



Arthur & Evelyn Tuck

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The Research Director  
Legal, Constitutional and Administrative Review Committee  
Parliament House  
Brisbane 4000

Dear Sir,

**Proposed Bill of Rights for Queensland**

I am opposed to a Bill of Rights. Any such Bill of Rights would be an Act of Parliament. It would therefore in effect be the State giving rights. If it is accepted that my rights come from the state then the state can limit and remove those rights as it pleases.

The USSR had high sounding statements in its Constitution of "The Basic Rights, Freedoms, and Duties of Citizens of the USSR" as reported in "Human Rights in the Soviet Union" a Commonwealth Senate 1979 report. The following are a couple of examples:

Article 52 stated "Citizens of the USSR are guaranteed freedom of conscience, that is the right to profess or not to profess any religion, and to conduct religious worship or atheistic propaganda...". But this did not stop the state making eight pages of "Law on Religious Associations" very severely limiting and removing that "guaranteed freedom". What the state gives the state can take away!

Article 55 stated "Citizens of the USSR are guaranteed inviolability of the home. No one may, without lawful grounds, enter a home against the will of those residing in it." But that did not stop the state making any cause they wished "lawful" to knock at midnight and take anyone away they wished!

**Rights come from God**

I enclose a copy of a book I have just published on the significance of the Coronation Ceremony for Australia entitled "Sovereignty in Australia". Please read it because it is very relevant to your considerations of the preservation and enhancement of the individuals rights and freedoms.

The Coronation Ceremony dates back almost unchanged for a thousand years. It was a ceremony watched by more people through film and TV than had ever watched any ceremony in the history of mankind up until then. The whole ceremony makes clear that in the appointment of our Queen that God alone is Sovereign.

The acknowledgment of God as Sovereign has profound implications for law and government as laid out on page 32 of my booklet:

- Each one is a unique creation. There has never been another person in the whole of history just like you. Each one has infinite value. Each one is an irreplaceable miracle.

- Morality is absolute. God, the Creator has given us the Commandments as the Makers Instructions.
- We are each personally responsible to our Creator as to how we live.
- The Bible does not speak of rights but rather of privileges and responsibilities - responsibilities to God and to our fellow men. At least 16 times in the New Testament we are told to love our fellow man - that is to seek his good and do as we would like him to do to us.
- All authority derives from our Creator – and therefore all and any authority we may exercise over our fellow men is a delegated authority from God as servants to our fellow men to help them fulfil their responsibilities to their Creator. The parent's, policeman's, judge's and law maker's authority are all delegated authorities from God.
- Government is therefore to serve the people. It follows therefore that governments should be limited and close to the people so it can best serve their particular needs. Jesus said "he who would be great among you shall be your servant".
- It follows that no government can "give" rights. Any rights I have are from God.
- Government itself is subject to God's Law.

Our whole system of government and law was founded on this basis. But I suggest our rejection of God as sovereign is at the root of much of our problem with infringement of personal rights and freedoms. The following results from a rejection of God as Sovereign:

- **Personal Significance:** An individual is no longer a unique creation of God but is reduced to an accident of nature - a chance grouping of molecules - of little more significance than a number or a statistic, to be manipulated, used, controlled and discarded. He has no eternal significance or soul. He is an animal and the laws of animal husbandry apply. If some are infected with wrong ideas then they should be liquidated as have at least 120 million under communist regimes this century. If some are inconvenient and weak then they should be eliminated as are 80,000 unborn babies each year in Australia and (1.5 million) world wide.
- **Morality:** Since there is no God there is no absolute right and wrong. Ethics are situational and autonomous. You may do what feels right at the time - or what society and those stronger than you allow you to get away with! Do what "works for you"! These are the ethics taught in our schools today - there is no place for the authority and absolutes of God's Law.
- **Human Rights:** Because the individual has no significance there is a pressure for the state to legislate "Human Rights". In practice this becomes a way of negating God's Laws and His Order for society. Also if our rights derive from the state then what the state gives the state can take away.
- **Law:** Law is cut from its roots and becomes arbitrary and in fact often contradictory.
- **Authority:** Since there is no God, authority derives from Man. So anyone in authority tends to act like a god and authority becomes tyrannical, dictatorial and arbitrary.
- **The State:** Since the powerful state is called on to provide every need and answer every problem the state becomes god and the ministers of the state act like it!

"The State is my shepherd  
I shall not want....." !

It is another religion - a false religion not based on reality - a religion called humanism which can masquerade under many different guises.



I believe that because of this false view of reality government and government agencies are trying to control and regulate everyone and reducing this beautiful country dictatorship of the bureaucracy!

To rely on a Parliament to enact a "Bill of Rights" would be to permit Parliament and the Courts to limit those rights.

A Bill of Rights often is used to impose an alien morality on the majority. As an example the Queensland Anti Discrimination legislation has limited my right to decide who I employ or do business with.

The most important way to protect individual rights and freedoms is therefore as a nation and as individuals in the nation to return to the acknowledgment of God as Sovereign and all that this implies. In particular Government would be again the servant instead of the Big Daddy.

I realise this would be a major shift at this time and would take time.

### **Citizens Initiative and Referenda**

I believe another way to protect the individual to the worst excess of government is to provide for Citizens Initiative and Referenda.

When a new law is passed by Parliament it would sit for say three months during which time any citizen who did not like it could seek to collect a certain number of signatures for that proposed law to be subject to a referendum. If he collected sufficient signatures then the government would be obliged to submit the proposed law to referendum.

In addition a citizen could collect probably a larger number of signatures to force a referendum on a new law proposed by him.

A citizen could also initiate a constitutional referendum but for this he would probably need even more signatures.

The number of signatures required to trigger a referendum should not be too small so as to exclude trivial matters but should not be too large as to be unattainable.

It is also possible to enable a referendum to be called for the removal of an appointed or elected officer of the state.

This has worked well in Switzerland as explained in an excellent treatise "the Peoples Law" by Geoffrey De Q Walker of Queensland University.

Because of the ability of the People to initiate a referendum Parliament is very careful in Switzerland to avoid enacting unpopular legislation. Therefore the referendum is not used as often as it might otherwise.

I Believe the introduction of a workable form of Citizens Initiative and Referenda would be far more effective in protecting the real rights and freedoms of Queenslanders than any Bill of Rights.

Arthur Tuck

PS Further copies of the Book "Sovereignty in Australia" can be supplied if required.