

Royal FLUSH

Should We Ditch the Monarchy?

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Many Canadian nationalists harbour the bizarre fear that should we ever reject royalty, we would instantly mutate into Americans, as though the Canadian sense of self is so frail and delicate a bud, that the only thing stopping it from being swallowed whole by the U.S. is an English lady in a funny hat.

- Will Ferguson, author

To many Canadians, the Queen is a symbol of our history and heritage. Indeed, the monarchy has been a part of Canada as long as Canada itself, from our inception as a British colony to the continual affirmation of our nationhood in later years. And while the Queen appears to do little these days—trademark smile and wave aside—she is in fact the basis of our nation's power and existence, according to David Smith, author of *The Invisible Crown: The First Principle of Canadian Government and The Republican Option in Canada: Past and Present*.

"The theory is that the source of the power is that crown," says Smith, who is also a professor of political science at the University of Saskatchewan. "It's distinct from statutory. The power doesn't arise out of parliament but is inherent in the Crown."

The Crown has significant popular support in Canada, with one Ipsos-Reid poll stating that 84 per cent of Canadians believe that Queen Elizabeth II has done a good job as monarch. There's even a club for avid supporters, called the Monarchist League of Canada, with more than 20 branches nationwide. Consisting largely of post-baby boomers and a new generation of twenty- and thirty-somethings, the club is a forum for those who wish to preserve the royal aspect of Canada's heritage.

"I think we fit the classical definition of a pressure group, in the sense of trying to both explain and occasionally defend the Canadian Crown," explains John Aimers, Dominion Chairman of the Monarchist League of Canada. "The monarchy represents the things in Canada that we all agree on, what you might call the motherhood things."

Motherhood aside, there is a movement of people in Canada who are looking for a new teat, and they've got support, too. In the same poll, it was revealed that 48 per cent of Canadians believe that Canada should end formal ties with the monarchy after the Queen dies.

Instead of a monarch, these political modernizers want to do with Canada's head of state what we did with the Constitution in 1982: bring it home. Banding together under the moniker of republicans, they wish to change Canada from a constitutional monarchy to a constitutional republic and have a truly Canadian head of state.

"To make it simple, this is not just an issue of monarchy," explains Tom Freda, National Director and co-founder of Citizens for a Canadian Republic. "This is an issue of Canada's evolution. Things have changed a lot in the world in the last 50 to 75 years. There's no more British empire, and Canada isn't a colony any more. We don't have an awful lot in common with Britain, and most British know virtually nothing about Canada, except that we've got Mounties, moose and mountains."

But try as they might, republicans in Canada aren't having a lot of success getting people up in arms over an issue that most Canadians don't even know exists.

"There's never been much opposition to it," says Smith. "I don't think anyone thinks it doesn't work, and nobody sees having a Canadian crown as a reflection on Canada being fully mature."

There are also fears, as indicated by the quote at the beginning of this article, that moving to a republican governmental system could lead to easier annexation of Canada by the U.S. Aimers says that our role in North America as a constitutional monarchy helps to maintain our unique Canadian identity.

Freda thinks otherwise. "I would respond by saying 'What is it about having the Queen as our head of state that protects us from that already?' Would Americans decide not to annex Canada because they don't want to disrespect the Queen?" he says. "We believe that becoming a republic would do the opposite; it would strengthen our identity and make us even more vigilant against any kind of action like that."

It's a solid argument, to be sure, and even though the country is divided on the question of keeping the Queen, it's just not something we talk about.

"The reality is that the monarchy has evolved into such a benign institution in the last 50 years that nobody thinks of it any more. What we want to do is make Canadians think about this," says Freda. "We need to have a parliamentary committee, a conference on democratizing the Governor General, and we need the input of Canadians to decide what we think is best. We will have one simple question before amending our constitution: Do you want an elected Canadian as our head of state or do you want a British monarch? It's very simple."

WHAT'S IN A CROWN?

While the question is simple, the issues and legalities behind it are not. In order to properly understand the power of the Crown in Canada, an important distinction must be made between our head of government and our head of state. The Prime Minister embodies the former, while the latter is embodied by the Crown, who is represented federally in Canada by the Governor General and provincially by Lieutenant Governors.

Without the Crown, we would have no legitimate government. Parliament sits at "his or her pleasure," Royal Assent is necessary for all laws passed in Parliament, and the Governor General is the Commander-in-Chief of the Canadian Armed Forces. These roles are largely symbolic, and it's fairly safe to say public outrage would ensue if the Governor General were to exercise these powers at her own personal discretion. Nonetheless, those powers are there for a reason.

