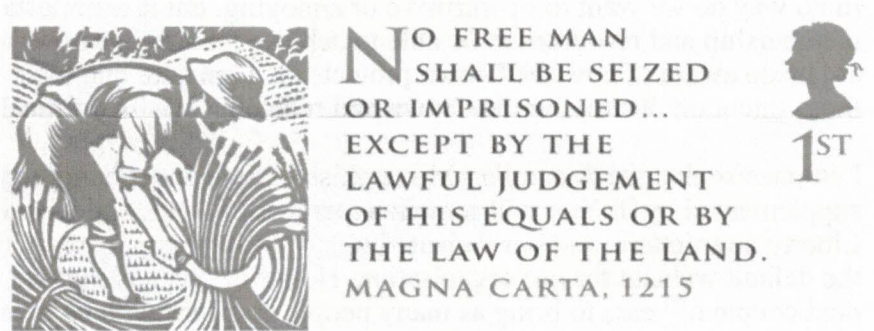


## LETTER TO MEMBERS JULY 2019

Now that the immediate threat of a plebiscite campaign is behind us our task is to spend the next couple of years rebuilding our political connections and lobbying the Morrison government to commence an educational program on the role that the Queen and the Crown play within our system of governance.

Millions of Australians, particularly the young and those who have come to Australia more recently know nothing about how the Crown protects our democratic freedoms. They know nothing about Magna Carta of 1215 nor how the principal of English liberties came to be enshrined in the constitutions of so many countries which were influenced by Britain.



MAGNA CARTA, 1215 ~ FOUNDATION OF LIBERTY

*Stamp produced to commemorate the 800th Anniversary of the Signing of the Magna Carta*

Nowhere could this be illustrated more openly than at the moment in Hong Kong because the generally peaceable demonstrations over there are more than merely student protests but rather reflect the desire to hold onto the basic freedoms that was once the entrenched right of all in Hong Kong.

These freedoms were entrenched because Hong Kong was once a British territory established under British law, just as Australia was established by the British under the rule of law. Of course, just across the border, any such expression of free will would be severely dealt with by the Chinese authorities as will undoubtedly be the case in Hong Kong when the Chinese government assumes total control of the island in 28 years, or before.

It was a great shame that Britain could not have found some way to have maintained the island of Hong Kong without the new territories and the water it supplied when its 99 year lease expired in 1997 but instead consigned its former people to future dictatorial rule.

This is why the Australian Monarchist League works assiduously to protect the Australian Constitution and the Crown within it as we believe that democracy and freedom would be impaired were the Crown to be removed.

It is because of this that it is important that Australians be made aware of the fact that the freedoms we enjoy in this country are due to our system of governance and the way in which the Crown denies absolute authority to politicians and the rapacious aspirations of so many.

To this end we are embarking upon a campaign to increase support for the cause we all believe in, the cause of the Crown. To enable us to reach out into the community a new website has been established under the name of 'The Crown' and this will be able to be viewed in the near future at [www.thecrown.org.au](http://www.thecrown.org.au)

Because this is such an important issue, this exercise is being conducted by professional campaign strategists and they will be in touch with you under the name of 'The Crown' to enlist your support.



It would be helpful if you could pass their information on to as many people as possible. Alternatively, you could send us the names and email addresses of individuals you think could be interested. You can request anonymity if you wish and, of course, anyone you suggest can ask to be unsubscribed from our lists.

In no way do we want to be intrusive or annoying, but it is important that we build up our membership and resources to be able to achieve the task we have set ourselves for if Australians are made aware of how the Crown protects us, I am sure that most would not want to give in to those intent on destroying the Crown and replacing it with political power.

I emphasise that the Australian Monarchist League is not being replaced by 'The Crown' but supplemented by it. You will remain a member of AML and we will still be sending out our main Liberty newsletters. and our website <https://www.monarchist.org.au> will, of course, continue to be the default website for our organisation. However, we feel that we must now make the most of the next couple of years to bring as many people on board with us to ensure the continuance of our safe system of governance and if the new directed campaign website and social media platforms can help this happen so much for the better.

We have been given the unexpected opportunity of a Coalition government with a monarchist prime minister to enable us to try to bring Australians closer to an understanding of why our Crown is essential to our well-being as a nation and to help everyone make informed decisions for the future .

