The Australian Crown is at the heart of the civic system that has enabled Australia to enjoy a remarkable reputation as one of the oldest continuously democratic nations in the world. Our civic system, with the Crown at its heart, is characterised by constitutional stability. Yet the freedoms and the stability that we enjoy are appallingly taken for granted, and the role of the Australian Crown within our civic system is profoundly unrecognised, and is thought by many to be of no value at all.

The Crown provides an essential ministry at the heart of our civic system. The Crown exercises a quiet but a profoundly important role, safeguarding the process of constitutional democracy in such an effective manner that it would be very difficult to replace. In the following short essay, several key features and benefits of our system of constitutional monarchy are explored.

What is the Australian Crown, and what does it do?

The Australian Crown provides politically neutral authority over the exercise of parliamentary democracy in our nation and its six States. The Australian Crown consists of three distinct civic institutions, or offices, held by:

- The Monarch of Australia;
- The Governor-General of the Commonwealth of Australia;
- The Governors of the six States.

The responsibilities and powers of the Australian Crown are not defined by the written Constitution of the Commonwealth of Australia, nor by the written Constitutions of any of the States. The responsibilities and powers of the Australian Crown are subject to Constitutional Conventions that are only partially defined, and are therefore not entirely clear. The Constitutional Conventions cannot and should not be fully defined, since the Crown may be needed to resolve situations of crisis that cannot be anticipated. Hence it is not possible to prepare a definitive description of the powers of the Monarch, the Governor-General and the Governors of the several States. However, the following statements are well-accepted descriptions about their roles and responsibilities.

The Monarch of Australia

The Monarch helps provide politically neutral supervision over the system of parliamentary democracy that are enjoyed in Australia. The responsibilities of the Monarch are defined in the Coronation Service, in which each Monarch promises to "... maintain the Laws of God and the true profession of the Gospel..." In the 1953 Coronation, the Queen made this promise, as sovereign of several nations (seventeen - in 2001).

The Monarch of Australia appoints eight vice-regal representatives: the Governor-General of the Commonwealth of Australia, the Governors of the six States, and the Administrator of the Northern Territory. Respectively, these are appointed on the advice and recommendation of the Prime Minister of Australia, the Premier of each State, and the Chief Minister of the Northern Territory. The length of appointment of each vice-regal representative is at the Monarch's pleasure, but each appointment is normally to a specified term of no more than five years. As the term concludes, the Monarch is advised whom next to appoint, or the Monarch can be advised to extend the current incumbent's term.

The Monarch has the power to remove a vice-regal representative, as follows: Australia's Governor-General can be removed by the Monarch on the advice and the recommendation of the Australian Prime Minister. A State Governor can be removed by the Monarch on the advice and recommendation of the Premier. It appears that no Australian Monarch has ever been advised to remove a vice-regal representative in Australia. However, on the advice of Prime Minister Whitlam, the Queen did withdraw the "dormant commission" (to act as Administrator of the Commonwealth) as held by Sir Colin Hannah (the Governor of Queensland) following his controversial political statements about the Whitlam government.

The advice and recommendation to dismiss a vice-regal representative is an enormously serious matter. It is so serious a request that it must be made to the Monarch in writing, or in person. It cannot be done over the telephone - especially after a Canadian radio announcer pretended to be the Canadian Prime Minister, and in fact held a conversation with the Queen by telephone, that was broadcast "live" on Canadian radio in the mid 1990s.

If a vice-regal representative is incompetent or acting unconstitutionally, the request is warranted, but it is possible that a Prime Minister or Premier could be motivated by political expediency when advising the Monarch to remove a vice-regal representative - whose action is entirely proper. This would be a serious contempt, since Prime Ministers and Premiers are commissioned by the Crown, and they owe allegiance to it. Since each Sovereign may exercise "the right to be consulted, the right to encourage, the right to warn" as noted by Walter Bagehot (in his famous 1867 book *The English Constitution* p111) the Monarch may invite the politician to meet privately, to discuss the matter.

