

A Funeral Service for Private Property Rights held on the 25th of October 2010 at the Western Australian Parliament House.

On the 26th of July 2010 Maxwell Szulc (60) was incarcerated for the term of 3 months by the Chief Justice of the Western Australian Supreme Court, Wayne Martin as supported by Department of Environment and Conservation via an interim injunction which stated it “had exhausted all reasonable avenues of engagement and regulation to prevent Mr Szulc from continuing to unlawfully clear native vegetation”.

Szulc was jailed for clearing fire breaks which contained native vegetation on his freehold property, fire breaks which protected his and others private property.

This act clearly lays a foundation for more incarcerations and thus is seen as the death of private property rights by an aggressive bureaucracy and supporting court system.

Hence on the 25th of October 2010 a group of concerned citizens met at the foundation of the Western Australian parliament house in order to formalize a funeral for individuals’ secure property rights, those same rights that were handed to us by our forefathers via the Magna Carta of 1215.



Officiant Janet H. Thompson’s opening address is below:

“Private Property Rights was born in England on the 15th of June 1215 via the Magna Carta and passed away in Australia on the 26th of July 2010 after a long illness.

Private property rights was preceded in death by his father, Will of the People; his mother, Common Law Rights; and a sister Right to Trial by Jury. He is survived by a cousin, Freedom of Speech, with whom he shared a close relationship. Even though that cousin is terribly ill himself, we are privileged to have him here with us today.

Australia, the “lucky country,” developed relatively quickly and effectively, not because of a nebulous, undefinable “luck,” but due to strong principles and lots of hard work. Private Property Rights, which existed within our sovereign nation’s tradition of common law rights, was core to that development.

Since the UN’s 1992 Rio Earth Summit, we have experienced a stealthy assault on sovereignty. This is dangerous, as the United Nations does not rely on the same common law history and democratic principles that Australia does. In short, our sovereignty is vital in upholding our common law rights. Those rights are the very underpinnings to a successful and sustainable society. Our friend, Private Property Rights, is dead today because we continue to give ourselves over to faceless, unelected, unaccountable, and unscrupulous groups who are willing to leave us hollow and lifeless.

Assaults on our friend came in a variety of ways, through an array of Non-Government Organisations (like Conservation Council and Environmental Defenders Office) and Government Departments, like the Department of Environment and Conservation, or DEC.

The DEC exists today because our society, with strong Private Property Rights, was so productive that we could afford the luxury of establishing a government department with a focus only on environment, with no other considerations. At the time this Department was established, as with all such beginnings, society deemed it important and necessary.

But DEC has evolved now to such a point that they are hindering the very economic activities that support their own existence. Bureaucrats are now making decisions about what producers can and cannot do, without any basis in science or fact, indeed without consideration of true environmental outcomes. Many of these bureaucrats have never produced anything themselves, and exist only because of the very producers they seek to regulate.

When non-producers have the power to tell producers what they can and cannot do, without that power being voted on by the people of our democracy, as is the case with regulations and policies, society is setting itself up for failure.

The death of our friend is the final and unquestionable warning bell.

Private Property Rights has passed away.”



This speech was not just a hand wringing lament. She further says:

“But we believe that resurrection is possible. It is up to us to provide the breath of life, the active support, and the fertile soil within which Private Property Rights might live again.”

As a prelude to the wreath laying ceremony she further explained: “Several years after our Federal Government committed to emissions targets set in the Kyoto Protocol, they were able to boast about meeting those targets. They achieved this by locking up a full 19% of the entire land area held in private hands throughout Australia through Native Vegetation Clearing Bans. They stole billions of dollars from property owners in the name of the common good. A tiny minority of our population was made to bear the entire cost of that good.”



The opening address concluded with the laying of wreaths and a brief explanatory speech representing and explaining these overt attacks on private property:

1. “Native vegetation Clearing Bans laid by Brian Burns. He is 71 years old, and is transporting houses to earn money in what should be his retirement, because 6,000 of his 8,000 acres of land has been tied up in Native Vegetation Clearing Bans. He’s been fighting defensively for his private property for 20 years.
2. Licensing of the private activities of Transport, tourism, Fishing and Intensive Animal, laid by Max Edwards whom represents Nicholas Michael Lucas’s family, who have been fishing in our SW for 90 years. Through the most recent of Nick’s 30 years in the business, he has experienced a dramatic erosion of his ability to use his property in the way intended. Primarily through license restrictions.
3. Heritage Listings. Leo Killigrew of WA Property Rights Association, on behalf of the hundreds of property owners affected by the multitude of imposts under the guise of “Heritage,” lays a wreath today. Imagine that you own a home or a building in the Metro area. Someone comes along and proclaims that your property has heritage value. Perhaps due to the fact that it’s very old, or maybe because a semi-famous band once practiced in the garage. Once that house or building is heritage listed, you are quite limited as to what you can do to and with it – from maintenance to capital works. Restrictions negatively affect the value of that property. This has happened throughout the metro and country areas. Also, at this very moment, pastoralists, graziers, fisherman and tourist operators in the

