



Australian Heritage Series

Published by Australian Heritage Society

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PREFACE

AUSTRALIANS HAVE A UNIQUE AND PRICELESS HERITAGE - IF ONLY THEY KNEW IT!

And the story of that heritage, that is, Australia's history, cannot be understood apart from the impact of the Christian faith within it and upon it. It is a Christian Heritage.

Australia's history is much older than the nation of Australia. When the colonies were founded by the English, they brought with them the accumulated wisdom and experience of at least two thousand years in the form and substance of their spiritual, cultural and legal institutions and systems, as developed up to that time.

The peace, freedom and security (in comparison with other parts of the world) still enjoyed by Australians is the 'fruit' of the labours of many centuries.

That inheritance has been and is being squandered, and is in danger of being discarded altogether.

The Australian Heritage Society is committed to a programme for the regeneration of that Christ-Centred Spirit in the Australian people and for the regeneration of those values that help mould a peoples' good character, patriotism, personal integrity and love of truth, the pursuit of goodness and beauty, and an unselfish concern for others.

As a further contribution to that on-going programme we have much pleasure in presenting the following papers, "Australia's Constitutional Heritage" by Dr David Mitchell, "The Christian Roots of Representative Government" by Rev. Arthur Fellows and "The Church and the Trinity" by Dr Geoffrey Dobbs.

The first two were originally presented at the Australian League of Rights "Heritage Seminar", October 1992 and the Third appeared a number of years ago in the League Journal, "The New Times". (Upon reading it, the reader will realize that the message it brings is for all times and for all seasons.)

Will you, Dear Reader, help us to bring to young Australians the knowledge of, and understanding and appreciation of, the rich inheritance that is theirs, by circulating this booklet as far and as wide as possible?

Betty Luks

On Behalf Of The Australian Heritage Society

AUSTRALIA'S CONSTITUTIONAL HERITAGE

On 1st January, 1901, the Commonwealth of Australia came into existence as a federation. Of course prior to that there were six separate and independent states, independent of each other and to a large extent, politically independent of Britain. Those six states agreed together to form a **federal unity**, not abolishing their own existence or their own independence from each other as states but joining together for certain purposes, and a document was drawn up which is known as The Australian Constitution, or The Commonwealth of Australia Constitution, or, sometimes, The Commonwealth Constitution.

The Commonwealth Constitution was **not intended** to establish a body of rights. It is unlike the U.S. Constitution and other constitutions for it is an agreement among the States how they will act as one in certain matters and how a central government will be established so that the nation can act as one in those matters. The question that is arising in your minds is that "If the rights do not come from the Constitution, where do they come from?" It is necessary for me in the course of this address to mention where those rights, the rights and duties of the Australian people, do come from. Or perhaps, to put it another way, where the rights and responsibilities of the Head of State of Australia come from.

On 1st January, 1901, the Commonwealth was established as, and I quote, "one indissoluble federal commonwealth under the Crown and under the Constitution". I am stressing the words 'indissoluble' and 'under': Indissoluble under the Crown and indissoluble under the Constitution. Each state has its own separate and distinct relationship with the Crown, separate and distinct from each other state, and from the relationship of the Commonwealth of Australia with the Crown.

The responsibility of the Crown in relation to Australia

What then is the responsibility of the Crown, the Queen or the King, as the case may be, in relation to Australia? That responsibility is in two parts: there is the responsibility to the States, to each State, and there is the responsibility to the Commonwealth as a whole and I suppose that is summarised or put into words of one syllable in Section 58 of the Commonwealth Constitution. There we find that a proposed law, passed by both Houses of the Parliament -- the House of Representatives and the Senate -- is presented to the Governor-General for the Queen's assent and the Governor-General shall, on his discretion, but of course subject to the Constitution -- and that is the limit on his discretion -- shall, on his discretion, declare that he assents to the proposed law, or that he withholds assent, or that he reserves the law for the Queen's pleasure. Now what does this mean? What it means is this: That in Australia, in the Commonwealth sphere, the Queen's representative is the Governor-General for the purpose of assenting to proposed laws. No legislation that passes through the Commonwealth Parliament becomes law in this land unless it receives the Governor-General's assent or he may reserve it specifically for the Queen's assent. It does not become law unless the Governor-General assents.

This seems to give the Governor-General an enormous power -- a royal or monarchical power. In one sense the answer to that is "Yes. It certainly does." It gives the Governor-General the power of veto on any legislation. The power of veto. It does not give him power to make laws but simply to say that "these particular laws are, in my opinion", or to use the words of the Constitution, "in my discretion, not in the interests of the people of Australia".

There is a proposal for a republic. Does this mean a proposal to remove that power or would it be intended that that power should vest in a president? If it is intended that that power should vest in a president, then the proposal to abolish the Monarchy or the present structure, if I may say so, is stupid; for it is a change of name and a change of name only,

for the Governor-General is not an hereditary office. The Governor-General is appointed, certainly appointed by the Queen but, as the structures and practice have developed, appointed by the Queen only on the recommendation of the Federal Government. It is the Federal Government that chooses the Governor-General, as I understand it. However, the Opposition really does not have any say at all in choosing the Governor-General or in deciding what laws are to be proposed to the Governor-General. What about the back-benchers of the government? I understand they have precious little say. Well then, it must be the Cabinet. From speaking to Cabinet Ministers in various governments over the years, I understand that the way the practice has developed, even Cabinet Ministers have little say nowadays.

What should the Governor-General be doing? How can he determine whether a particular law is in the interests of the people of Australia? Well, he is the Queen's representative and the principles which he must apply are the principles which the Queen must apply or would apply, as far as the law is concerned, if she were here.

Measure of right and wrong

I don't know where you, as an individual, find your measure of right and wrong. In society today there are, in general, four sources from which you find your ultimate measure of right and wrong, or, I might say, your ultimate measure of government. Let me bring it to the family level by way of example. If you are a parent and Johnny says to you, "Daddy, why mustn't I steal?" Your answer might be, "Well, Johnny, you and I are different people. I can't impose my principles and my rules and my idea of right and wrong on you. You have to make up your own mind. There are all sorts of things, Johnny, that you can think about. You can think about what effect it would have on you if people stole from you; what effect it would have on the people you stole from; what effect it would have on society in general. Oh, Johnny, there are all sorts of things but, Johnny, there is no rule. You see, the key to right and wrong is freedom to do just as your own conscience leads you. There is no rule governing

all people." We would call that '**anarchy**'.

On the other hand, "Daddy, why mustn't I steal?" says Johnny. "Johnny, you must not steal. I am your father and I say so. You must do as I tell you. I tell you you must not steal and that is why you must not steal, because I tell you." This is a **totalitarian** measure of right and wrong. What the government says is right. Whatever the government might decide.

Or you might be in this situation: "Daddy, why mustn't I steal?" "Well, Johnny, what we had better do is call the family together and we better have a vote on it. If the family says you must not steal, well then, you must not steal. That will be the law for the household. If the family says it's OK, well then, it will be OK." Those are three of the four general measures of right and wrong in society.

The fourth general measure of right and wrong: "Daddy, why mustn't I steal?" "Well, Johnny, the Lord God established a standard of right and wrong, an unchanging standard of right and wrong, and to a large extent those principles of right and wrong are set out in His Word, the Bible. God says you must not steal; that is why you must not steal."

Now, I have been applying this to a family situation but it also applies to a national situation or really, any other organization or structure. You might say that our government has become totalitarian, that in Australia the government decides what is right and wrong. The government sets the measure and it does not matter what anyone else thinks; as the government says, therefore, so it is.

As we look at the responsibility of the monarch, we see that the Monarch, Queen Elizabeth II and all her predecessors, were crowned in a service in which they recognized the Law of God as the rule of government. It is often said that Britain has no written constitution. We have been taught for generations now that Britain has no written constitution. My understanding of the British Constitution is that it is the Word of God; that that establishes the measure of right and wrong and from that, the law of Britain was historically drawn. The King was not above the Law. The judges were not above the Law. The parliamentarians were not above the Law. The lords were not above the Law. And the

ordinary people were not above the Law. The Law -- the Law of God -- the Common Law, common to everyone: king, parliamentarian, judge and individual alike.

Now, if the Law is to be observed, if the Law is to be followed, the Monarch has a responsibility and a duty, under God, to refuse assent or to use a modern term, veto, any proposed law which is contrary to the Word of God. I know that there are some things which are commanded and some things which are forbidden in the Scriptures. There are some things which are perhaps in the *ad dea fora* as theologians might say -- things in between, neither commanded nor forbidden. The issue there is how to determine what measure applies to those. Some would say that it is the opinion purely of the Monarch or of the Governor-General; others would say it is the opinion of the government-of-the-day; others might say the people -- all the people should be able to express a view. The point I am making now, which I believe to be fundamental and very important in relation to the monarchy/republic debate is that the Monarch has a duty, not only to be ceremonial, but a duty to supervise the government under God.

New Labor Party policy adopted 1991

Why has this become an issue? Attention has been drawn to the new policy of the Labor Party, adopted at Hobart in 1991. The new policy of the Labor Party, and listen carefully to this, for I quote: "... is to embark upon a public education campaign culminating in a referendum which would effect the constitutional reform necessary to enable Australia to become an independent republic on 26th January, Australia Day, 2001." [Embark upon a public education campaign culminating in a referendum so that Australia can become an independent republic on 26th January, Australia Day, 2001.]

Prime Minister Keating has said that the question of a republic will not be an issue at the forthcoming election. Of course it won't be an issue at the forthcoming election; there is to be an 'education' campaign -- an

an education campaign starting now, and the purpose of the education campaign, if you took careful note of the Labor Party policy, is to enable Australia to become a republic. And that is what the education is for -- education to become a republic. If you have children in school you will know that the children are already discussing questions of the republic. They are not being educated in the historical, constitutional base of this country. They are being encouraged to discuss, to think for themselves, to decide for themselves, taking into account all those things they can possibly think of. And so it is the ten-year olds and upwards who will be voting at the time of the proposed republic. The education campaign is not limited to the children. There is a mighty education campaign going on in society altogether. I happened to see (on a news-stand just a week ago, a newspaper perhaps not as well known in this country as overseas, but it is a reflection of the newspapers we see in this country) a complaint that the Queen is a millionaire. Yes, she may well be a wealthy woman. Let me remind you that our Prime Minister is a millionaire too and so is our Leader of the Opposition. I turn over the page: "Lawyers in royal divorce talks. Queen's legal experts asked to find a way to save the Monarchy." "Disastrous situations in the royal marriage." Oh, dear, we could not possibly have a monarch who has marriage problems within the family. "Diana's angry brother chucks photographer into swimming pool!" What is the next heading I find as I turn over another page? "Palace gun-shot cover-up." "A deal for Fergie. Stress has sapped Sarah. Why she has had to seek psychotherapy." And on it goes, page after page. I am sure you will agree with me, as we look at that paper, that that is quite unnecessary. Supposing every word in that newspaper is true -- and I am not suggesting it is -- it is totally unnecessary. But, you might say, if we were to choose, by election, our own head of state, it would be quite different from that. But would it? I think we might even choose, and I am not criticizing anyone personally or particularly, I am just saying, for example, that we might choose someone who cheats on his wife from time to time and when challenged with it, is able to shed a tear and confess publicly. We might even choose someone whose family have the misfortune to have fallen prey to the scourge of drugs. We might even

choose someone who has the misfortune to be mugged in Kings Cross early on a Sunday morning with a sum of money in his pocket. We might have the misfortune, as the Americans did, of choosing somebody who goes in for Watergate-type activities. May I suggest to you that the fact of choosing a head of state ourselves is no proof against the sort of problems that the Royal Family is being charged with at the moment -- that is, if every word in this newspaper is true. **And please note the 'if'!**

I say to you that choosing our own head of state will not change that one scrap. I don't know whether the republic proposals would have us choose the head of state or whether the republic proposals would have the government choose the head of state. I am pretty sure that the republic proposals have, to use the 'in' term, an hidden agenda; I am pretty sure they have the idea that the Law of God will no longer be the theoretical measure of right and wrong for government, but that some other measure will apply.