In this process the Monarch would be giving the politician the opportunity to demonstrate the breadth of the clear and compelling evidence that the vice-regal representative is acting either incompetently or unconstitutionally. The earnest willingness of the Monarch to consider, discuss, query and act upon compelling evidence is a powerful safeguard that should dissuade all but the most scurrilous politician from attempting to pervert the cause of justice. Further, the Monarch is entitled to advise, and may suggest that the vice-regal representative be retained in office, or perhaps invited to resign. Either way, this time-consuming process of discussion and enquiry would give a wrongly threatened vice-regal representative the opportunity to exercise the reserved power to dismiss a Prime Minister or Premier, if necessary. Hence under our civic system, vice-regal representatives who are doing their job properly are effectively unremovable by mischievous politicians.

So the Crown is able to serve as the guardian of the constitutional process in the Australian Commonwealth and in the Australian States, as the Monarch can remove any vice-regal representatives who are incompetent, or acting unconstitutionally, while safeguarding the vice-regal representatives from unjust attack, should a political leader act with contempt for the Crown.

The Governor-General

After appointment, the Governor-General takes the oath of office, and thereby inherits the obligations of the Coronation Oath made by the Monarch. The Governor-General has the role to provide executive government over the Commonwealth of Australia, according to the Australian Constitution, by providing politically neutral authority over the democratic process.

The Governor-General commissions the Ministers of the Crown, usually commissioning as the new Prime Minister the parliamentarian who holds a majority in the House of Representatives (the lower house of Parliament). If no individual holds such a majority, it appears that the Governor-General would have the discretion to make the choice whom to appoint as the next Prime Minister. The Governor-General also serves as Commander-in-Chief of the Australian Defence Forces, and chairs the Executive Council.

The role of the State Governors

After appointment, each State Governor takes the oath of office, and thereby inherits the obligations of the Monarch's Coronation Oath. Each Governor serves as head of executive government over the State in which he or she is appointed, according to that State's Constitution, by providing politically neutral authority over the process of democratic representation. The Governor commissions the Ministers of the Crown, and usually commissions as new Premier the individual who holds a majority in the lower house of the State Parliament. If no individual has such a majority, it appears that a Governor would have discretion to make the choice of who to appoint.

The moral voice expressed through Royal Assent

The vice-regal representatives are expected to give assent in the Monarch's name, to bills that have passed according to law. However, they are entitled to ask questions about any Bills presented to them. Royal Assent may be granted "with reservation" or "most unwillingly", by which a moral voice of concern is expressed, without political influence. It would not be impossible for the Governor-General to refuse Royal Assent, but the Monarch has no power to assent to (or disallow) bills passed by Australian parliaments.

Vice-regal neutrality

Each of the vice-regal representatives is required to serve without partisan persuasion, regardless of background. In fact a background in politics is no barrier to serving with political neutrality. Since the job description requires neutrality, the appointment can bring out the best in a person who is willing to promise to serve as the politically neutral head of executive government. Once appointed, he or she is the bound to serve as constitutional umpire - unthreatened and unfettered, being effectively unremovable.

So when Bill Hayden (a republican former ALP politician and party leader) was appointed as Governor-General, he was required to serve with political neutrality, and he served with great competence. Moreover, he recognised the weakness of the 1999 Australian republic model, and campaigned against it (much to the deep horror and shock of many). He also said that the Whitlam sacking was proper, and that he would have done the same himself if he were Governor-General during similar circumstances.

Civic stability and the surety of succession

One of the great values of the Crown is the stability, surety and simplicity of the succession of Monarchs and their representatives. The word *Monarch* seems to be derived from the concept of "one source". So under an inherited system, there is a continuous succession, as each Monarch is especially set apart to minister under God, with the consent of the people, to uphold good government. Because the royal succession is stable, sure and simple, the succession of State Governors and Governors-General is also stable, sure and simple - the monarch simply appoints representatives (on advice).

