

# The Essence of THE COMMONWEALTH

**T**HE Commonwealth is an association of ten sovereign, independent States — the United Kingdom, Canada, Australia, New Zealand, South Africa, India, Pakistan, Ceylon, Ghana and the Federation of Malaya, together with their dependencies. All are monarchies, owing allegiance to the Queen, except India and Pakistan, which are Republics with a President as Head of State, and the Federation of Malaya, of which the Head of State is a local Sovereign—the Yang di-Pertuan Agong.

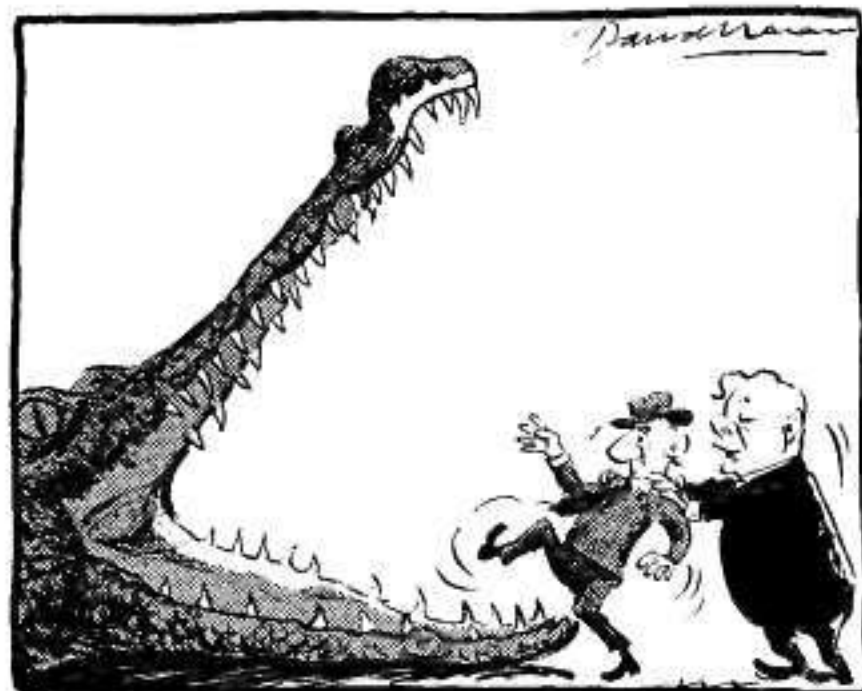
All, without exception, accept the Queen as the symbol of their free association as Members of the Commonwealth, and as such the Head of the Commonwealth. They have a broad community of interest arising in part from the fact that each was at one time the responsibility of the United Kingdom. They speak a common political language and, in spite of diversities of race and tradition, possess a broadly similar pattern of institutions, whether legislative, executive or judicial.

## Complete Independence

The principles of self-government which led to the political independence of the Members of the Commonwealth derive from Lord Durham's Report, issued in 1839, on the causes of discontent in the Canadian colonies. His suggestions for overcoming the difficulties provided the starting point in a process of constitutional evolution that is still continuing throughout the Commonwealth.

Every one of the Member nations enjoys unfettered control of its own affairs. Thus it determines its foreign, domestic, and fiscal policies, defines its citizenship and immigration regulations, negotiates and signs treaties with other nations, maintains its own diplomatic service and decides for itself the issues of peace and war. Members are free to join international organisations irrespective of the decision of any other Member, and all have complete freedom on international issues.

In short, then, no Member of the Commonwealth can dictate to another in any matter whatsoever, nor is any Commonwealth nation under any obligation to underwrite the responsibilities undertaken by any other Commonwealth nation. It is, however, vital to



**"Stop asking if you'll be inside or outside the Commonwealth. Once you're inside the Republic you'll see that that question is entirely irrelevant."**

—Cape Times.

the maintenance of the Commonwealth relationship and to the influence of the Commonwealth in the world that on all matters of common concern there should be the greatest possible measure of community of view and co-operation in action. And in practice, as Commonwealth solidarity in two world wars has shown, there is a fundamental unity of ideal and principle which overrides all trivial and ephemeral differences of opinion. Moreover, the frankness with which these differences are discussed in the family atmosphere of Ministers' conferences and the comprehensive system of day-by-day communication and consultation that has developed between the individual Governments is one of the main sources of the strength of the Commonwealth association.

## A Voluntary Association

Every sovereign independent Member of the Commonwealth is in the association entirely of its own choice. In 1947 Burma decided to become a republic outside the Commonwealth. A year later Eire chose the same path and became the Irish Republic. The new Republic was not, however, regarded by other Commonwealth countries as a foreign country, or her citizens as foreigners.

Lord Listowel, then Secretary of State for Burma, moving the Second Reading of the Burma Independ-

ence Bill in the House of Lords on 25th November, 1947, said: "We here do not regard membership of the Commonwealth as something to be thrust by force upon a reluctant people, but as a priceless privilege granted only to those who deeply desire it and are conscious of its obligations as well as its advantages. The essence of the Commonwealth relationship is that it is a free association of nations with a common purpose, who belong together because they have decided of their own volition to give and to take their fair share in a world-wide partnership." But the Members of the Commonwealth do not for the most part think in terms of the right to secede. If it were not a basic assumption that the Commonwealth is not only a voluntary and friendly but also a lasting partnership, long-term planning would be meaningless.

The Commonwealth is not a federation, for there is no central government, defence force or judiciary, and no rigid obligations or commitments. Nor is it comparable with a contractual alliance such as the United Nations. It is no easy task to convey at one and the same time the essential freedom and the friendly intimacy of the Commonwealth relationship; yet they are equally real. Speaking of this relationship, the late Mr. Peter Fraser, when Prime Minister of New Zealand, said: "It is independence with something added, and not independence with something taken away."