Australia Act, 1986

We have moved some steps down the road toward a republic already. You are aware, I know, of an act called The Australia Act that was passed in 1986. That Act terminated appeals to the Privy Council. You might say that is very good; we should not be having our cases, our ultimate Court of Appeal, dealt with by judges outside this country. Please bear in mind that the Privy Council was a Court **in the Australian hierarchy of courts**, not the English hierarchy of courts. Please bear in mind also that the Privy Council had the responsibility to administer and apply **Australian** law, but certainly the judges were not politically appointed from Australia. Certainly that is true and maybe we ought to have as our ultimate court of appeal a court where the judges are politically appointed from Australia. Maybe it is right and proper that the ultimate court should be, in that sense, controlled by the politicians. In any case, it was a step towards a republican situation in Australia, for the ultimate court of appeal was no longer part of the imperial or monarchi-

cal structure in that sense.

The Australia Act also provides, in a somewhat complicated section, that powers are removed from the state governors. I understand that section to mean that state governors no longer have the responsibility to assent or withhold assent but **must** give assent to legislation. The Australia Act did not affect the Federal Constitution. It is the state constitutions and the state structures that could be affected -- without a referendum -- and that is exactly what happened in the Australia Act. I note, with interest, that there are some constitutional experts who are saying that the Australia Act did not terminate the reserve powers of the Governor. What do I mean by the 'reserve powers'? Well, the most obvious of the reserve powers is the responsibility of the Monarch or the Monarch's representative, the Governor-General in the federal sphere, or the Governor in the state sphere, to dissolve Parliament and insist on a new election. **As the Constitution stands at the moment, the Governor-General can dissolve the House of Representatives but it is the Governors of the States that have the responsibility for calling and organizing elections for the Senate.** If Australia federally becomes a republic and the States do not become republics, I am sure there is going to be an enormous conflict about the question of the relative powers of the houses of parliament. I hope I am making myself clear. That there would be likely to be a conflict if the president had no power to dissolve the House of Representatives, and I suspect he would not, if he had no such power and the state governors did dissolve the Senate, I can imagine that we would have another constitutional crisis as they have been called. What Sir John Kerr, acting on the royal prerogative and power, did in 1975, in what is unfortunately called 'the dismissal' was to exercise the royal responsibility, for he believed, in his discretion, that the government was not acting in the interests of the people of Australia. So, what did he do? He dissolved the House of Representatives and called an election, calling on the people to decide whether he was right or wrong and you know the decision that was taken.

The Commonwealth of Australia is an indissoluble commonwealth under the Crown and under this Constitution.

If this Constitution were to be replaced by another constitution, I presume that as a matter of law, it would require the establishment of a new agreement among the states and it might well be that the Commonwealth of Australia would be fragmented because the state of Western Australia and the state of Tasmania at least, may well be unhappy with the idea of a continuing Commonwealth. Such fragmentation, I am sure, would cause a great deal of anxiety among some and may cause very serious destablity in this nation. How to achieve the Labor Party policy is for a referendum. I don't know what they mean by a referendum. Dr. Greg Craven, Senior Lecturer in Constitutional Law at the University of Melbourne, believes that Section 128 of the Constitution does **not** provide for a referendum in the case of a **complete change** of the Constitution. Section 128 provides reference to the people for **amending** the Constitution which exists, but the proposal for a republic is a complete change and he takes the view that Section 128 does not make provision for a referendum. And if a referendum is held, which it might well be, it would be a sort of revolutionary action -- a revolt against the Constitution. He commented, therefore, that we can expect the Australian people to vote 'No' at such a referendum, simply because it is **revolutionary** or would be revolutionary **and unconstitutional**.

Referendum on a Republic

After the 1988 referendum, a minister of the government, in some temper, when the result was known, said, "It is quite clear that we are not going to achieve any change to the Constitution by referendum. We are going to have to do it by another means." I do not know exactly what he meant, but I think he was referring to referenda under Section 128 of the Constitution. You may have noticed recently that it is being said that *Advance Australia Fair* was chosen as Australia's national anthem at a referendum. If you can cast your mind back to the incident when *Advance Australia Fair* did become a song adopted by the government, (by the Cabinet or by the Prime Minister of that time), it certainly was not

adopted by Parliament. But certainly there was a vote. A referendum? No! First of all, voting was voluntary and, if you recall, in the vote that you gave, you were not given the opportunity of voting for *God Save the Queen*, even if you wanted to. Do you call that a referendum? I suspect, on that basis, on that empirical or historical basis, that it is possible that the referendum for a republic, if we have a referendum at all, will be like this: Do you approve of a republic on these terms or these terms? I suspect that we will not be given an opportunity in that referendum to say that we do not want a republic at all. Anyone looking in a crystal ball, as I am now, is, I suppose, acting quite dangerously. And the moment a speaker who has credibility and effect on the community says that something like this might happen, well, of course, the authorities can back off and do it another way and say, "Look he was wrong. He has no credibility." So I must be enormously careful in what I say in that regard.

What of the future?

Why then, should we be supporting a Monarchy, as we have it now, rather than a republic? The first and probably one of the crunch points among people who really don't know what we are talking about is that neither now nor, I think, at the ballot box at a referendum, will we know **exactly** what is coming. They will not, I think, be able to tell us exactly what is intended, inviting us to buy a package without knowing what is in it -- a lucky dip. Well, maybe you are in favour of a lucky dip for your future, for your children's future and for your grandchildren's future. I would say to you that we have a perfectly good constitutional structure; that we have a wonderful power in the Governor-General and in the Queen; that what we should be doing is encouraging those officers -- for they are officers of government; we should be encouraging them to exercise that power; we should not be seeking to change that power.

Now what I am saying today is I suppose pretty dry and pretty boring, but might I say foundational for understanding why we must be supporting the monarchical structure. It is foundational. It is not the

complete story. It is not a complete argument by any manner of means. I think the programme suggests that I will be presenting the case for the monarchy. How can I do that in forty-five minutes? In any case of importance in the court room I would take not forty-five minutes but many days. Please understand, all I am doing today is giving an introduction, an introductory basis. I am, of course, very worried about the government. I am very worried about some of the people in the government who seem to be seeking power for themselves or for their parties. I must in the five minutes that are left to me talk about the independence of Australia.

The Australia Act passed by all Members of Parliament, except one

Anyone in government knows that Australia is independent of England in every way. Neither Mr. Hawke, nor Mr. Keating, nor Dr. Hewson, nor Mr. Hayden, nor public servants, nor the judges, would think that Australia is in any way governmentally subject to the United Kingdom now. Australia is an independent country under the Crown. What then is the Labor Party talking about when they talk about an independent Australia? In the same year as the Australia Act was passed, another act was passed in the Federal Parliament. By the way, the Australia Act was passed in the Federal Parliament and in all of the State Parliaments. It was supported by your representative in Federal Parliament, wherever you may happen to live, whatever electorate you might be in, whoever your senators might be -- Labor, Liberal, Democrat, Independent, whatever. For the Australia Act was supported by every member of Federal Parliament and it was supported by every member of every State Parliament except one courageous member of the Upper House of the State of Victoria. Very shortly afterwards another Act was passed through Federal Parliament which established a power in the government to make an administrative decision to allow appeals from Australia, on certain matters, to a tribunal of the United Nations. **Do you**

know that was supported by every member of Federal Parliament? Yes! Supported by every member of Federal Parliament. That particular administrative decision was recently taken and **there are appeals that have actually been heard by that United Nations tribunal.** There is one I am particularly interested in, relating to homosexual practice in the State of Tasmania. You may well be aware that there was an attempt to make homosexual practice legal in Tasmania and in the Providence of the Lord, that attempt was defeated, but exercising their new appeal rights, not to the Privy Council with our constitutional structure, not to the Privy Council with our legal structure and our legal principles, but to the United Nations, **against** the decision of the government of Tasmania. That decision from the United Nations is now awaited and it will be interesting to see what the United Nation decides. I suspect that it will be a dramatic event in the law of Australia whichever way the decision might go.

Australia becomes more and more **financially dependent** every day as the debt rises. Australia becomes more and more **economically dependent** every day as Australian businesses close in favour of foreign imports. Australia becomes financially dependent, economically dependent, and Australia becomes more **legally and judicially dependent on the United Nations** and on the rest of the world every time the Australian Government ratifies a United Nations treaty of the kind that requires that treaty to be part of Australian law. An independent Australia? Independent of our cultural heritage? Independent of the principles that we have historically believed to be the principles of right and wrong? Independent of God's Law? Independent of the Monarchy? Perhaps so. Perhaps that is what the Labor Party is talking about in its policy of independence. It doesn't seem to be a policy of overall independence.

Now, there have been one or two comments about Prime Minister Keating. As I came to the airport, coming into Melbourne yesterday, I went to the bathroom. I went to wash my hands and was impressed by the graffiti in the bathroom. It said, "Press button for a twenty-second speech from Prime Minister Keating." I pressed the button and I got twenty seconds of hot air.

There is one other thing I want to say: My wife made the terrible mistake when she was speaking to a senior politician the other day by referring to that senior politician's 'minders'. That senior politician said they are not minders and don't you dare call them 'minders'. If my wife had thought a little more quickly, I am sure she would have said, "Well, I know that with 'new-speak' language changes; historically I would have called them 'aides', but these days I wouldn't want to suggest that you have AIDS."

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Ques: What is the name of the politician in Victoria who opposed the Australia Act?

Ans: I am afraid I can't remember. He was a member of the Upper House but I am sorry I can't remember his name.

Ques: At the trial of King Charles I in England the Lord High Advocate said, "Sir, when you did break your trust to the kingdom, you did break your trust to your Superior, for the Kingdom is that for which you are trusted. These then, Sir, are your high crimes: tyranny and treason." How relevant would that be to these times of change and what body could try these people who are by-passing our legal and lawful constitution?

Ans: The questioner has suggested that on the occasion of the trial of King Charles I, the statement was made to Charles I that he had betrayed the trust of God and therefore, had betrayed the people and was, therefore, guilty of treason. Of course that is technically the situation. Not only then but now also. Interestingly and coincidentally, I have a history on the trial of Charles I in my brief case under the desk. The questioner went on to say, not only would that be technically treason now, but what tribunal would try such an issue.