In contrast, a profound weakness of the US experiment in democracy is the question of presidential succession. In fact any nomination for high office in the USA is often subject to highly intense political and media scrutiny, often including controversy, false allegations and rumours, that undermine public confidence. The US Presidential succession is an enormously expensive and highly time-consuming distraction for the American civic leadership and the nation itself. It occupies the mind of the nation for well over a year.

Each President is chosen by an electoral college which consists of elected delegates from all the States. The founders hoped that the members of such a college would earnestly select the person most suitable for the presidency. In theory this appears to be a splendid idea. But in practice, the system has become subservient to party politics, hence the identity of the new president is determined long before the casting of votes by members of the electoral college! So the great experiment in government "of the people, by the people, for the people" does not adequately deal with the reality that people mainly tend towards partisan groupings.

Another weakness of the US model is the loss of confidence in the office of the Presidency as each president draws near to the end of the four year term. The phrase "lame duck" is often used to describe presidents as they near the end of their term of office. Worse, the presidency can be compromised thus:

- During the first term, each president is at risk of making decisions that assist re-election, regardless of whether they are in the national interest.
- If elected to a second term, the president is at risk of making decisions which assist the proposed successor (usually the Vice-President) and portray the President's terms in the best light, in order to guarantee a continuing role in public life as an elder statesman.

The US system of checks and balances, though the work of genius, does not match the political neutrality provided by the head of state in most of the constitutional monarchies (especially those that have arisen from Britain). Republics tend to be characterised by tension between the head of government (usually called the Prime Minister) and the Head of State (usually called the President) but this is much less the case in the constitutional monarchies. In the republics, a popularly elected Head of State is either a powerless puppet, or a powerful rival to the legislature, indeed in America the White House is sometimes called "the Bully Pit" because the President so regularly exerts political power. But through holding powers in reserve, that are rarely used, the Crown is no rival to Parliament, but its servant.

While people may say that the royal and vice-regal succession is unfair, in fact it is no less fair than the situation which sooner or later will develop in every republic - namely that the office of the presidency is only open to the powerful and strong - that is those who have more money, or can exert more power, or (in the worst nations) who can brutalise more people.

The Crown providing stability to parliament

The Crown provides stability and unity when Parliament is unclear as to its leadership. This was illustrated by a series of events in the early 20th century in Great Britain: In 1923 a general election produced no clear majority and Parliament could not agree on a Prime Minister. So King George V appointed Stanley Baldwin. But in 1924, Parliament rejected him.

The King then appointed Ramsay McDonald (of the minority Labour Party). But in October the Parliament censured McDonald, who then requested a dissolution of Parliament.

So in the midst of parliamentary instability, the Crown continued as the stable and unchanging central feature of civic authority.

A similar stability was shown on three occasions when Queen Elizabeth II has exercised a discretionary appointment of a Prime Minister of Britain, when Parliament could not come to consensus. One of these occasions was in 1963, when Britain's Prime Minister Harold Macmillan became ill and resigned. The Queen sought to appoint a new Prime Minister, but Harold Macmillan's Conservative Party could not decide who was Macmillan's deputy. At least two parliamentarians asserted themselves as his replacement, hence no clear advice from Parliament was forthcoming.

In the absence of clear advice, the Queen was able to exercise a discretionary power. She rejected both the candidates, and formed her own view that Lord Home was the best person for the job, and he was appointed as the new Prime Minister, even though he did not hold a seat within the House of Commons (Hamilton, A, *Queen Elizabeth II*, Hamish Hamilton: London, 1982, p.52). Again, in the midst of great parliamentary instability, the Crown continued as the stable and unchanging central feature of civic authority.

The Crown also provides for the neutral scrutiny of advice and bills. A neutral pair of eyes can often notice things that have been overlooked by others. For example, King George VI carefully studied the findings of many court-martial cases that arose during the Second World War, and he often asked for more information about particular cases. His penetrating questions often led to a review, and on several occasions this resulted in a complete reversal of the finding (Patrick Howarth, *George VI*, Hutchinson, 1987, p223).

