

Humbly Relying on the Blessing of Almighty God

The phrase “*Humbly relying on the Blessing of Almighty God*” in the [Preamble to the Constitution](#) is misinterpreted by many constitutional theorists as implying a hierarchy of the Bible over the Constitution. One of these is [Steven Spiers](#), in his “*Realm and Commonwealth*” and “*Realm and Man*” papers.

As already covered in previous articles, there is [no legal effect of the Preamble](#), and [no legal effect of Biblical passages](#).

Pages 287 to 290 of Quick and Garran’s [Annotated Constitution of the Australian Commonwealth](#) cover the origin, full intent and meaning of the phrase “*Humbly relying on the Blessing of Almighty God*”, so I thought I’d include these pages so readers can understand the framers reasoning and historical context for its inclusion in the Preamble.

It must be taken into account though, that subsequent changes in the constitutional relations with the U.K. since the collapse of the British Empire have been effected, so where Quick and Garran’s Commentary, which was written in 1901, mention the position of the monarch as “*Defender of the Faith*” it is important to note that it no longer carries the same meaning due to amendments to the *Royal Style and Titles Act* in 1973. This subject matter is covered in previous articles [The Queen of Australia](#) and [The Royal Style and Titles](#).

One point can be deduced from the following for and against comments in the Constitutional Conventions, and that is that the passage by no means granted the Commonwealth any powers to pass laws with respect to religion, and that there was sufficient safeguards against such laws in section 116 of the Constitution. “*Humbly relying on the Blessing of Almighty God*” holds no special legal effect or implication, other than a reflection of the petitions at the time, which was noted in the Constitutional Conventions to be affected by the future trends in the population.

[Daniels v Deputy Commissioner of Taxation \[2007\] SASC 431](#) (at 13):

"The other two arguments on which Mr Daniels relied were advanced in support of the contentions under s 116. The first was a reference to that part of the preamble to the Commonwealth Constitution which reads: "WHEREAS the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth..."

Mr Daniels contended that those words in the preamble constitute an invocation of the laws of God which should not be offended by, as he says, "the shedding of innocent blood". Mr Daniels also relies on the terms of the Oath of Allegiance which he contends reinforces his argument under s 116. There is no validity in either submission. The reference in the preamble to "the blessing of Almighty God" does not in any way enlarge the meaning and operation of s 116 of the Constitution. The argument based on the requirement to take the Oath of Allegiance and the terms of that Oath entirely overlook the fact that the Schedule to the Constitution includes an Affirmation of Allegiance that may be used by those who prefer to make an affirmation instead of swearing on oath."

Another phrase in the preamble that causes some confusion in this regard is “*Of the Lords Spiritual*”. Quick and Garran’s [*Annotated Constitution of the Australian Commonwealth*](#) also discusses this phrase on pages 303 and 304, which is also included in the following document.

<https://freemandelusion.com/wp-content/uploads/2019/01/humbly-relying-on-the-blessing-of-almighty-god-of-the-lords-spiritual.pdf>



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