"It's recognized that there's a higher authority, and there are rules, written and unwritten, that your elected officials have



Many Canadians still collect royal paraphernalia, like this coronation cup and saucer.

GETTING RID OF THE QUEEN IS AN INCREDIBLY CUMBERSOME PROCEDURE THAT WOULD REQUIRE A DIFFICULT CONSTITUTIONAL REFORM—AND RIGHTLY SO

to follow, and there's somebody to enforce them," says Bruce Hallsor, a Victoria lawyer who is the chairperson of the local branch of the Monarchist League of Canada. "It's a rare thing, but it's there, and it means that we can't have a Watergate or Lewinskygate in Canada, because you don't need that kind of time-consuming mechanism to get rid of the head of government."

But the process of getting rid of the Queen is a different story. It's an incredibly cumbersome procedure that would require a difficult constitutional reform—and rightly so. The constitution was written to be the master document for Canadian lawmakers, dictating the form and structure that our government is to take. It's not an easy document to change, and if you're having doubts about that, just think back to 1987.

It was then that our country was wrangling with the Meech Lake Accord, which divided the nation and was ultimately left unre-

solved. And that was a hot issue. With a pretty even and indifferent split among Canadians on the subject of the monarchy, how can republicans possibly motivate that kind of will for political reform?

THE AUSTRALIAN EXAMPLE

One way would be to look at Australia and hope for something similar to happen here. For Australians, the monarchy question is fuelled by the driving force of so much political action: public controversy.

In 1975, the Australian senate, which was at the time dominated by the Liberals, blocked a funding bill from Labor's majority parliament, then under the leadership of Gough Whitlam. The goal was to force the government into calling a parliamentary election, a tactic that was unprecedented in Australian politics and remains so to this day. Parliament refused and attempted to pressure Liberal senators to ratify the funding.

For several weeks, the two houses sat at an impasse. The situation was only resolved when Governor General Sir John Kerr dismissed the Prime Minister and his government, appointing Malcolm Fraser, the leader of parliament's Liberal opposition, as caretaker Prime Minister on the promise that he would dissolve government and call a general election.

Thirty years later, the event is still fresh in the minds of Australians, according to Smith, and accounts for the strong republican currents in Australia's modern political thought. The country even went so far as to hold a failed referendum in 1999, with 46 per cent of Australians voting to replace the Queen with a head of state appointed by parliament.

Canada, on the other hand, remains apathetic and uncharged. We haven't had that kind of constitutional hellfire since the King-Byng Affair of 1926. At that time, Mackenzie King's Liberals had a minority government and lost a vote of confidence in Parliament. King went to Parliament and put forth an order in council to dissolve parliament, which would allow an election to be called. He then presented the order to Governor General Lord Byng for ratification. Byng refused to sign it.

The government then resigned, and Byng asked Arthur Meighen, the leader of the Conservatives, to form government. Meighen's government was short-lived, but the question remained: Should the Governor General be permitted to act against advice from his or her Council?

In the election that followed, Canadians gave their answer, returning King to power as Prime Minister. Vindicated, King maintained that Byng and Meighen had undermined responsible government and, while there is a strong case to be made against that claim, the event was important because it brought the powers of the Governor General into the foreground of Canadian thought.

But these days, nobody really talks about those things. It's in our distant past, and it's pretty unlikely that the country will get up in arms about something that happened nearly 80 years ago. This, says Smith, partly explains Canada's apathy over the question of monarchy.

"Go talk to somebody at the bus stop and ask them what they think about the King-Byng Affair," says Smith, chuckling. "It has no popular foundation as a kind of constitutional puzzle."

Canadians aren't clamouring for the Queen's head, according to Aimers, because we feel a stronger attachment to her than our Australian counterparts. "The reason we haven't had a wrenching, Australian-style debate on the monarchy is that, in the last 30 or 40 years, the Crown has evolved in Canada to be seen as the Canadian Crown," says Aimers. "The Crown has been adapted in a particularly Canadian way. The Crown has been adapted from our colonial experience, both



Margaret Mace, a member of the Monarchist League of Canada, poses alongside her monarchist memorabilia.

THE MONARCHISTS SAY THAT THE BEAUTIFUL THING ABOUT THE QUEEN IS THAT HER POSITION IS NEVER IN THREAT, SO SHE DOESN'T NEED TO REINVENT HERSELF

French and British. A heavy onus lays on those who advocate change to demonstrate in a very concrete way what system they would replace it with, and how that would be better.”