King George VI also served as final arbiter when ministers could not come to agreement over which senior officers should be appointed to the rank of Field Marshall (Howarth, p36).

The inspirational value of the Crown

King George VI and his Queen provided tremendous leadership during the Second World War. Deciding to remain in London when it was under very severe bombardment, the royal couple greatly encouraged the people. As the King and Queen visited areas that were devastated by bombings, expressing concern, support and good wishes, the royal couple helped to inspire the people of Britain. Astonishingly the young Princess Elizabeth, aged only 14, made a wartime broadcast to anxious and displaced children in Britain and beyond, so as to provide encouragement and cheer.

The Queen was urged to take Princess Elizabeth and Princess Margaret to Canada and escape the danger of invasion. The Queen said she would rather stay, and take revolver lessons! She asserted: "The Princesses would never leave without me, and I couldn't leave without the King, and the King will never leave." That noble attitude helped to strengthen resolve, whereas leaders elected for a fixed duration have a lesser ability to inspire.

The role of the Crown to commend and punish

The Crown has more functions than we tend to recognise, including a power of influence to punish and to reward. Governing authorities are commanded biblically *to punish those who do wrong and to commend those who do right* (I Peter 2:14). The punishment of evildoers and the commendation of those who do right is handled by the servants of the crown, especially the police and the courts - but the Monarch along with members of the royal family and the vice-regal representatives have a special influence which cannot be delegated. The ability to punish and commend is given in these recent examples:

- In 1999 the process of democratic reform in the nation of Ghana was commended by the Queen through a royal visit. In effect, the visit was a royal seal of approval - which gave Ghana the highest international recognition. A royal tour carries an authority and prestige which could never be provided by a mere Prime Minister or President, as the Queen represents a continuous tradition dating back a very long way.

- Austria was punished in May 2000, when Prince Charles cancelled his visit to Vienna as an expression of his deep concern about the far-right Freedom Party's involvement in the Austrian Government.

- Thailand's greatly respected monarch - King Bhumibol - has exercised discrete influence in times of national difficultly. So in 1992 he rebuked members of the military who had overthrown the elected government. His powerful rebuke led to the military withdrawing, and democracy was restored (*The Australian* 1/12/1999 p10).

The biblical injunction that the civic authorities are to commend and punish is clearly evident in the function of the Crown - and this moral influence can be more effective than the force of arms or the force of economic sanctions. Commendation also occurs through the issue of letters of encouragement, the granting of honours, patronage and the issuing of royal warrants.

The cost of royal duty

The student of history will rebut the notion that royalty are born to a life of privilege. Many royals have suffered vilification, revolution, exile, terrorist attacks, and execution. The Queen has been subjected to home invasion in her own bedroom several times. Lord Louis Mountbatten was murdered by IRA terrorists. The last Tsar and his family were shot by a firing squad.

In more recent times, the death in January 2001 of Marie Jose, the last Queen of Italy, concluded her 41 years of exile. Queen for only 27 days, she told her son Victor Emmanuel (the exiled heir), that being banished was just one of the many inconveniences of a king's life (*The Australian* 7/2/ 2001 p16).

The unofficial motto of the royal family, *Never complain, never explain*, is not the lofty arrogance of the aloof, but the painful, mandatory silence of the duty-bound. Monarchs, understood rightly, are called to follow in the footsteps of the suffering servant - the King of Kings.

Christological implications of monarchy

Nations throughout history have tended towards monarchy, not as an evil human invention, but because a desire for monarchy has been placed by God within our hearts. This is because kingship is prophetic concerning the Lord Jesus, who is king of kings. So our understanding of the rule of God is shaped by our experience of monarchy.

It is important to reflect upon the role of the crown, and upon the deep human longing for monarchy. This yearning was expressed by Israel who wanted kingship *"as all the other nations have"* (I Samuel 8). But God instructed Israel not to be a monarchy, because He was to be the King. This instruction did not dismiss inherited sovereignty as some kind of evil human meddling, nor was it a rejection of monarchy in the other nations - which shared Israel's heartfelt yearning for inherited leadership. Monarchy is not inherently evil. Hence God's promise to Abram: *Kings will come from you* (Genesis 17:6).

