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CONSTITUTIONAL
MONARCHY FOR
AUSTRALIA AND THE
COMMONWEALTH

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The Hon. Michael Kirby AC CMG*

I remember the day Queen Elizabeth II arrived in Sydney in February 1954 at the start of her first royal visit to Australia. Since then, there have been 15 such visits. Correctly, the Queen has always insisted that the future of constitutional monarchy in Australia is entirely a matter for the Australian people. Over the decades, she has also served as Head of the Commonwealth of Nations. It is not necessary to bear allegiance to the Queen to be a member of the Commonwealth. Most member countries are republics.

In Australia, as is natural for a democracy, views differ concerning whether we should change our constitution to become a republic. In reality, Australia is already a kind of republic. The Queen's role is symbolic only. She never interferes. But she is there as a symbol of duty and service beyond self. We have no dukes, lords and ladies. Even knighthoods have disappeared since the 1980s. I like these egalitarian and democratic features of Australia.

But the Queen, as Head of State, plays an important role. She puts a brake on nationalism, which today we can generally leave to the sporting field. By 2011, we should all be internationalists. She comes to

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Australia when invited: not too often, nor too rarely. She is a symbol of integrity and service for the armed forces, police, the judiciary and uncorrupted officials. She keeps some pretty horrible people out of the prospect of the top job. She puts a lid on populism and crude ambition. She reminds everyone in public life that they serve. Having her, avoids the very awkward problem of keeping a powerful legislature and reconciling that with the federal system.

In 1999, the Australian people rejected, at referendum, an unelected president. But an elected president for Australia would run the risk of grandeur delusions and destabilising competition with the Prime Minister. The most tolerant systems of government in the world are constitutional monarchies. Is that just a coincident? I doubt it.

It needs a referendum to change the system in Australia. We have more important and urgent constitutional issues to address, such as an acknowledgement of the Aboriginal people and adopting a Bill of Rights to give equal protection for all, including refugees, gays and unpopular minorities. I fully expect constitutional monarchy to see me out.