Treason would ordinarily be prosecuted within a Supreme Court of a State or Territory.

A treason charge is brought on indictment. Indictments are

brought with the consent of the Attorney-General. It is possible, in some circumstances, to bring a private indictment but those circumstances are rare and difficult. It is the responsibility of the Attorney-General to bring indictments and treason must be charged on indictment. I am sure that that is not the answer that the questioner was seeking. But, as a lawyer that is about as far as I can go.

Ques: "If the Senate is dissolved and elections arranged by State Governors, and elections for the House of Representatives are arranged by the Governor-General, it seems remarkable that there is such a co-ordination that they all happen together.

Ans: Yes, there certainly is a co-ordination. There has to be an election for the House of Representatives every three years and for a half-Senate election every three years. It has to happen in accordance with the Constitution.

When there has been a parliament of 18 months or fewer, which we have seen frequently, it is surprising when there is a half-senate election simultaneously. It should not happen. If it does happen, **it should not**. It is a great saving in cost to hold a half-Senate election and a House of Representatives election simultaneously on the same day, and that saving in cost probably warrants more deep organisation to co-ordinate it. There are circumstances in which a double-dissolution is constitutionally required. When that double-dissolution happens, it happens pursuant to the provisions of the constitution. But it is still the State Governor who issues the writs for the Senate election. For the specific details I refer you to the Commonwealth of Australia Constitution.

Ques: Why does there seem to be an erosion of the Queen's power? Why does she not make it clear that the Parliament must uphold her sovereignty?

Ans: It is interesting that when Mr. Whitlam became Prime Minister of Australia, he started referring to 'my' government. Up to that point the Prime Minister of Australia had always recognized that it was the

Queen's Government. That idea of 'my' government has continued -- not the Queen's government, not the people's government -- but Mr. Keating's government. The words that Prime Minister Keating uses indicate **his** thought that the government is his, and that the **power is his**. It has been said that the present Governor-General would be reluctant to exercise any of the royal prerogatives or powers. I cannot really comment on the truth of that statement. I can say that our Governments have been taking to themselves that **totalitarian** view of the measure of right and wrong; a totalitarian view which I expect everyone here today would be very concerned about. Again, I expect that it does not give you the answer to the question that you were actually looking for.

The questioner is more concerned about the Queen not exercising her personal authority; if she did, then she would be able to prevent Britain going into the One-Europe structure, for example. Yes, I believe that is true. As far as Australia is concerned, at the time when Sir John Kerr exercised, and I suggest to you, **properly** exercised his responsibility, at that time an appeal was made to the Queen for the Queen's personal intervention in Australia. And you know, of course, who made that appeal. It was made by Mr. Whitlam, or his Speaker, Gordon Skoles. And the Queen's response was something like this: I am watching carefully the events in Australia but I leave them entirely to my personal representative there. She was indicating what the Australian Government had been pressing for some years, that Australia wished to be independent of the Queen.

I said in my talk-in-chief that Australia has been moving in many respects towards a republic and this is one of the areas where there has been a dramatic move in that direction. Gradualism. Slowly. Nobody has noticed! Dramatic? Certainly so! Flowing from that issue, if the Queen were to abdicate for herself or for herself and her family, if she were to abdicate in the United Kingdom, that would not stop her still being Queen of Australia. If she is voted out or forced out in the United Kingdom, she would still be Queen of Australia. If she is forced out or abdicates in relation to Australia, then she would still be Queen of the United Kingdom. The Queen of Australia is now recognisably a distinct

entity from the Queen of the United Kingdom or of Great Britain and Northern Ireland. This is enormously significant, for my question (which I am not seeking to answer, nor am I necessarily asking you to answer) is "What would the Queen do if the Australian Government asked her to abdicate as Queen of Australia, on behalf of herself and her family?" What would the Queen do in view of the steps that the questioner has been expressing concern about -- the way the Queen has not been exercising her authority? Would she abdicate? And is that how we would find a republic on our hands -- the Government saying to the people, "Well what do we do now? The Queen has abdicated for herself and her family. What do we do now? Let us have some sort of a vote to see what other kind of a government we can put in place." But that is **after the Government has asked her to do so**. And that to me is of deep concern.

Ques: What is the name of the Act that gives the limited right of appeal to the United Nations? And do you think it would be a good idea to have set terms for Parliament with elections every four years?

Ans: The Act passed in the Federal Parliament was the Human Rights and Equal Opportunity Commission Act of 1986. Attached to that is a document known as the 'First Optional Protocol'. The First Optional Protocol was not ratified at that time but by passing the Human Rights and Equal Opportunities Commission Act with the International Covenant on Civil and Political Rights as a Schedule, and therefore part of the principle Act, the Federal Parliament gave the government-of-the-day, whatever day it might be, the power to administratively adopt the First Optional Protocol, which they did and which became effective at the beginning of 1992.

No. I am personally very opposed to fixed-term parliaments for this is limiting the governor's rights, under Section 58 of the Constitution, to call an election **when he chooses**. If we had a fixed-term parliament, we would have that government for four years and the Governor-General

would have no authority to remove that government. It would be possible, in theory, and as a matter of law, to amend the Constitution so that a government cannot resign but the Governor-General may dismiss within four years. That would be technically possible. But I would be astonished if such a proposal would be allowed to go forward by any Australian government and if it were, it is a little bit complicated, and I suspect that the proposal would be defeated at referendum.

Ques: Could you give a brief overview of the Coronation Service and point to any part which you consider the most important.

Ans: The Coronation Service is a Christian event. It is a Service of worship which follows a traditional and consistent pattern through the years and through the centuries. At that service the Queen is asked to promise and swear to govern the peoples of each of the realms of which she is the Head-of-State, according to their respective laws and customs. She undertakes, to the utmost of her power and, listen to this because this puts into focus what I was saying earlier on, she undertakes, to the utmost of her power, **to maintain the laws of God and the true profession of the Gospel.**

The rule for the whole of life and government

You recall my comments about the measure of right and wrong - and the measure of right and wrong for government -- and this is the historic constitutional measure of right and wrong for government in this country and in Britain. She is given a copy of the Bible and she is reminded that the Bible is the rule for the whole of life and government of Christian princes, i.e. monarchs. **The rule for the whole of life and government**, and she is reminded that the Scripture is wisdom and royal law. There is then an anointing, for she is anointed Queen (or he is anointed King) in the presence of and by the Archbishop of Canterbury and the Moderator of the Church of Scotland -- the Archbishop of Canterbury being the senior Church figure in England and the Moderator,

the senior Church figure in Scotland.

She is then presented with the spurs and the sword and she is reminded that these indicate that she must not bear the sword in vain, but must use it only as the Minister of God for the terror and punishment of evil-doers (and please be reminded again that the determination of who are evil-doers is to be drawn from the Word of God and from no other place). **She is reminded that she must use it for the protection and encouragement of those who do well or do right, again in accordance with the Word of God.**

She is required to undertake to do justice, to stop the growth of iniquity and to protect the Holy Church of God, to help and defend widows and orphans, to restore the things that have gone to decay, to maintain the things that are restored, punish and reform what is amiss, and to confirm what is in good order. She is invested with the armlets, stole and the royal robe; and she is handed the orb. On the top of the orb there is a cross indicating the Kingship of the Lord Jesus Christ, that she, as Monarch, is subject to the Lord Jesus Christ, not only she, but the whole world, is subject to His power and empire. And the crown is placed on her head. There is a benediction; she is enthroned and she is then recognized as Queen. There follows a Communion Service and the singing of the *Te Deum*. (Some who are not quite as disposed to the Anglican order of services as others, say it is aptly named 'The Tedium'.) Then it ends with what is referred to as the 'Recess'.

I went to a Parliamentary Service at the beginning of the parliamentary year this year, representing the Presbyterian Church as Moderator of the Presbyterian Church, and I was interested to see that in the Service when the members of Parliament and, in particular, the Ministers, were installed and they were declared to be the Members of Parliament of the State of Tasmania, the Bishop who was leading the service said, "And now the recession" -- which was printed on the Order of Service.

David Mitchell, B.A., L.L.B., L.L.M., Ph.D.,

THE CHRISTIAN ROOTS OF REPRESENTATIVE GOVERNMENT

Sir Ivor Jennings, QC, in his book *The Queen's Government*, says the following:

The idea of representative democracy, which is now so firmly accepted that we find it difficult to justify any other, has several sources. In the first place, it derives from Christianity.

We must not forget our history, for history has consequences. The Queen and her predecessors have sat in Parliament for 700 years. ... The British Constitution adapts itself to new conditions in every generation, but its history has been continuous. At the centre of its structure has been Parliament, a different Parliament from generation to generation, and yet the same Parliament.

That was written in 1954. We meet in 1992 only three years from the 700th anniversary of the so-called Model Parliament of King Edward I in 1295. One wonders if the anniversary will be noticed and celebrated.

At a time when there is greater interest in family trees, and greater opportunity to do something about tracing one's roots, it is noted that on the other hand there is, in some quarters, an attitude bordering on contempt for political roots and for the importance of history. A prideful attitude thinks, "We are here in 1992 and that's all that matters." But Bishop William Stubbs, in his Foreword to his three-volume *The Constitutional History of England*, said the following in 1873:

The history of institutions presents in every branch a regularly developed series of causes and consequences, and abounds in examples of that continuity of life the realisation

of which is necessary to give the reader a personal hold on the past and a right judgement of the present. The roots of the present lie deep in the past, and nothing in the past is dead to the man who would learn how the present comes to be what it is.

Dr. David Kemp, a Member of Federal Parliament, one of the fourteen contributors to the book recently published -- *Our Heritage and Australia's Future* -- says the following:

It is important that we acknowledge that our heritage of liberty is not something which has existed from time immemorial. Specific liberties have come into existence at particular historical moments for particular historical reasons. If we understand the process by which they come into existence, we shall better understand the process by which they disappear, and what it may be necessary to do to defend them.

He says elsewhere:

Our liberties are threatened from several quarters. They are threatened from outside Australia, by political subversion and international crime. They are threatened, more seriously, from within Australia, by people who, in the famous words of Mr. Justice Brandeis, are people of good will, "well-meaning, but without understanding" ...

Sir Paul Hasluck, in the Foreword to the above-mentioned book, says that the title reminds us constantly that the relationship between our heritage and our future is fundamental to national understanding. We cannot argue sensibly about the present if we disregard both past and future. And the Hon. Jim Ramsay, in his Introduction to the series of papers, says that no country that ignores its heritage can sustain true

nationhood. It will fall into mediocrity and its destiny will be determined by others.