### A Common Heritage

Like the United Kingdom, the Commonwealth has no written constitution, but all its Members have certain salient constitutional features in common. They are parliamentary democracies, their laws being made with the consent of a freely elected parliament after discussion in that parliament, and the executive government holding office because it has the support of a majority in parliament. Ministers are collectively responsible for the actions of the executive. With the exception of New Zealand, where the legislative Council was abolished from 1st January, 1951, Pakistan and Ghana, the parliaments are bicameral, but in the case of the upper houses the method of choosing members varies. The lower houses, elected by secret ballot on a basis of adult suffrage, are dominant, for it is on majority support in them that Governments rely for their retention of office, and since they alone can originate or amend financial legislation, they hold the "power of the purse".

At the head of each of the Governments and parliaments of the Commonwealth—except those of the Republics of India and Pakistan and the Monarchy of the Federation of Malaya—is the Queen, in whose name the administration is carried on. Although she is a constitutional sovereign and not

**Continued overleaf**

### Quotes . . .

. . . . the main reason, in my opinion, why the Commonwealth can remain together, in spite of the changes and developments which have taken place, is that the Commonwealth has shown an ability to adapt itself to changing conditions in a changing world. . . . It respects freedom, not only freedom for all the members jointly but freedom for every member as distinct from the Commonwealth. It has the quality of adaptability.

—Dr. Malan, in the House of Assembly, 11th May, 1949.

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The Commonwealth is held together not by formal words, not by written constitutions, nor by documents; it is held together by the spirit of fellowship and our common way of life which we all share.

—Field Marshal Smuts, November, 1943.

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The Commonwealth association is of value to us because it unites us to countries who have the same system of law and the same system of parliamentary government as we have. . . . The Commonwealth can, I believe, become a pilot scheme for developing the most effective methods by which colonialism can be ended without revolution or violence and under conditions in which the former colonial territory still retains a close and friendly association with the former imperial Power.

—Dr. Nkrumah, now Prime Minister of Ghana, addressing the last session of the Gold Coast Legislative Assembly, 5th March, 1957.

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In a difficult and dangerous world we must hold together for our mutual advantage. The Commonwealth is a great and vital force for the preservation of peace in the world. It is an association of powers bound together in friendship. Never has there been a time when it has been more important for friends to stand together, never has it been more important to put first things first and to remember not the lesser matters that may divide us but the great things that unite us.

—Mr. Patrick Gordon Walker, U.K. Secretary of State for Commonwealth Relations, in Cape Town, 9th February, 1951.

a ruler, she provides the element of continuity in the administration, and the importance of her influence would be hard to over-estimate.

The Queen is represented in each of the Member countries—except India, Pakistan and the Federation of Malaya—by a Governor-General, appointed on the recommendation of the Government of the country concerned. Throughout his term of office he acts on the advice of that Government, and is wholly independent of the Government of the United Kingdom. He is often a citizen of the country in which he holds office.

Neither the addition of sovereign States which have newly achieved independence, nor the secession of others, nor yet, as in the cases of India and Pakistan, the choice by two of the Members of a republican constitution, alters the basic pattern and the fundamental ideals. In the future more and more of the dependent territories will doubtless join the numbers of fully self-governing States, since the United Kingdom's colonial policy is to help the dependent territories to attain self-government within the Commonwealth.

## A Way of Life

**N**ATIONALISM is not a rational but an emotional phenomenon. Or, to put it in another way, nationalism is like a heavy wine. Taken in moderation it can not only make glad the heart of man but give him health and strength to accomplish great tasks. But taken in excess it incapacitates him and makes him an easy prey to the designs of others.

The Commonwealth stands for a free, democratic way of life in which each nation has full liberty to express itself. It stands also for international co-operation in the defence of these freedoms. Within the United Nations we hope that we may prove to be a cohesive force and perhaps even an example of how, while retaining their individuality, the nations of the world can live and work together for the welfare of mankind.

—From a lecture given by Sir Ashley Clarke, British Ambassador in Rome, at Florence, in May, 1957.

## The Black Sash and the Republic

**T**HE Central Executive of the Black Sash wishes to correct any erroneous impression that might have been created by the statement appearing in the leading article in the February issue of the Black Sash magazine that the Black Sash "would accept a democratic republic provided that a clear majority of the people—of all the people—desired it."

The policy of the Black Sash is as stated in the following resolution taken at a National Conference of the organization held in October, 1958: "While acknowledging that some members are not opposed, in theory, to Republicanism, the Black Sash, recognising the realities of the situation at the moment, emphatically rejects the demand for a Nationalist Republic."

This was amplified by the press statement issued at the end of the conference which read:—

"The Black Sash has considered the republican issue and emphatically rejects the proposals of the Government for a republic now, on the grounds that members of the Government have, through the Senate Act and other laws, proved that they respect neither the spirit underlying the Constitution nor the freedom of the individual,

nor the rights of minorities.

"We believe that any new Constitution, which requires the allegiance of all South Africans, must safeguard the rights of all, and should not be brought into being without the support of the overwhelming majority of all the peoples of South Africa. Whether this support is indeed a fact cannot be ascertained unless the exact proposals for the new Constitution are made public and time given for consideration thereof."

The Black Sash, as a movement, is not concerned with approving or rejecting, in theory, republican or monarchical forms of government. What it does say is that it would be politically immoral to make a change to a Republic (or any other form of government) without the explicit sanction of a clear majority of all the people of South Africa; further, that no such change could be politically moral unless it guaranteed civil rights and liberties to every citizen. The Black Sash would neither approve nor reject a republic which incorporated such principles; Sash members, as individuals, would support it or not according to whether they were monarchist or republican by conviction.