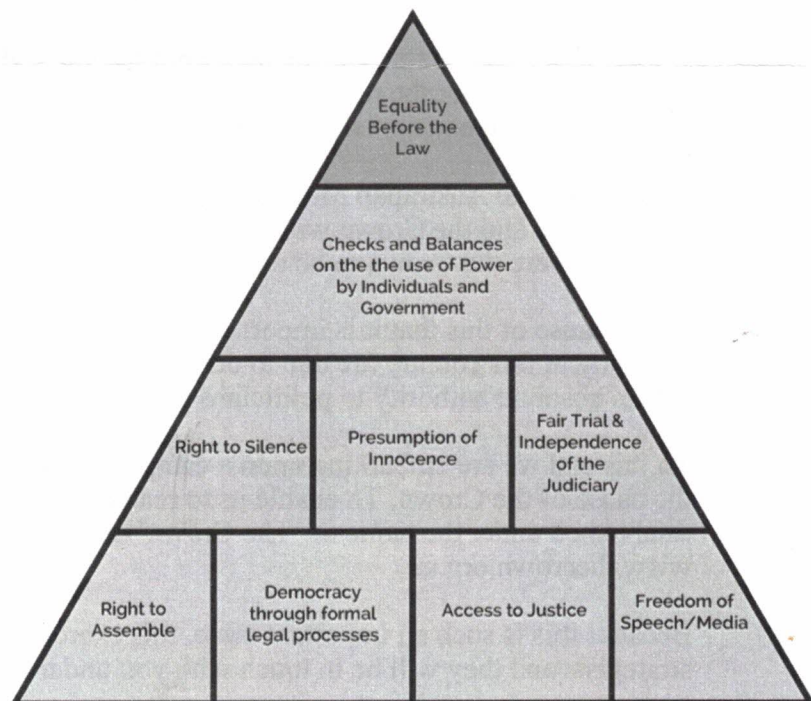
If, however, you do not want to be bothered with this new programme please let us know. Otherwise, we look forward to having you on board with this exciting new initiative.

Yours sincerely

Philip Benwell  
National Chair

*"Magna Carta has lived in the hearts and minds of our people. It is an incantation of the spirit of liberty. Whatever its text or meaning, it has become the talisman of a society in which tolerance and democracy reside, a society in which each man and woman has and is accorded his or her unique dignity, a society in which power and privilege do not produce tyranny and oppression".*

The Honourable Sir Gerard Brennan,  
Former Chief Justice of Australia,  
An Address on the Occasion of the Naming of  
Magna Carta Place, Canberra. October 1997



## Conventions not rules: What the Governor--General-Turnbull-Porter debate can teach us

Posted on July 4, 2019 by Sean Jacobs



Personality in politics is like salt to a dish – a pinch here or there is not a bad thing. It brings out the flavours, enlivens the meal and creates a nice healthy edge. But too much, of course, can ruin things beyond repair.

Malcolm Turnbull's recent confirmation that he had tried to sink Peter Dutton's eligibility for the prime ministership, through the Governor--General, shows personality of the wrong kind – one that, laced with other recent actions, points to an unhealthy involvement in our public affairs.

It is entirely fair, at least on face value, for Mr Turnbull to question Dutton's eligibility. After all, mid-2018 was a time of near-weekly Section 44 citizenship and eligibility concerns. "I took the responsible course of action," recently tweeted Turnbull, "obtained the necessary advice, published it and the Party Room was informed when it made the decision to elect Mr Morrison, rather than Mr Dutton, as leader."

But I sense most Australians know that, in the heat of a leadership spill (in fact two), political survival and its associated behaviours can trump high principle. That the then-prime minister had gone to this length – seeking the intervention of the Governor--General – shows an alarming attempt to drag a position above politics into a party room ballot.

It appears the only measure preventing Turnbull making a statement that the Governor--General could not appoint Dutton came from attorney-general Christian Porter. At a pre-press briefing, according to Porter, things got so heated that he told the prime minister, "If you say this at your press conference I will rebut it."

Understandably, this incident has provoked a series of views on who advises the Governor--General on legal matters and how binding an outgoing prime minister's advice is. In recent times the solicitor-general has been the 'go to' for the Governor--General, with Quentin Bryce requesting advice on whether to appoint Rudd as prime minister on Gillard's advice (in that case the solicitor said 'yes'). The means there is "no clear position in Australia on who should provide legal advice to the Governor--General and the constraints upon the type of advice that should be given," writes legal professor Anne Twomey. "This needs to be addressed in the future."

But, taking a step back, does it? Indeed, this incident has shown a number of things but there are two that stand out.

First, for reasons of stability, it shows how important a Governor--General is versus a president to our system of government. "If we had become a republic in 1999," notes the Australian Monarchist League's Philip Benwell, "and if the president came from the same faction as Malcolm Turnbull ('a mate for head of state'), the end result could have been far different and would most likely have resulted in a constitutional crisis."

Second, this event shows the neat fusion of convention, reserve powers and responsible government in Australia. Not all needs to be codified and, in many instances, having a single source of legal advice would put the Governor--General in more than a tough spot. For example, in 1975, if a Labor attorney-general were to provide legal advice to Sir John Kerr on the dismissal of prime minister Whitlam, as some have seriously suggested, it would have dramatically intensified the constitutional crisis.

Ultimately, there is an element of instinct or 'feel' required for the office of Governor--General. Attempts to codify or spell out, to the letter, executive head of state responsibilities is a common impulse that draws heavily from a modern desire to create rules for all aspects of conduct or disagreement.

This does not mean the Governor--General is entirely rudderless in making decisions. "Convention decrees that the Governor--General must accept the advice of the prime minister," notes Benwell, "but that is only if that advice accords to the constitution and its conventions and precedents."

To alter this arrangement, or in fact any around the Governor--General, would tangle us in issues we cannot anticipate. With Labor's defeat the debate on an Australian republic has subsided for at least another electoral term. And, as last week's events reveal, it is a good place to stay.

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