Early Christianity in England

The Christian Gospel came to Britain in the first century, through merchants, sailors and soldiers. We cannot pinpoint any individual of whom it can be said that he was the apostle of Britain. The faith grew up amongst the Celtic people and the Church began to flower. With the coming of warlike and pagan invaders from the east, Celtic Christianity was driven into Wales and Cornwall. They made little attempt to convert these new Angles, who had been so cruel to them. We are familiar with the Pope's sending of St. Augustine to begin a mission to the Angles, at the end of the 6th century. But his work coincided with a mission from the north whose power-base was Iona, founded by St. Columba. Seventy-three years after St. Augustine came, Pope Vitalian appointed Theodore, a Greek monk, to be Archbishop of Canterbury, when the man nominated by the English died in Rome before he could be consecrated. It was an excellent choice. He was an organizing genius, and in 673 convened the Synod of Hertford. This was a synod of bishops, together with "many other teachers of the Church", to quote the Venerable Bede, our first English historian. Theodore produced ten Canons, which were based on previous decisions of the Church in many parts of the Mediterranean. There is no need to reproduce them, but the thing to note is that the Canons bound the bishops as much as the priests and laity, and this is still the case with the Church. But the common people could see a system of law which bound rulers as well as those ruled.

Two authors give their testimony to this Primate of the Church. William Bright D.D. says in his *Chapters on Early English Church History*, in referring to the Synod of Hertford:

A memorable assembly in the annals of the English Church -- hardly less so in those of the English people. For

while it gave expression and consolidation to the idea of ecclesiastical unity, it was also the first of all national gatherings for such legislation as should affect the whole land of the English, the precursor of the Witenagemots and the parliaments of the one indivisible, imperial realm. Theodore may thus far take no mean place among the men who helped to make England.

Alfred Plummer, M.A., D.D., in his Volume 2 of *The Churches in Britain before A.D. 1000*, says the following:

He created a unified Church, which became in quite a marvellous degree a national Church. And this had consequences of which Theodore himself can scarcely have dreamed. The unity of the Church became the foundation, the model, and the chief cause of the unity of the nation. It was a long time before civil rulers were able to do with the disconnected and sometimes hostile kingdoms what Theodore did with the disconnected dioceses, and unite them in one organized whole; but while this problem was being painfully worked out, it was the English Church which was the substitute for a united nation, and which led to an English nation being at last formed.

The Witans

The word 'parliament' came to be used for those occasions when the king took counsel with a larger number of advisers than usual; they held 'parleys' or talks. But even in Anglo-Saxon days the king had his Witan or Witenagemot, which means the "assembly of the wise". These gatherings included the king's more important relations, the local bishops and abbots, the great ealdormen, and lesser notables. With some exceptions in later days, they were purely advisory bodies. John Bowle,

in his book *The English Experience*, says that they confirmed, but did not initiate. R.J. Adam in his book *A Conquest of England*, says that we must not read into taking counsel any notions of government by consent. Even the Norman kings took counsel, and the Anglo-Saxon word 'Witan' was continued, but it was on their own terms. Their counsellors were not so much an embodiment of collective wisdom, but an inner circle of faithful followers, men bound to them by precise ties. The king would do well to carry the Witan with him, especially in big decisions, but this did not imply any notion of a limited monarchy or of procedure by vote.

Sir George Clark, in his book *English History: A Survey*, says that the names of the Witan appeared in the more important documents which the king approved. This was simply a public expression of the fact that decisions made could not be known or effective without the participation of those who could answer for the general population, those who could foresee how the decisions would work and who would have to put them into effect.

William the Conqueror took counsel with his Witan, "the Witan of the Realm", at Christmas, Easter and Whitsun, and one notes that it was the major Christian festivals which were the focus for these gatherings. His Witan comprised Archbishops, bishops, abbots, earls, thegns, and knights, the first being at Winchester in 1070. In 1072 the great Easter Council dealt with the respective rights of the Metropolitan Sees of Canterbury and York. This was at Winchester in the royal castle, and included laymen of high rank.

Below the Witans were the shire moots. By the tenth century these were presided over by the shire reeve, i.e. the sheriff. The word 'shire' or 'scire' means a share, a share of the larger whole. In the shire court sat the local bishop. Below the shires and parallel with them were the hundreds, whose origins go back into the mists. Briefly, they were groupings of farm lands whose acreage covered a certain area. They were known by other names, such as the Ridings in Yorkshire. By the time of King Edgar they became part of local government. In the courts of the hundred sat the local parish priest.

Further Church organization

By the 8th century the organization of the parochial system really got under way, with parish priests being appointed to territorial areas. There were no maps, of course, but permanent natural features were the lines and turning points. The whole country was divided into territorial areas, varying in size, for each of which a definite person was responsible in all spiritual matters. That is still the case with Anglicans! To this man, the *persona ecclesiae*, i.e. the parson, the charge of all the souls in that area was definitely committed by the bishop in instituting him. His responsibilities were enforced and his rights carefully maintained. There still exists a letter of the Venerable Bede to the Archbishop of York, saying that priests were needed in his neighbourhood. It was very moving for me to stand at the tomb of Bede in the lovely Cathedral of Durham.

Archbishop Theodore had obtained agreement that there should be an annual Synod, at least of bishops, to be held at Clovesho. It seems that Clovesho was close to the borders of a few kingdoms, which allowed the delegates to reach home quickly if trouble broke out between the kingdoms. Very often the synods could not be held annually, but they were more numerous than might have been expected in the unsettled state of the kingdoms. What one must note is the security of the Church in the face of troubled times. Bishop Stubbs says that Archbishop Egbert of York sat undisturbed in his primacy during the reigns of five princes bound in close relationship with himself, all of whom owed their elevation and deposition to revolt. In Kent the Archbishops ruled from 740 to 789 during a period of so much subdivision and anarchy in the kingdom that not even the names of the rival kings or the dates of their reigns have been preserved. Stubbs says that the bishops were not local potentates in the way that the French and German prelates were. They did not become counts or dukes of their dioceses, or entangle themselves with the secular intricacies of the divided and bewildered nation. They were spiritual guides.

The Rev. W.M. Patterson in his book *A History of the Church of*

England says that the clerical assemblies or convocations had led the way in the development of the representative principle. The Synod of Hertford has already been mentioned. At the Synod of Clovesho in 803 we have evidence of the bishops' appearing at the head of a body of diocesan clergy, many of them abbots. In 1225 Archbishop Stephen Langton of Canterbury had summoned proctors for the cathedral and monastic chapters. In 1258 Archdeacons were summoned with letters of proxy from their clergy. Finally, in 1283 the Convocation reached the form it retained until early in the 20th century. To it were summoned the bishops, abbots, deans, archdeacons, together with two representatives from the clergy of each diocese and one representative from each chapter. This was only twelve years before Edward I summoned what is known as the Model Parliament.

The formation of a system of Canon Law, already mentioned in speaking about Archbishop Theodore, paved the way for the system of secular law, and we must note the influence of the former, for it bound the bishops as well as the clergy and laity, and so, bit by bit, the ground was laid for a national system of law which would bind the king as much as his subjects. Canon Law also bound Christian people across all boundaries of the seven kingdoms, and gave an insight into the future for a united kingdom. The strength, solidity and unity which Canon Law gave to the Church was an example to society of the need for a similar code of law which might provide a powerful check on the despotic rule of a king.

There is no more powerful check on the will of a king than the customs, traditions and precedents which gather insensibly round an organized legal system. Kings may come and go, dynasties rise and fall, but the law, like the Church, goes on for ever, and is stronger than the king.

Interaction

We must note the tremendous interaction between synods and councils. Wakeman, in his *History of the Church of England*, draws

attention to it. Laws were made either by synods and accepted and enforced by the king; or made by king and Witan and accepted by the bishops. They were interpreted by courts under the joint presidency of the bishop and ealdorman. At Clovesho in 742 King Ethelbald presided. In 747 the ealdormen and 'duces' were present. At Brentford in 781 a synod met to deal with a dispute with King Offa, and he and some ealdormen were present. At Chelsea in 816 the clergy of the Province of Canterbury met in the presence of the King of Mercia and his chief nobles. It was common for King Offa to preside over synods. Since they were attended by Churchmen from every English kingdom, but by nobles only from Mercia, and since they dealt with secular as well as Church business, they could not help foreshadowing a time when there would be only one king in England who would preside over councillors from every part of the land.

At Luton in 931 there were two Archbishops, two Welsh princes, seventeen bishops, fifteen ealdormen, five abbots and fifty-nine 'ministri'. At Winchester in 934 there were two Archbishops, four Welsh kings, seventeen bishops, four abbots, twelve earls and fifty-two 'ministri'. In 966 the king's mother was present, two Archbishops, seven bishops, five ealdormen and fifteen 'ministri'. These ministri are the king's staff, corresponding in our day to Cabinet ministers and the public service. It is recorded that the laws of Ini are enacted "with the counsel and teaching of the bishops, with all the ealdormen, and the most distinguished Witan of the nation, and with a large gathering of God's servants".

Bishop Stubbs agrees with Wakeman. The ecclesiastical legislation of Kings Alfred, Ethelred and Canute was transacted with the counsel of the Witan. The more distinctively ecclesiastical assemblies, like Clovesho and Chelsea, issued canons and admitted counsellors of the kingdom to their sittings, and allowed their acts to be confirmed by lay subscription. The distinction between spiritual and temporal was lightly drawn, and this was the case with the shire moots and hundred moots.

Professor Margaret Deanesley, in her book *The Pre-Conquest Church in England*, shows how Codes V and VI of King Ethelred mix up

Church and secular law. In Code V, 25 of the 35 laws deal with Church matters, and the last ten with secular matters and the defence of the realm. In Code VI, 30 of the 52 laws are ecclesiastical, the last 22 secular. She goes on:

If Aelfheah and Wulfstan drew up a set of Church laws, they were regarded as equally valid whether published to the bishops in synod or the bishops and lay nobles in the Witan. ... Dunstan and Aethelwold and Wulfstan were strict reformers, zealous for the rights of the Church; there is no suggestion anywhere that they desired the bishops to meet separately in ecclesiastical synod and issue canons.

The 13th Century

This century is the high-water mark of English constitutional liberty. It begins with Magna Carta and ends with the Model Parliament of King Edward I.

Magna Carta:

The first thing to note is that the Archbishop of Canterbury was a dominant figure in those great days around 1215 A.D. He was Stephen Langton, an Englishman. Pope Innocent III had gone to some trouble to have him elected, refusing to accept the nominees of the king and the monks of Christ Church, Canterbury. Langton was then Chancellor of the University of Paris. When he arrived in England he must have astonished the Pope and the king by his independent views. He supported the barons against King John in demanding their ancient liberties. King John had humiliated himself and the whole nation by giving in to the Interdict of the Pope and surrendering his Crown to the Pope, receiving it back from him as a fief. This didn't endear him to the people.

The seeds of the Great Charter were sown in the reign of Henry I,

who issued a Charter at the beginning of his rule. He had said to the Archbishop of Canterbury, "Myself and the people of the whole realm of England I commit to your counsel and that of those who ought with you to counsel me." Archbishop Langton extracted an oath from King John by which the king promised to renew the laws of Edward the Confessor, but the Archbishop knew the king's character too well to be content with a verbal promise made under compulsion. No one quite knew what the ancient laws were, but Langton searched the archives and produced the Charter of Henry I, which recited those laws and stipulated what privileges the prelates and barons respectively might claim for their orders. He called the nobles together privately at St. Paul's, London, on August 25th, 1213, and the barons declared themselves ready to die for the liberties enshrined in the charter. Bishop Stubbs says that this gathering included clergy, and a body of representatives from townships on the royal demesne, each of which sent its reeve and four legal men.

