

Ireland". Statutes in the United Kingdom provide that one means the other. As a result of our discussion in London we felt that the title should not be long and cumbersome. Therefore, honorable members will see that, first, we have used the expression "the United Kingdom", and, secondly, in clause 3 we define "the United Kingdom" to mean "the United Kingdom of Great Britain and Northern Ireland" so that the whole matter is put beyond ambiguity. We have merely used the short title in the schedule and defined it in the bill. In clause 4 there is a provision about the issue by Her Majesty of a royal proclamation. I refer to it only to say that it provides for the issue by Her Majesty of a royal proclamation under such seal as Her Majesty by warrant appoints. I confidently anticipate that for that purpose Her Majesty will appoint a seal which will contain in appropriate form the style and title to be used in Australia in accordance with the provisions of this bill.

Having said those things, some of which may appear to be rather pedantic, I should like to say that at the conference in London we had two things before us. One was that we should secure, if we could, the greatest measure of common ground in the description of the Queen. That, of course, is tremendously important because—I urge this upon the House as I should like to urge it upon the country—we must not allow the Crown to cease to be a real symbol of unity. We are not to divide the Crown up artificially. We should, as far as possible, maintain our view of the Crown and of the wearer of the Crown as the symbol of unity among countries which are otherwise entirely, or in some respects, diverse one from the other. Therefore, unity was something to which we all directed attention. Secondly, it was felt by some—it is not a feeling that I share or ever have shared—that the territorial reference in the royal title ought to be solely a reference to the particular territory represented, that is, that Her Majesty should be described in the case of Australia, for instance, "the Queen of Australia and of her other realms and territories", and in the case of Canada as "the Queen of

Canada and of her other realms and territories"; and so on. I want to be plain on this matter. I have no sympathy with that approach to this matter. It is essential that we should retain this unity. Therefore, I strongly advocated—and as honorable members will see it turned out at any rate in the case of four of the countries concerned—that we ought in the territorial reference begin by referring to the United Kingdom and then to refer in our own way to Australia, in the case of Australia, and so on. Honorable members may be disposed to say to me, "Why do that? After all, the phrase 'and all her other realms and territories' is a comprehensive expression. Why refer to the United Kingdom first?" I should like to answer that, because I confess I have the strongest possible views on it. In the first place I think that, juristically speaking, it would be fantastic to eliminate a reference to the United Kingdom, because the plain truth is that Her Majesty Queen Elizabeth the Second sits on the throne not because of some law of Australia but because of the law of the United Kingdom. She sits there by virtue of two acts of parliament. The first is the Act of Settlement of 1701; the second is the Abdication Act, which signalized the departure of Edward VIII. from the throne and the installation of His late Majesty King George VI. in 1936. Therefore, in the literal, legal sense the Queen is Queen of Canada and of South Africa and of New Zealand, and so on, because she is Queen of the United Kingdom. We have no act of succession. We have never assumed to make an Act of Succession. I hope we never shall. We have a perfect right to do so, but I hope the day never comes—

MR. JAMES.—We never shall.

MR. MENZIES.—I agree with the honorable member for Hunter (Mr. James). I hope the day will never come when seven or eight countries of the British Commonwealth will each want to make an act of succession of its own and perhaps have five or six or seven kings or queens instead of one, because when that day comes the crown, as the symbol of unity, will have disappeared. This is not a party matter. Whatever party has stood in power or in office in this place,

we have never assumed to pass an act of succession or to determine the succession to the throne. Therefore, as I say, in strict terms of law Her Majesty is our Queen because, under the Act of Succession of the United Kingdom, as modified by the Abdication Act of 1936, she is the Queen of the United Kingdom.

There is another rather interesting aspect of that matter. I do not refer to it in order to provoke an argument about it, but I mention it as one of those things that it might be interesting to ponder over at some time or another. The fact is that in section 8 of the Statute of Westminster, the relevant sections of which we adopted by legislation in 1942, there is a provision which reads—

Nothing in this act shall be deemed to confer any power to repeal or alter the Constitution or the Constitution Act of the Commonwealth of Australia. . . .

If we look at the Constitution Act, and what are now called the covering clauses of it, we find two interesting things. The first is the recital which is now, I agree, out of harmony with modern facts. That recital reads—

Whereas the people of—

then follow the names of the various colonies as they then were

humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland. . . .

Section 2 of that act states—

The provisions of this Act referring to the Queen shall extend to Her Majesty's heirs and successors in the sovereignty of the United Kingdom. . . .

I leave to another time, as I am sure the Leader of the Opposition (Dr. Evatt) also will, the question of whether under those circumstances we could in Australia evolve an Act of Succession of our own. I have merely referred to the matter to emphasize the first point I was making, which is that we must remember that the Queen is our Queen because, in point of legal right, she succeeded to the throne under the Act of Succession and the later modifying act of the United Kingdom. I feel always that when you have something of that kind it is a good thing to recognize it in the title that you confer,

Mr. Menzies.

and I offered that view as strongly as I could to my colleagues at the conference of Commonwealth Prime Ministers. I am happy to say that Canada, New Zealand and, of course, the United Kingdom, agreed with that view.

The second aspect of this matter is that this is not a barren question of constitutional law. I think it is a question of very great historical significance. If we have a parliament here, as we have, and it is a free parliament, we derived it from Westminster. If there is a parliament in India, as there is, and it is a free parliament with cabinet government and all those benefits of the sovereignty of parliament and of the rule of law, these things were derived from those who sat in the Parliament of Westminster or who moved around outside the Courts of Common Law at Westminster in the Middle Ages. These are great historic truths, of which we ought to be, and are, proud. Even if the Act of Succession had not had to be taken into consideration I should still have said, as I did, that to deny the first mention to the country that is the cradle of our sovereignty, the cradle of our system of parliamentary government and the cradle of our legal system would be to deny our own history. A country that denies its own history is in a bad way. Therefore, putting all the legal arguments to one side, it seemed clear that to preserve this magnificent nexus that exists between Great Britain and ourselves, and between Great Britain and all those other outlying countries, it was of the first importance that in describing the style and titles of Her Majesty we should begin by saying—

Elizabeth the Second, by the Grace of God of the United Kingdom—

and then of our country, whatever that country may be, and then of—

her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

This is a proud title. I hope that it is a title that will be worn by Her Majesty for many years. I hope that whatever changes may come to it in the future—because we do not know what is hidden in the future—people who come after us in 100 years' time, or 200 years' time, will still be able to stand upon appropriate occasions and still feel that behind the Crown there is the Grace of God, and