Given this fascination, an argument can be made that God has placed within human hearts a desire for kingship which has not been smothered even among those born and raised within republics such as the USA, in which the desire for monarchy remains very strong. The 1776 revolution founded the USA as a republic, yet this has failed to remove the apparent yearning for monarchy:

- Most of the American people exhibit a fascination (arguably nostalgia) for Britain's royal family and aristocracy.

- The people greatly revere the presidency as though it were an absolute monarchy, and allow presidents to rule with greater sovereignty than most constitutional monarchs! In fact George Washington wanted to be called "His Mightiness, the President of the United States".

- Families often give the same names to successive generations of sons, as though they were successive kings: John Citizen II, John Citizen III.

- In the world of music, Elvis Presley was called *The King*, another was called *Prince*, and several jazz musicians have aristocratic stage names.

- The Kennedy family is revered as though it were a royal dynasty or the American royal family. The Kennedy family's residence in the White House is sometimes called the *Camelot period*. John F. Kennedy Jr was often referred to as Prince Charming. In January 2001 George W. Bush became 43rd president of the USA, following his father, and has been referred to as "George the second".

- The President is honoured by the playing of *Hail to the Chief*.

Perhaps the yearning for monarchy is given by God, just as the yearning for marriage and fatherhood are given by God, because in them we experience eternal truths. Those three elements (kingship, fatherhood and marriage) are linked together in the Lord's description of the nature of God's reign:

> *"The kingdom of heaven is like a king who prepared a wedding banquet for his son ..."* (Matthew 22:2).

Marriage, fatherhood and monarchy are identified by Jesus as being prophetic concerning his kingdom. A royal wedding interweaves those three elements, and deeply touches the hearts of people all over the world.

Practical promotion of Constitutional Monarchy

Our system of constitutional monarchy can be promoted in various ways, including the following:

- Using the term *The Australian Crown*.
- Promoting the study of the Commonwealth of nations.
- Study of the Queen's Coronation - Ceremony, Oath and Speech.
- Displaying portraits of the Queen, Governor-General, and Governors.
- Increasing respect for the Queen's Birthday public holiday.
- Promoting the role of the Monarch and the Vice-Regal authorities.

The gravity of pledges of allegiance can also be improved. Justices of Peace, judges, police, MPs, magistrates, militia, etc must all pledge allegiance to the Monarch, but with what sincerity? Justices of the Peace in South Australia pledge to serve according to the *Oath of Allegiance*, and the *Judicial Oath*. Yet justices are not required to verbalise those promises and they can be administered in a very routine manner by a magistrate, or a Commissioner for taking affidavits in the Supreme Court. Justices of the Peace would be better encouraged to take seriously their two oaths, and their responsibilities as servants of the Crown, if the Governor administered the pledge to commission each person newly appointed to that office.

Increased use of the Loyal Toast is another option for promoting our system of constitutional monarchy. While many formal occasions have traditionally included the Loyal Toast, the practice has fallen into disuse as our culture has diminished respect for the Crown. But usage of the Loyal Toast is one way of heeding the New Testament injunction to *honour the king* (I Peter 2:17).

In 1999 the formal Loyal Toast in our nation was modified from "The Queen" to "The Queen and the people of Australia".

Respect for the Crown is enhanced as good citizens and civic organisations encourage awareness of its ministry at the heart of the Australian civic system (a concept shown by the Australian Personal Standard of Queen Elizabeth II).

Conclusion

Our forbears in Britain gave us the gift of a workable system of Constitutional Monarchy, for which they had struggled for over one thousand years. That inheritance was appropriated uniquely here in Australia by the founders of our nation. But having laboured and died, they have bequeathed to us their gift, and have thereby done everything within their power - they can do no more. Now our challenge is to understand the value and function of the inheritance, so we can promote its virtues, defend it from attack, and thereby help the growth of civic prosperity and stability for the generations to come.

God save the Queen!