When Langton presented to the king the claim for traditional liberties, John, feeling himself strong again, repudiated his earlier promise. This was the last straw, and John was threatened with defeat in the field. He had no choice but to set his seal to the articles which we know as Magna Carta, which itself describes the location as "the meadow which is called Runnymede, between Windsor and Staines". It was very moving for me to walk those meadows. The Charter, in form, is the act of the king -- who didn't mean to keep it -- but Bishop Stubbs says that in substance and historical position it is the first effort of a corporate life that has reached full consciousness.

At Runnymede the Archbishop stood beside the king as his chief minister, but he had motivated the barons, and it was probably by him, the majority of the bishops, and the legal members of the confederacy, that the rights of the freeholder were so carefully fenced around. Although none of the common people was represented at Runnymede, the barons and the bishops secured their position for the future. Stubbs' translation of the Latin in the document is as follows:

All the aforesaid customs and liberties that we have granted to be held in our kingdom, so far as pertains to us with reference to our vassals, all men of our kingdom, as well clerk as lay, shall observe, as far as pertains to them, with reference to their men.

Stubbs says that the whole of the constitutional history of England is little more than a commentary on Magna Carta. Articles 12 to 15 are worth noting, and I quote again from Stubbs:

They admit the right of the nation to ordain taxation, and they define the way in which the consent of the nation is to be given. No scutage or aid, other than the three regular feudal aids is henceforth to be imposed **but by the common counsel of the nation**, and the common counsel of the nation is to be taken in an assembly duly summoned; the archbishops, bishops, abbots, earls and greater barons are to be called up by royal writ directed to each severally; and all who hold of the king in chief, below the rank of the greater barons, are to be summoned by a general writ addressed to the sheriff of their shire; the summons is to express the cause for which the assembly is to be called together; forty days' notice is to be given; and when the day has arrived the action of those members who obey the summons is to be taken to represent the action of the whole.

Article 61 speaks of how the Charter is to be enforced. The barons are to elect 25 of their number as executors. They are empowered to levy war against the king himself, if he refuse to do justice on any claim laid before him by four of their number; and in conjunction with the 'communa' -- that is, the community of the whole realm -- to distrain him.

Patterson, already quoted, says that when Edward I confirmed Magna Carta (according to Blackstone's *Commentaries* of 1765), he did so by a statute, "whereby the Great Charter is directed to be allowed as

the Common Law; all judgements contrary to it are declared void; copies of it are ordered to be sent to all Cathedral Churches, and read twice a year to the people, and sentence of excommunication is directed to be as constantly denounced against all those that by work, deed or counsel, act contrary thereto, or in any degree infringe it".

Sir George Clark says of Magna Carta:

... its history and some of its phrases made it a rallying point for those who suspected kings of placing themselves above the law. ... When the Stuart kings fell out with their subjects it was brought forward as a sacred text and revered, as it still is today by those who have never read it.

The Institution of Parliament

The 13th Century was a time of tremendous development for the nation. There was no great involvement on the Continent of Europe. We look now at the institution of Parliament. King Henry III was ruling badly, and in 1258 a council met at Oxford to combat his misrule. A provisional government was formed with a standing council to act as advisers to the king and as a check on all his acts. The Archbishop of Canterbury and the bishops of London and Worcester were in one of the two committees of 24 to redress grievances. Canterbury and Worcester were on the council of 15, and London was one of the 12 commissioners elected by the barons to meet the council of 15 three times a year. The king swore to observe these "Provisions of Oxford", as they came to be known, but in 1260 the Pope released him from his oath, and in 1263 King Louis of France, to whom the questions at issue had been referred, gave his decision in favour of Henry. So Henry was free to enjoy the same power as before.

The matter was decided on the field of battle, and on May 14th, 1264, Henry was defeated at Lewes. Earl Simon de Montfort was the leader of the patriotic party and he summoned a parliament in 1265. This

parliament is notable in that for the first time representatives of the citizens and burgesses were there to assist the knights of the shires and nobles and prelates. Clark however says that only five earls and eighteen barons sat in that Parliament. In summoning this experimental assembly Earl Simon was guided by what he had seen successfully done in the annual Church synods, which held their session in the council chambers -- that is, the chapter houses -- of the various cathedrals, and it is to be noted that his parliament came only seven years after a synod included archdeacons with letters of proxy from the clergy. These chapter houses had been placed at the disposal of the earlier Witans. So Simon's parliament met in the chapter house of Westminster Abbey, where succeeding parliaments continued to meet in London, until a suitable building could be erected for the sole use of members.

Most important of all was the influence on Simon of the great Bishop of Lincoln, Robert, called "Grossetete", which means "Great head", because of his learning and scholarly attainments. This saintly man was on terms of great affection with Simon, as proved by their correspondence. The Earl's sons were placed under the bishop's charge, and it was for Simon's instruction that the bishop wrote the treatise entitled *The Principles of Kingship and Tyranny*. This work apparently has not been preserved, but from the tenor of the bishop's other writings, and of his whole career, it can be believed that it marked out very clearly the difference between the methods of a constitutional monarchy and an arbitrary despotism.

Earl Simon was defeated and killed soon afterwards at Evesham by Edward, but his father Henry agreed to continue the representation of what we call the Commons in the national council, although the term 'Commons' wasn't properly in use until the 15th century. The cause for which the patriotic party fought was not lost. W.R. Stephens, in his *History of the English Church 1066-1272*, says:

The great principle is that law is above the ruler, and that the sovereign who does not rule in accordance with law and truth must be restrained.

And he quotes a long Latin poem by a nameless author, composed after the battle of Lewes:

Let him who reads know that he cannot reign who does not keep the law. If the prince loves his people he ought to be loved in return; if he rules righteously he ought to be honoured; if he goes astray he ought to be called back by those whom he has oppressed; if he will be corrected by them he ought to be uplifted and supported. ... Law rules the dignity of the king; for we believe that the law is light, without which the ruler will wander from the right path.

Stephens goes on:

Edward himself, the victor at Evesham, learned to respect the principles for which Earl Simon fought and died, and to rule in conformity with them. He learned the lesson which his father was never able to learn -- that the king's throne must be established in righteousness, by doing strict justice to all men, by giving to every class some voice in the great council of the nation, above all by scrupulous fidelity to promises, in accordance with the motto inscribed on his tomb in Westminster Abbey -- '*Pactum Serva* - Keep troth'.

We must gratefully recognize in the Church the most potent and beneficent agent in shaping the life and destiny of the English nation. Notwithstanding many obvious defects inseparable from the rudeness of the age, together with germs of corruption which developed only too rapidly in the hard, cold, selfish times which succeeded the 13th century, the Church was undoubtedly the chief source and centre of progress and civilization.

He says also that the part played by the Church in this struggle for constitutional rights cannot be better expressed than in the words of Sir Francis Palgrave.

However powerful the nobles may have been, it is doubtful whether they would have been able to maintain themselves against the monarchy, if they had been deprived of the support of the bishops and abbots who were placed in the first rank as peers of the realm. The mitre has resisted many blows which would have broken the helmet. ... It is to these prelates that we chiefly owe the maintenance of the form and spirit of free government secured to us not by force but by law; and the altar has thus been the cornerstone of our ancient constitution.

The nature of the Parliaments

King Edward I's early parliaments were chaotic and haphazard affairs. One year he would assemble knights of the shires, the next the barons and bishops. The composition of a parliament seemed to depend on the nature of the business to be laid before it. However, towards the end of his reign the national council or parliament was not considered complete unless it contained representatives of the three estates -- lords temporal, lords spiritual, and the commons. From the first parliament of Edward's reign, in April 1275, there emerged the first Statute of Westminster, which dealt with administrative abuses revealed by a commission. The statute was said to be made by the king, "by his Council and by the assent of archbishops, bishops, abbots, earls, priors, barons, and the community of the realm being thither summoned". (That is a quote from John Chancellor in *The Life and Times of Edward I*.) This may be compared with his father's introduction to acts which restricted the king's counsellors to bishops, barons, and "the leading men of England".

The most comprehensive assembly ever to have been summoned in England was in 1295. The earls and barons came as a matter of course. With them came two knights chosen by the popular court of each shire, and two citizens or burgesses from every city or borough town. The

clergy came in full force -- archbishops, bishops, abbots, deans, archdeacons, and for the first time, representatives of the parochial clergy of each diocese. The result was a parliament genuinely representing the three estates, and so it has been termed the Model Parliament. It is interesting to note that the lower clergy soon opted out of being represented in parliament. They wanted to maintain their independence and felt that their interests were preserved by the attendance of the bishops. It is also interesting to see that there was no major change in the composition of the parliament from 1295 to 1832, the year of the great Reform Bill. Until that date two representatives from each of the communities were elected. The term "commons" derives from the Latin *communitates* or the French *communes*.

Why were the Parliaments summoned in those days? Briefly, they were called because the king needed money and because they were useful. The Model Parliament of 1295 was summoned because Edward needed money for the war against Philip the Fair. Clark says that the only credentials which the representatives had to bring to their sessions consisted of a power of attorney authorizing them to agree to taxation on behalf of those who would be bound to pay. In early days it was not uncommon for members to come reluctantly!

The parliaments were useful in more than one way. Edward I wanted to rule the State, but at the same time he wanted to take his subjects into partnership with him, provided they recognized his royal rights. In this spirit he accepted the rights and privileges of different classes. Edward felt he could meet his difficulties only if he had the support of the nation as a whole, and it was only by national grants of money that he could get the better of his enemies in Scotland and France. So he enunciated the maxim that **"what touches all should be approved by all"**, and in this way broadened the basis of support for the government of the country.

Parliaments were not summoned in deference to any principle of democracy as we know it. There was no question of the monarchy being limited by parliament, any more than by the barons in council. The realistic view is that, in those earlier days, parliaments were associates

and auxiliaries of the Crown. The knights and burgesses naturally had no vision of what we call a constitutional monarchy. In brief, parliament was summoned when the sovereign wanted it; he set the business before it, and he dismissed it. Under Henry VII there were seven parliaments, six of them in his first twelve years. During Edward VI's six years there were two; during Queen Mary's five years there were five; and in Elizabeth's forty-five years there were only ten. Henry VIII had six in six years, but only one in the fourteen years of Wolsey's dominance.

The parliament of 1305 contained 250 clergy, prelates and lesser ecclesiastics; nine earls, ninety-four barons, seventy-four knights of the shires and about two hundred burgesses. It was advantageous to the king to know what was going on, and the representatives could air their grievances. As well as official advice the king could get unofficial advice through finding out what men were saying in remote parts of England. Major decisions were made after the knights and burgesses had gone home, but those representatives were developing in the course of business into an accepted form of government, if only intermittent and auxiliary. Their representative capacity was not then the most important part of the parliament. But we note gradual change. Under Edward I the knights and burgesses were summoned *ad audiendum et faciendum* -- that is, to hear and do; but under Edward II they were summoned *ad audiendum et consentiendum* -- to hear and consent.