- Kimberley are threatened with National and UN sponsored World Heritage listings, which would affect land and business values.
4. Endangered Species Listings. Jean is representing Darryl and Judy Shreeve, who own property at Gingin. Because theirs is one of 5 properties around Gingin on which the “Gingin Wax” plant has been found, [the] Shreeves can no longer use their land effectively. In fact, [the] Shreeves now have to seek permission to “take” these plants (which grow prolifically), in order to clear firebreaks.
 5. Water “Protection” and Licensing. Craig Underwood’s property is northeast of Jurien Bay. After the State Government approved a large private residential development (without a water provision plan) in that town, the Department of Water placed a groundwater protection notice on the seven surrounding farms. This affected value of his property to such an extent that Craig’s bank cut their lending limits, starving the Underwoods of cash to operate. Craig now works the mines to earn money to live. For that reason, he is unable to be here in person today. Keith Jackson lays a wreath on behalf of Craig and his family.
 6. Biodiversity Corridors. This is Syd Livesey. If you want to meet a true conservationist...a real environmentalist, come and shake this man’s hand. Syd has a property north of Albany in the Porongurups. For seven long years he fought the Agriculture Department and the Soil Conservation Commission to be able to manage his land the way he deemed necessary. He finally won. Then the Department of Environment and Conservation came in and took him back to square one. After spending over \$300,000 in legal fees, consultancies, reports, time and effort, AND after getting a win in court, Syd still cannot use his land. Do you know that the Southwest of Western Australia is a UN-declared “biodiversity hotspot?” I ask you this: If property owners are so bad, how could we possibly have such a diversity of flora and fauna in the SW of our state when it has been held in and managed by private hands for the last 130 years? Sid lays a wreath today for the negative impact of “Biodiversity Corridors” on Private Property Rights.”

She finished her speech with the clear compte rendu: “As a society if we deem that any one thing is so important for protection that we remove productive land from plant and animal husbandry due to the newly recognized UN sponsored Kyoto protocol then the affected minority of land owners should not bear the brunt of the cost. If our society deems this protocol so important then society must bear the brunt of the cost.”

Mr. Graeme Campbell then outlined in his speech titled “The Illness” that Private Property has been under attack by a stealthy dark green movement rooted in the historically frustrated and unelectable Australian communist party underwritten by the pandering of mainstream political parties to green preferential votes.

In his brief speech titled “The Death” Mr. Maxwell Szulc who, now a free man, said “We need to get some of these discriminatory laws changed.”



Finally in a speech titled “The Hope” Mr. Peter Spencer opined that “The common man has no idea how far this Democracy has gone down the drain. Man cleared land and developed an industry on this land and derived wealth from this industry. This is built on secure private property rights. Without secure private property rights there is no wealth. We are not animals that live on nuts and berries. The political reality is that this [erosion of private property rights] is not about the environment but about votes, green votes. The ramifications of the Kyoto protocol here [in Australia] have been to stop land clearing.” He ended his speech with the statement “Do not trust your Government”.

And finally Matt Thompson in his speech “The Eulogy” concluded “We have a message to politicians that are here. From this day forward, we will judge elected governments not on how many laws they can pass, but rather how many they can repeal. We know the bureaucracies threaten and intimidate politicians in the same way that they do land and business owners. We are not going to take it any more, and we don’t expect you to, either. Just because some parliament 16 years ago erroneously passed legislation that says that elected officials can’t sack senior bureaucrats doesn’t mean that you can’t. We expect you to answer to us, and them to answer to you. This is a democracy and you are the government. You can simply pass another act that says that you can sack directors and restructure departments, then proceed to do so. We have your back, and we are determined to resurrect the rights that lay buried here today, and to restore the rule of common law to this great nation.”

Thoughtful people should question why we are tolerating this erosion of property rights and intrusion by the States into profitable private industry. We transfer the right of coercion to the States in order to protect us from internal and external hoodlums and brigands.

The Australian mind cannot fathom the term Obrigkeit, a government the authority of which is not derived from the people, and what this German term Obrigkeit implies and what an Obrigkeits-Staat is. It is time we learned. Perhaps some quotations and a timeline will elucidate further:

On January 15, 1838, the Prussian Minister of the Interior, G. A. R. von Rochow, declared in reply to a petition of citizens of a Prussian city: "It is not seemly for a subject to apply the yardstick of his wretched intellect to the acts of the Chief of the State and to arrogate to himself, in haughty insolence, a public judgment about their fairness." This was in the days in which German liberalism challenged absolutism, and public opinion vehemently resented this piece of overbearing bureaucratic pretension.

Half a century later German liberalism was stone dead. The Kaiser's Sozialpolitik, the statist system of government interference with business and of aggressive nationalism, had supplanted it. Nobody minded when the Rector of the Imperial University of Strassburg quietly characterized the German system of government thus:

"Our officials . . . will never tolerate anybody's wresting the power from their hands, certainly not parliamentary majorities whom we know how to deal with in a masterly way. No kind of rule is endured so easily or accepted so gratefully as that of high-minded and highly educated civil servants. The German State is a State of the supremacy of officialdom-let us hope that it will remain so."

Such aphorisms could not be enunciated by any Australian. It could not happen here. Yet per the above apt public outcry epitomized by this funeral service it clearly is.

Australian States are now concentrating upon attacking the very fibre of our free and prosperous society.

Mac Nichols
Engineer

References:

Maxwell Szulc jailing

<http://www.esperanceexpress.com.au/news/local/news/general/jailed-for-clearing-own-land/1898975.aspx>

The Event:

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