Freda thinks otherwise. For him, the issue is not what system will supplant the Crown, but whether or not we should have a Crown in the first place. Once we decide that question, Canadians can then make a decision about what kind of head of state we want, and how we will select it. This, he says, was the flaw in the Australian question, which addressed both issues simultaneously.

Smith agrees, but cautions that a replacement system is a necessity for government to continue to operate. “You don’t get very far by answering the first question,” he says.

WHAT IF...?

There are inherent dangers in doing away with the monarchy in Canada, according to both Smith and Aimers. For one, the monarchy is a crucial symbol in Canadian politics, and this symbol is far more important than those who personify it. The royals are merely figureheads and perform their roles out of a sense of duty, not ambition.

Furthermore, it is understood that their powers are largely symbolic and exercised only on advice from government. Electing a head of state could change that, says Smith, because that person would “not only have popular legitimacy, but would also have these powers.”

Using these powers, it becomes possible—though, Smith admits, unlikely—that a popularly supported head of state could use their personal privilege to block unwanted legislation or to de-seat existing governments and call elections at will. Accordingly, Canada would have to decide on a suitable method to get rid of our head of state if they become a thorn in our political side.

WILL IT HAPPEN?

But take a look around. How many ardent republicans do you know? Chances are this isn’t going to become a hot issue for quite some time, much to the chagrin of Freda, who recognizes the importance of timing on this question. “We would prefer not to address this when the Queen is on her deathbed,” he says. “It would be in extremely poor taste.”

And so, the argument rages on, quietly. According to Smith, this issue will remain on the back burner so long as the more immediate problems of health care, jobs and other tangibles remain an issue. The royals aren’t a subject of debate right now, and are viewed as a benign entity in Canadian politics. Aimers admits that this is an advantage.

“The great thing about the monarchy is that—and this is not the strongest argument, and I think it’s true—day in and day out, it doesn’t offend anybody,” says Aimers. “There are lot of things you could say that we don’t need, but you don’t realize them until you don’t have them any more.”

The monarchists say that the beautiful thing about the Queen is that her position is never in threat, so she doesn’t need to reinvent herself. She just *is*, they say. From the looks of things, she will continue to be for quite some time.

Pledge Allegiance to Whom?

Canada gained a great deal in 1947: roughly 12 million citizens. It sounds hard to believe, but it’s true. Up until that point, all residents of Canada were still considered British subjects.

After World War II ended, a formidable majority of Canadians believed that their country should be recognized as an independent nation by the rest of the world. In order for this to happen, the last vestiges of colonialism would have to be cast off; Canadian citizens needed to be recognized as such.

It was the next logical step in Canada’s evolution as an independent nation, following the Statute of Westminster in 1931, which accorded Canada legal recognition as a self-governing dominion. And so, on June 27, 1946, Parliament enacted the Canadian Citizenship Act, which was put into effect on January 1, 1947. Among other things, the act guaranteed Canadian citizens right of entry into their country, defined the naturalization process for immigrants and gave married women full authority over their nationality status.

The move was obviously welcome, and served to further define the country as an independent entity, except for one thing: The oath of allegiance was not to the country, but to the Queen. For most Canadians, it’s not a big deal, but for the Citizens for a Canadian Republic, it has become one prong of their forked attack on the Canadian monarchy.

“We’re trying to get the oath changed to better reflect Canada and its values, and that is to have the reference to the Queen and her heirs and successors removed,” says Tom Freda, National Director and co-founder of Citizens for a Canadian Republic. “Right now, new Canadians have to swear allegiance to the Queen before they become a Canadian citizen; they don’t have to swear allegiance to Canada, which some people see as a little strange.”

Some people see it as more than strange; they see it as an insult. One member of Freda’s group has even gone so far as to recant his oath of allegiance. This Victoria Day, in the presence of several witnesses at the Ontario Legislature in Toronto, Canadian citizen Ashok Charles publicly withdrew his oath and sent a notarized letter to the Honourable Judy Sgro, Minister of Citizenship and Immigration.

“On a personal level I hold absolutely no allegiance to Queen Elizabeth, nor to her heirs and successors,” says Charles. “I felt that having taken an official oath to that effect (without having considered the significance of what I was swearing) required me to officially recant. In my view it is totally inappropriate and detrimental for a democracy to demand such allegiance of its citizenry.”

While Charles admits that he is hoping to elicit an official response, and thus an official position from the government, he hasn’t yet heard back from Ottawa. If the government holds the oath of allegiance as a legally binding prerequisite of citizenship, then Charles’s recantation necessitates that the government take steps to revoke his citizenship. Either way, he says, it will indicate what our government and nation’s position is.