As the cost of conflicts and wars arose, the authority of the knights and burgesses rose too. By 1327 these representatives were being summoned to every parliament and were taking initiative in presenting petitions. By 1336 they were claiming that the export tax on wool had been imposed without their consent, and within twenty-five years they were fixing the amount. So in the late 14th century these "commons" were not just a means of finding out opinion and a sounding board for government policy. They were necessary for raising revenue and for dealing with a whole range of business.

It was in the middle of the 14th century that the parliamentary assemblies divided into an upper and a lower house; but when it did the lower and larger house represented both town and country, and within it

were members who came from the various strata of wealth and influence, except the very highest. Clark says that of all assemblies of estates in Europe this became the strongest and proved to be the most enduring.

The continuing struggle

English history shows the struggle against power concentrated at the top, and for a proper balance of power, for checks and balances. There was that brief interlude in the 17th century, when Parliament gained the ascendancy over the Crown, and Charles I was imprisoned and finally executed. Archbishop Laud suffered the same fate. The excesses of that period darken our history, and England rejoiced when Charles II came back to the throne in 1661, and the Church came back to her rightful place.

Not long afterwards, exactly 100 years before the bloody French Revolution, England had her quiet revolution. The English Declaration of Right was drawn up in 1689. It summed up the illegal acts of James II and was incorporated into a statute called the Bill of Rights and was presented by Parliament to William and Mary. It listed certain rights - "true, ancient and indubitable rights and liberties of the people of the English kingdom".

Bills of Rights and amendments to constitutions incorporating Rights are to be seen in the USA, Canada, France and Germany. It must be noted, however, that the Canadian Bill of Rights is not enshrined in any constitution. It could be altered by Act of Parliament. Suggestions have been raised for a Bill of Rights in Australia, but we must be very wary, and ask ourselves, "What is the pedigree of these ideas?" Any attempt to incorporate rights into our Constitution must be judged by what it does **not** say as much as by what it does say.

The struggle is a continuing one, for the will to power still lurks in many breasts. Our chief danger is the tendency to centralise power, not any royal tyranny. I give you an example going back to 1942, which, although now fifty years old, is symptomatic of an attitude which won't

lie down. In that year Dr. Evatt, speaking in Federal Parliament on a proposed amendment to the Constitution, said: "I desire to make it perfectly clear that the constitutional amendment I propose will give the decision to Parliament itself, and no person will be able to challenge the validity of Parliament's decision." This proposal was defeated in 1944. But here is the concept of an all-powerful Parliament with no checks on its decisions and no mention of recourse to law.

Of late years we have been hearing the expression "Such and such a party has come to power". Power there is, of course, but power is a great seduction. Some noted TV evangelists in the USA have been seduced by power -- power of a different kind, but still power. The third temptation of Jesus in the wilderness comes to many people in different forms. One of our own bishops, consecrated several years ago, was asked what was the thought of being a bishop that appealed to him most. He replied, "The power it gives me." It was an appalling answer.

In Australia we have inherited the trinitarian system of government -- the Crown, Upper House, and Lower House. Laws passed by Parliament still begin -- "Be it enacted by the Queen's Most Excellent Majesty, the Senate and the House of Representatives." There are many who chafe under this inherited system, and I hope you agree with me in disliking intensely the words "**My** government" used by Prime Ministers and some Premiers since 1972. Governments are the **Queen's** Governments. The presence of any reserve powers in the Monarch or her representative -- Governor-General or State Governor -- are anathema to those who believe in the centralisation of power. We all remember the screams that went up when Sir John Kerr dissolved both houses of parliament when Mr. Whitlam was Prime Minister. It is easy to forget that any law passed by parliaments in this country has no effect until assented to by the Queen's representative. Similarly, when Church synods pass Canons, they have no effect until assented to by the bishop of the diocese.

Centralisation of power never works for the benefit of the individual. We have been watching the encroachment of Federal power into areas which properly belong to the States. The High Court has ruled that the

External Affairs power in the Constitution takes precedence over other sections of the Constitution. Now there has been a forced amalgamation of institutions of higher learning, and Vice-Chancellors have become testy about the volume of paper-work with which they have been besieged, to satisfy an ever-growing bureaucracy. And it is worth remembering that the word "bureaucracy" can be translated as "desk power".

It could be said that the wheel has turned right round. Whereas in the past early parliamentarians were simply "associates" or "auxiliaries" of the Crown, now the ordinary back-bencher is little more than an auxiliary or associate of what is called the Cabinet, behind which lies the power of the Prime Minister and his own department, and behind that again, the power of an entrenched and ever-growing bureaucracy. Is it any wonder that the cry for Citizens' Initiated Referenda is growing in the grass-roots of our society?

We return to England, the land called the Mother of Parliaments. In 1972 Britain joined the European Economic Community. To do this she had to sign the Treaty of Rome, whose main purpose is **not** a common market but a **political union**. In doing so she had to **give away** some of her sovereignty, and I emphasise "give away". I feel sympathy with Mr. Enoch Powell, who said the following in his *My Country Right or Wrong*:

The second half of my life has seen the deliberate dismantling of that country itself. That country used to be a free country. By this we mean a country whose citizens lived under laws they made themselves in their own Parliament and administered in their own courts. Not any longer. I protested. I opposed it. I refused to acknowledge it; but in 1972 Britain gave that freedom away by agreeing to join the Common Market. ... The House of Commons surrendered in the most formal and comprehensive manner its exclusive right to make laws and to levy taxes and the exclusive right of our courts to judge judgements.

What is worse, the electorate shrug their shoulders

and mutter that they never liked it, but they go on putting up with it. ... Nations that renounce their self-respect and their independence do not, in this hard world, escape punishment.

It reminds us of Shakespeare's words in *King John*, Act V:

This England never did, nor never shall
Lie at the proud foot of a conqueror,
But when it first did help to wound itself.

Much worse has been proposed. The Treaty of Maastricht would give progressive transfer of control over economic and financial policies from national to community institutions and bureaucracies. There would be a common European currency, and the establishment of a European Central Bank. When Mrs. Thatcher, the former British Prime Minister, visited Madrid in 1989 to consider the report which framed these proposals, she consented only to an explanatory examination of Stage 1. She told the House of Commons that Stages 2 and 3 would involve a massive transfer of sovereignty which, she believed, would not be acceptable to the House. Unfortunately, Mr. Major seems more pliable. At the time of writing, with the indecisive result of the French referendum as well as a close result in the Danish referendum, the international socialists have had a setback.

The position of the Church

Since the 16th century the Western Church has been divided, the divisions multiplying as the years have rolled on. There has been a loss of that interaction which was a feature of earlier history, and Churches at times do not speak with the same voice. The divisions militate against a proper perception of a role of the Church as guardian of the rights of the individual in an increasingly monolithic and all-powerful State.

Within these divisions is a further division which cuts across all

ecclesiastical boundaries -- that is, the division between conservative and liberal. The liberals are infected with the humanist agenda. Years ago it was said that the world must set the agenda for the Church. This caught on as though it was a new gospel, so much so that a majority of our own bishops and other Church leaders seem preoccupied with the social and political problems that are magnifying as time goes on. They meddle with the internal affairs of South Africa; urge governments to increase overseas aid to a higher percentage of gross domestic product; have a say about immigration; pass resolutions about the environment, the ecology and nuclear disarmament; join in condemnation about racism. They are soft on homosexuality, pornography and abortion, even to a suggested liturgy for the taking of life. They are concerned with 'rights' of various people and sections of society, but little with personal responsibility for our actions. A cleric can address the National Press Club and hardly mention God at all. The Roman Catholic bishops have now issued their report on wealth and have recommended distribution of wealth and the taxing of the rich for that purpose! They do not recognize the applause in the background as coming from Karl Marx from beyond the grave! Our leaders repeat the slogan that Jesus had a bias towards the poor -- whereas he was concerned for the rich and poor alike -- and so they are busy with requests to government ministers and departments. In my own Communion they have succumbed to the feminist agenda and are pursuing the ordination of women, relinquishing theology in favour of the modern shibboleths of "justice", "equality", "discrimination", and so on. My own Archbishop said publicly that the credibility of our Church would be "gravely diminished" if General Synod did not finally agree to the ordination of women. He also said that his first priority was "to lift the public profile of our Church so that we are taken seriously by the world as a significant body with valued opinions on matters of public concern".

The Church has been subverted and infiltrated. There is a liberal rage for "cultural relevance". So if one reads Saturday's newspaper one gets a fore-taste of Sunday's sermon. Os Guinness surely is right when he said, "Shut off from transcendence, modern people are shut up to

triviality." Worship should be addressed to God, but veers dangerously towards entertainment of the worshippers. How then can they be "lost in wonder, love and praise"?

It is worthwhile to quote from Malcolm Muggeridge, whose biography by Ian Hunter I have recently read. You may know that he had at times a very acidic tongue, and when he was editor of *Punch* he antagonized many people. In replying to an attack by the Archbishop of Canterbury, Muggeridge said:

One thing I can say with the utmost sincerity, and that is that I grow evermore convinced that the Christian Gospel was the most wonderful thing that ever happened to the world; that it represents the nearest to ultimate truth that has yet been revealed to mankind; that our civilization was born of it, is irretrievably bound up with it, and would most certainly perish without it; that the basic trouble with the world today is that false prophets (some of them professing Christians) preach that man can live by bread alone, which is truly blasphemous.

As far back as 1948 Muggeridge was speaking of a civilization that was "guttering out", and the Church, as he saw it thirty years later, was not immune from this collapse; rather, it was an important factor in it. By running with the tide, by transforming a transcendental faith into a charter on racial discrimination, poverty, better housing, and the United Nations, by bending the knee before the age's false gods -- progress and the pursuit of happiness -- the Church hastens its own demise. He wrote in his book *Jesus Rediscovered*, "It seems to me that many of its leaders have, of their own accord, allied themselves with the forces of the world, and that is the one disastrous thing they can do."

It was the famous Dean Inge who said that he who marries the spirit of the age will find himself a widower in the next.

Os Guinness, in his book *The Gravedigger File* (1983), writes of the Church's situation as the Cheshire Cat factor. In Lewis Carroll's *Alice*

in *Wonderland*, Alice was surprised to see the cat vanishing, beginning with its tail, until all that was left was the grin, which stayed for some time after the rest had disappeared. In a chapter dedicated under this heading, Guinness points out how the impact of faith on moral, social and political life has been diminishing, so much so that all that is left of the Church is an empty, lingering grin. He says that this is secularisation, the process through which successive sectors of society and culture have been freed from the decisive influence of religious ideas and institutions.

Governments these days talk about privatising. Well, the Church is ahead of them. Instead of interaction, there is compartmentalising of religion and life. Bishop Bruce Wilson of Bathurst, when he was a parish priest, was asked by one of his men to join a local businessmen's club. He went along and found himself next to a complete stranger. Proffering his hand, he said, "Hello, I'm Bruce Wilson" "Pleased to meet you, Bruce," the other said, "What's your line of business?" The priest, who could not have worn a clerical collar, said that he was an Anglican clergyman. "Oh, you're in religion; I'm in spare parts." The bishop mused that he could not imagine a medieval blacksmith thinking of himself as being 'in horseshoes' and his parish priest as 'in religion'.

