you attempt to ethnically cleanse the tribes from the records or commit genocide to destroy or assimilate us physically.

If the Crown wishes to attempt to 'include' OSTF member Tribes into and or under its' corporate constitution, then BEFORE it does so it will need to come and sit with the Elders of the OSTF Member Tribes and discuss how, when, but more importantly – why, WE would benefit from taking the step of submitting to the Crowns' jurisdiction by becoming British subjects under the Crowns' COMMONWEALTH OF AUSTRALIA' CON-stitution Act ?

An 'act' we are not at all predisposed to taking.

Gunham Badi Jakamarra

Convenor

Original Sovereign Tribal Federation

[\[i\]](#) Commentaries on the Constitution of the Commonwealth of Australia