Perhaps the best example of privatising is the story of the founder of McDonald's hamburgers, told by Guinness. The founder said, "I speak of faith in McDonald's as if it were a religion. I believe in God, family and McDonald's, and in the office that order is reversed."

Conclusion

In 1955 there was published a symposium entitled *Christianity and Freedom*. Gustave Thibon, in his chapter "The Decline of Freedom", has this to say:

From Imperial Rome right down to our own day -- and in spite of the obstacles constantly placed in the way by moribund members of the Church's own body -- the diffu-

sion of Christianity has gradually resulted, directly or indirectly, in a development of the freedom of individuals and living groups (families and communities), whatever the resistance of tyrannical individuals or collective bodies. ... There is no human freedom ... which Christianity has not served to stimulate, and this vast hatching of freedoms ... constitutes the very soul of that western civilization the decline of which today fills us with deep anxiety tempered by hope. The human person, delivered by Christ, has been able to develop his loftiest potentialities. We see the result in culture, in the economic and juridical and the political order.

He says, too, that the decline of freedoms accompanies everywhere, like its shadow, the recoil from Christianity. The message is clear -- the cutting of our spiritual roots in the western world will have consequences for our freedoms. Those who disdain history are forging chains for themselves and their children. It was the great Roman, Cicero, who said that he who did not know what happened before he was born would remain forever a child. If our bishops and other leaders of the Churches do not give the right sort of lead which would begin to turn our situation around, it must be left to the dedicated layman and laywoman to pursue the truth. They will be motivated by a religious faith which can come through the morass of conflicting claims and false teachings. As they take the long view, the perspective of history, they can take courage. In the words of Isaiah the prophet, they look to the rock from which they were hewn and to the quarry from which they were dug. They are those of whom Henry David Thoreau, the America essayist and naturalist wrote, "If a man does not keep pace with his companions, perhaps it is because he hears a different drummer."

The Rev. Arthur G. Fellows, Th.L.

THE CHURCH AND THE TRINITY

The following article is recommended to the close study of those Christians concerned about the failure of Church spokesmen to give an authoritative lead in demonstrating that the Doctrine of The Trinity is of the greatest importance to any consideration of the realities of politics and the principles governing human associations.

Every Trinity Sunday I make a point of going to church, usually a different one, in the hope of hearing a faithful and convincing exposition of the central doctrine of Christianity, and, hitherto, I have always been disappointed. Indeed, recently, I have not even heard that 'Confession of our Christian Faith', commonly called the *Creed of Saint Athanasius* sung or said on the day dedicated to the Holy Trinity; and the last time I heard it (three years ago) it was 'explained away' in the sermon as an out-of-date formula, devised by the early Church to defend the *unity* of the Godhead (with no mention of the *diversity*) against certain heresies which are now only of historical interest.

Only of historical interest! No wonder the Church itself is deemed to be irrelevant to 'this modern age' if it cannot see the direct relevance of this unique, precise, lucid and immensely valuable exposition of the nature of God as revealed to us by His acts of the Incarnation and the gift of the Holy Spirit, to our situation at the present time. How could it be anything but relevant to the situation at *any* time? But at this time of all times, when, as in the early Christian centuries, all sorts of perversions of the Faith are rampant, and none more so than modern variations of the two particular heresies which the *Quicunque Vult* was especially designed to correct. How pitiful it is that the Church should be setting aside the lesson which it teaches, and blinding itself to the very dangers from which it was our shield and protection; and all this, in the name of keeping abreast with the times!

It is true enough that the Church must be prepared to change and adapt itself to new knowledge and new events and an ever-changing world situation if it is to survive; but survival implies life, and living adaptation implies continuity and growth, not the destructive gelatinization of its essential character, which is what seems to be happening, in its attempt to merge with its environment. Are there no new insights to be had from this tremendous revelation, which is still relatively new if viewed in terms of human history?

Ancient Heresies

To begin with, some of the ancient heresies seem scarcely to have changed at all during the intervening centuries; others have taken different forms, but their essential errors remain the same: either they divide the Unity, or they confound the Persons of God; Sabellianism, or modalism, which trivialises the three Persons into mere aspects or modes of manifestation of one Divine Person is very fashionable today. A sure sign of it is the selection of the most trivial meaning of the word *persona* to denote an actor's mask, thus retrogressing our faith's image of God to that of a Monarchical Jehovah, merely play-acting with his people by appearing to them in different guises. The practical significance of such a belief as it works out in human affairs is catastrophic.

As for Arianism, which 'divided the substance' of God by placing the Son and the Spirit at a lower level of Godhead than the Father, there are all sorts of it current today among the speculations of the theologians, who will, no doubt, find little difficulty in pointing out the differences. But these are all matters of detail of minor importance. The destructive essence of the heresy is that it makes Jesus something less than God Himself, whether he is a sort of 'junior god', an angel, or merely a very special sort of human being with a special sort of relationship with God, or even a rather remarkable Jewish rabbi. Whatever it may be, it entirely

changes our idea of the love of our Creator which required Him to give Himself for our salvation. If the ultimate reality of love is that it requires the sacrifice of someone else, then the Universe is quite a different place, and the belief in this is quite a different religion from Christianity, and ought not to masquerade under the same title.

In the same way, if we are Modalists, or Monarchists or Unitarians of one sort or another, who deny the reality of the Persons of the Trinity, then we exclude all those properties which belong to diversity from our idea of the Godhead, including those of mutualism in love, of association and of diversification, which is of the essence of creation. We have set limits upon God, and reverted to an earlier, childish conception of Him as the autocratic Monarch and Dictator of the Universe, whose love is the apotheosis of self-love, even though it may be extended to His creatures, who can be no more than extensions of His homogeneous Self.

Among other forms of ancient heresies which are in tremendous vogue today are innumerable sorts of Gnosticism, combining elements of Christianity with what is believed to be the secret wisdom and illumination of the East, as purveyed by a variety of 'gurus'. Salvation is through man's own 'wisdom' and by the practice of certain 'techniques', but the whole multifarious movement also tends towards the merging of all religions into one World Religion incorporating 'the truths' from all the others, which, however, may be retained as different 'ways' to the truth through Christ, Mohammed, Moses, Marx, Buddha, etc. In passing, it may be noted that this tendency, which is destructive of all religions, but most of all of Christianity, runs very conveniently parallel with the obvious drive towards World political domination.

The other formidable heresy of the ancient world, Manichaeism, with its belief in an eternal dualism of conflict between God and Satan as the ultimate reality, survived for at least twelve centuries and kept bursting up again and again, even within mediæval Christendom. Now it towers over more than half the world and permeates the other half, including the Churches, in a form which, because of its superficial

differences, seems to deceive the learned and to be obvious only to those with a simple grasp of essentials. But because Marxism-Leninism, with its materialism and atheism, rejects both God and Satan, it is not thought of as a religious heresy, and its fundamental identity with Manichaeism is seldom pointed out. Yet its philosophy of dialectical materialism is now imposing its policy of continuous conflict and confrontation upon the whole world. As Lenin said, "Development is the 'struggle' of opposites" and "dialectics is the study of the contradiction *within the very essence of things*".

It is beyond my understanding how it can be that the Church, after maintaining, century after century, its dynamic equilibrium in the glorious revelation of the Tri-une nature of God against the battering of these heresies, should now to so large an extent be abandoning its hold upon its own faith and policy, and is now so often to be seen, publicly and increasingly following an infidel World into the related errors of Monopoly (or Totalitarianism) and Dualism in the form of dialectical confrontation, instead of leading the World out of them. Instead of stressing and expounding in the clearest terms the tremendous constructive and healing significance of the Athanasian Creed for a World torn with conflict for monopolistic power, the Churches, especially the Anglican and the Nonconformists, have almost abandoned it, in practice, if not in precept, for the heresies it was designed to correct.

If indeed Lenin was right, then the creative power of the universe is not love, but conflict, and the ultimate reality is divided against itself, whether we think of it as a personal God or an impersonal, and misinterpreted, Darwinian 'struggle for existence'. At this point I am not even arguing that Lenin was not right but only that, for anyone who believes that he was, the Christian religion is a load of fantasy, quite out of touch with reality, and the whole of it, and not merely the Athanasian Creed, ought to be abandoned, as most people have already abandoned it for lack of any clear statement of what it amounts to. At present the Anglican trumpet is making such a confusion of dissonant, contradictory, and

pitifully uncertain squawks that the natural reaction of many is to walk quietly away from it in search of some crowd of people who really seem to know what tune they are playing.

There are still a very large number of people who were born and brought up as Anglicans (or at least, 'C. of E.') and who still feel a sort of loyalty to it as they do to their family, their old school or their country (right or wrong) but can no longer feel any enthusiasm or want to take any real part in something that looks so very like a rather feeble and servile imitation of the secular political world with a positively eager plasticity to current fashion and mass prejudice. Considering that most of us are already bored to tears and sickened by the dreary nastiness of the secular world, as presented to us continually by the media, it is really quite unreasonable to expect us to show more than a lukewarm interest in a Church which tries so desperately to adapt itself to every prevailing 'trend', and to reconstruct the fundamentals of its theology to fit every 'situation' which may be brought about by the vicious use of centralised financial or political power.

Of course, I know very well that there are many parish churches of which this is quite untrue; but it is true of the 'image' presented by the Anglican Church as a whole, now that it has adopted the main prejudices which are associated with modern dialectical 'democracy' with its implicit belief in verbal confrontation followed by the numbering of opinions. There is now scarcely a single fundamental element in the Christian Faith which is not being subjected to the dialectic process of public questioning and confusion from *within*, and not only from without the Church: The Fatherhood of the Father, the Sonship of the Son, the occurrence of the Resurrection, the reality of the Trinity, the virginity of the Virgin, the existence of Hell and of the Devil: indeed, even the existence of any reality corresponding to the meaning traditionally given to the word 'God' is challenged, not only by the declared enemies of Christianity, but by eminent theologians within the churches. In a world in which the word 'discrimination' has been politically inverted into a

hate-word, there is no difficulty in confusing this sort of destructive dialectics with genuine, constructive discussion.

As a result, the churches, and especially the Anglican Communion, appear to be committing suicide. No doubt the rapid and flexible production of 'situation theologies' to suit the requirements of the manufacturers of 'world situations' and the manipulators of public opinions is very 'exciting' for the production team, as well as conducive to employment in the logging, pulping, ink-making, printing and publishing trades and the broadcasting media, but for the consumer the product is of negative value (like so many other products which the producers thrust upon us for their own purposes these days). If he swallows it, his own Christian faith (if any) is poisoned and weakened, sometimes fatally, while he is offered nothing to replace it in any way comparable in its precision, satisfaction and effectiveness.

Trinitarian Reality

There appears to be a general tendency for people to project their own errors upon others, and it is especially those whose religion has gelatinized into a vague, mystical, inter-personal emotion of 'concern' between the units of the human herd, and who shy away from anything so definite as 'doctrine' or 'dogma' as from a thorn-bush, who may be heard declaring that the Athanasian Creed is too 'mystical', obscure and incomprehensible to have any meaning in this day and age. The reverse appears to me to be true. Of course all language about God is metaphor, and we can think about Him only by analogies with our limited human experience; which is why, no doubt, our Lord taught us by parables from everyday life. But even the Creed itself tells us that there are not three incomprehensibles, but one incomprehensible, that is God; yet it is the doctrine of the Trinity which is commonly supposed to be especially 'incomprehensible'; and it is this, of all things, which is nowadays so

common-place, so familiarly built into our thinking, that it is taken for granted.

Consider how we think about our Universe of space, time and matter: all these three are trinities of one 'substance' or 'nature' but of three wholly distinct 'personas' or 'characters'. Space has its three dimensions; time, its past, present and future, though it is significant that in Marxist thought the present is virtually abolished and time reduced to a duality -- an everlasting struggle between the old and the new, the dying past and the developing future. Matter, again, has its three phases, solid, liquid, gas: all quite different, yet all of the same substance. A tripod is the 'first' thing which will stand, since it requires a minimum of **three** equal forces to establish a stable equilibrium. There may, in fact, be more than three forces in equilibrium, but these can always be resolved into three, and not less than three. **There is no stability in a monopod or a bipod.**

When we come to human affairs, here again we find stability in tri-unity. The family, the basis of society, is tri-une, of father, mother and child or children. Under the prolonged influence of Christianity, Britain, the U.S.A., and the nations of the Commonwealth as well as many others which have imitated them, developed a tri-une constitution: in Britain of Crown, Lords and Commons; in the U.S.A. and her many imitators, President, Senate and House of Representatives. In World affairs, the balance of power between at least three major blocks is essential to the maintenance of peace, and what we most fear is a breakdown of this balance so that we are confronted with a duality of opposing World Powers, or an overwhelming preponderance of one Power.

Whenever and wherever a trinity breaks down or becomes un-balanced, monopoly or dualistic conflict takes its place with disastrous results, and monopoly itself always creates internal conflict among those struggling to reach the apex of power, which conflict is frequently directed outwards into aggressive warfare. The dualistic religion of Marxism is by now by far the most aggressive power in the world,

psychologically, terroristically and militarily. It aims at total domination with no toleration of rival or counterbalancing powers, and even in its milder forms as seen in British socialist politics, it exhibits an arrogant impatience with the slight hindrance which the much enfeebled revisionist Chamber of the Lords and the vestiges of political power left to the Crown are still capable of giving to the will of the elected dictatorship of the Commons. The world is now torn with inter-socialist wars and terrorisms and hostilities, now that the fascist reaction has been reduced by conquest to a very minor element. Since the defeat of America, not so much in the jungles of Vietnam as on the campuses of the U.S.A., the sole organized resistance to the world dominance of totalitarian collectivism is that which survives in Southern Africa, which, no doubt, explains why about one two-hundredth part of the world population is almost universally denounced as an intolerable menace to the rest of the world.

In personal affairs, the abandonment of a trinitarian concept is resulting in the breakdown of family life, as indicated, for instance, by the current misnomer 'one-parent family', referring not to a family which has lost one of its parents, but to a duality of mother and child which never was a family, or to a family broken in two halves by divorce. The idea, also, that a child in a woman's womb is merely a part of her body over which she has totalitarian powers of monopoly, including life and death, is essentially anti-trinitarian.

There are, of course, fashionable ways of evading careful consideration of these facts, of pretending they are not facts by denouncing them as some sort of 'numerism' or superstition about the magic properties of the number three: or some sort of illogical deduction of the nature of God from some chance occurrences of trinities in the Universe. But that is not the way it happened. The nature of the Holy and Ultimate Trinity was first revealed to men by the acts of God recorded in the New Testament. **It was only after this revelation that the trinitarian structure of the Universe gradually became apparent, opening the**

door to the immense power liberated by the growth of modern science, as well as to the concept of a balance of powers in human affairs.

The simpler trinities of the physical and temporal world are now so built in to our consciousness as to be taken for granted, but as we lose our hold of faith and imagination upon the reality of the Ultimate Trinity our moral and spiritual powers are becoming detached from our mental and physical ones as our world lurches back into conflict between monopolies of grossly magnified power.

It is pitiful that the modern Christian should so often flinch away in such namby-pamby fashion from the firm realism of the *Quicunque Vult* in its assertion that to think correctly about the Ultimate Reality is essential to salvation. Are there no such hard consequences attendant upon the lesser trinities, say, for instance, that of water? May one 'confound the phases' of water without penalty by diving head first into a frozen pool? And what of the man or woman whose sense of time confuses past, present and future, or whose spatial sense cannot distinguish between right and left, up and down? Or what, again, of 'dividing the substance' as might some inhabitant of the tropics, crash-landed among the alpine snows of the arctic, who obstinately refuses to believe that this white stuff is that same water which he needs in order to live? Could we even *exist* if we carried such confusions regularly into practice? For it is clear that **it is the outcome in practice of thinking which carries the consequences of both life and death. There is no salvation in mere knowledge, but life has to be accepted and not rejected.**

It seems that, while these everyday trinities are accepted as realities, the Ultimate Trinity is becoming increasingly unreal to many Christians -- a matter of theological speculation and opinion, a vague idea unrelated to everyday life and mainly of academic interest. In science, in business, in the practical affairs of life we do not operate on such vague ideas without disaster; and indeed we see the consequences of such abandonment of reality in family life, and in social, political and

economic affairs generally; and in the Church the same rot is far gone. It is impossible to progress, to go anywhere except down into the mud or to do anything constructive when immersed in a quagmire. We are the rich inheritors of the revelation of the Tri-une Nature of God which, far from entitling us to rest smugly upon it as if we were the possessors of all truth, is (and was surely intended to be) a firm basis on which to carry out the first duty of man -- to grow in love and understanding of his Creator. But how can we do this if we abandon this firm basis of our faith and wallow in the mire of contemporary 'feelings' and 'opinions'? Is it not a first essential, especially for those who want to advance and progress in the Christian faith, to return to the firm path they have left, and to look again at the great Confession of the *Quicumque Vult* in a fresh and practical way?

Geoffrey Dobbs, Ph.D.

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THE CREED OF ST. ATHANASIUS

[QUICUNQUE VULT = Whoever wills]

Whosoever will be saved : before all things it is necessary that he hold the Catholick Faith.

Which Faith except every one do keep whole and undefiled : without doubt he shall perish everlastingly.

And the Catholic Faith is this : That we worship one God in Trinity, and Trinity in Unity;

Neither confounding the Persons : nor dividing the Substance.

For there is one Person of the Father, another of the Son : and another of the Holy Ghost.

But the Godhead of the Father, of the Son, and of the Holy Ghost, is all one : the Glory equal, the Majesty co-eternal.

Such as the Father is, such is the Son : and such is the Holy Ghost.

The Father uncreate, the Son uncreate : and the Holy Ghost uncreate.

The Father incomprehensible, the Son incomprehensible : and the Holy Ghost incomprehensible.

The Father eternal, the Son eternal : and the Holy Ghost eternal. And yet they are not three eternals : but one eternal.

As also there are not three incomprehensibles, nor three uncreated: but one uncreated, and one incomprehensible.

So likewise the Father is Almighty, the Son Almighty : and the Holy Ghost Almighty.

And yet they are not three Almightyies : but one Almighty.

So the Father is God, the Son is God : and the Holy Ghost is God.

And yet they are not three Gods : but one God.

So likewise the Father is Lord, the Son Lord : and the Holy Ghost Lord.

And yet not three Lords : but one Lord.

For like as we are compelled by the Christian verity : to acknowledge every person by himself to be God and Lord;

So we are forbidden by the Catholick Religion : to say, There be three Gods, or three Lords.

The Father is made of none : neither created, nor begotten.

The Son is of the Father alone : not made, nor created, but begotten.

The Holy Ghost is of the Father and of the Son : neither made, nor created, nor begotten, but proceeding.

So there is one Father, not three Fathers; one Son, not three Sons : one Holy Ghost, not three Holy Ghosts.

And in this Trinity none is afore, or after other : none is greater, or less than another;

But the whole three Persons are co-eternal together : and co-equal.

So that in all things, as is aforesaid : the Unity in Trinity, and the Trinity in Unity is to be worshipped.

He therefore that will be saved : must thus think of the Trinity.

Furthermore, it is necessary to everlasting salvation : that he also believe rightly the Incarnation of our Lord Jesus Christ.

For the right Faith is, that we believe and confess : that our Lord Jesus Christ, the Son of God, is God and Man;

God, of the Substance of the Father, begotten before the worlds : and Man, of the Substance of his Mother, born in the world;

Perfect God, and perfect Man : of a reasonable soul and human flesh subsisting;

Equal to the Father, as touching his Godhead : and inferior to the Father, as touching his Manhood.

Who although he be God and Man : yet he is not two, but one Christ;

One; not by conversion of the Godhead into flesh : but by taking of the Manhood into God;

One altogether; not by confusion of Substance : but by unity of Person.

For as the reasonable soul and flesh is one man : so God and Man is one Christ;

Who suffered for our salvation : descended into hell, rose again the third day from the dead.

He ascended into heaven, he sitteth on the right hand of the Father, God Almighty : from whence he shall come to judge the quick and the dead.

He ascended into heaven, he sitteth on the right hand of the Father, God Almighty : from whence he shall come to judge the quick and the dead.

At whose coming all men shall rise again with their bodies : and shall give account for their own works.

And they that have done good shall go into life everlasting : and they that have done evil into everlasting fire.

This is the Catholick Faith : which except a man believe faithfully, he cannot be saved.

Glory be to the Father, and to the Son : and to the Holy Ghost;

As it was in the beginning, is now, and ever shall be : world without end. *Amen*

THE AUSTRALIAN HERITAGE SOCIETY

The Australian Heritage Society was launched in Melbourne on the 18th September, 1971 at an Australian League of Rights Seminar. It was clear that Australia's heritage is under increasing attack from all sides; spiritual, cultural, political and constitutional. A permanent body was required to ensure that young Australians were not cut off from their true heritage and the Heritage Society assumed that role in a number of ways.

The Australian Heritage Society welcomes people of all ages to join in its programme for the regeneration of the spirit of Australia. To value the great spiritual realities that we have come to know and respect through our heritage, the virtues of patriotism, of integrity and love of truth, the pursuit of goodness and beauty, and unselfish concern for other people - to maintain a love and loyalty for those values.

Young Australains have a very real challenge before them. The Australian Heritage Society, with your support, can give them the necessary lead in building a better Australia.

"Our heritage today is the fragments gleaned from past ages; the heritage of tomorrow - good or bad - will be determined by our actions today."

SIR RAPHAEL CILENTO

First Patron of the Australian Heritage Society

PRINCIPAL ADDRESS

**BOX 7409, CLOISTERS SQUARE,
PERTH, 6000.**

STATE ADDRESSES

G.P.O. Box 1052J, Melbourne, Victoria, 3001

47 McHarg Road, Happy Valley, South Australia, 5159

Box Q364, Queen Victoria Building, Sydney, NSW, 2000

2nd Flr. McConaghy House, 460 Ann Street, Brisbane, Qld, 4000

C/- Anglo Saxon Keltic Society, PO Box 187, Sandy Bay, Tasmania, 7005

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