Black Rod is an office with long traditions in England where it has been associated with the Sovereign for the past 600 years. It was instituted about the middle of the 14th century when King Edward 111 created the Garter, the premier Order of Chivalry in the United Kingdom. The first recorded holder of the office as Walter Whitehorse, a Court official, who was appointed by Letters Patent in 1361. The role of this officer was that of Usher of the Order, and the title arose from association with his staff of office - a black rod – which he was required to carry before the Sovereign at Garter ceremonies and which was his authority to apprehend offenders against the statues of the Order.

From ancient times the staff has been the symbol of authority. Among the early Greeks, for example, the sceptre was a long staff used by judges, priests and military leaders as a mark of their authority. The Roman fasces were a bundle of rods bound about the shaft of an axe and carried by the lector before the Consul or High Magistrate. In the Middle Ages this practice was continued both in England and on the Continent, and when the Order of the Garter was instituted, the Usher was invested with the staff with which he became identified. But with the Royal decree that the post should be held by one of the gentlemen ushers attached to the Court, there emerged the full title of Gentleman Usher of the Black Rod.

As all the early incumbents were regular Court officials, the question arises: how did this officer come to be associated with the Parliament and with the Upper House in
particular? The answer flows from the fact that the medieval parliaments met in the Royal Palace where Black Rod was also the Chief Usher of the court. Prior to the time of Henry V111 the Palace of Westminster was the principal palace of the Kings of England; and when the Sovereign desired the advice (or more often the financial assistance) of his Parliament, he summoned it to meet almost invariably at Westminster. During the time that Parliaments met in premises occupied by the Sovereign, it was natural for Court officials to be in attendance; and among Black Rod's functions was that of regulating the ceremonial proceedings of the King's Council in Parliament. He was able to exert the Royal Authority in keeping order in the chamber and in arresting anyone who insulted the King by contempt of those summoned to his Parliament.

It is a unitary body of Peers, spiritual and temporal, together with representatives of the lower clergy and citizens, which first assembled as a Parliament at Westminster; but with the early withdrawal of the representative elements to debate elsewhere and the subsequent exclusion of officials from vote and voice, the “Great Council” evolved into the House of Lords over which the King or his Chancellor continued to preside. Thus, at the end of the 15th century the Peers still assembled in the residence of the Sovereign; but the Commons, who were the first to form themselves into a “House” of Parliament, met in the chapter-house of the nearby Westminster Abbey. Then, in the following century, Henry V111 vacated the old Palace of Westminster and made it available for the sole use of Parliament although the commons did not return for deliberative purposes until the beginning of the reign of Edward V1 in 1547. With the transfer of the Court to Whitehall, however, Black Rod was detached and left behind as the King's personal representative at Westminster. He was relieved of his other duties at Court but continued to serve in the Parliament chamber; and so he became – as he is today – the executive officer of the House of Lords and the personal attendant of the Sovereign in Parliament.

With the grant of self-government to British communities overseas, local legislatures have been set-up and the Standing Orders to regulate their proceedings have invariably been based on the practice evolved over the centuries at Westminster. The value of an established order of ceremonial forms has also been widely recognised, and again the newer Parliaments have turned to Westminster as their exemplar. The office of Black Rod has therefore been adopted in such countries as Canada, South Africa, Australia and New Zealand. But although the post had been created in all the other Parliaments in Australia – generally at the time of their adoption of the bicameral system – no such office had been contemplated in South Australia until 1953. Previously such functions of Black Rod as were then carried out in this State were discharged by the Serjeant-at-Arms in the Council. In that year, however, it became known that the Sovereign would personally open a number of Parliaments in the course of the Royal visit to the Commonwealth in 1954; and, in the planning that followed, the need for a more uniform ceremonial became apparent. The office of Gentleman Usher of the Black Rod was thereupon created in the Legislative Council and Mr. A. D. Drummond was appointed by His Excellency the Governor to be the first incumbent.

It has been impossible, of course to transplant all the pomp and pageantry associated with the Opening of Parliament at Westminster; but there is much, both impressive and interesting, that has been adopted in Australia. And the observance of this ceremonial tends to introduce into Parliament that atmosphere of dignity and authority which has been such a distinguishing feature of the British Parliament. Black Rod has become a central figure on such occasions. At Westminster this
officer wears Court uniform; but in South Australia, Black Rod (who is also the Clerk-Assistant of the Legislative Council) wears evening dress with wig and gown. He carried the traditional staff of office – a black ebony rod surmounted by the Crown, Royal Arms and State emblem. The rod is the symbol of the Council: it is always carried before the Sovereign or the Sovereign’s representatives and when carrying out the Royal Commands in Parliament.

When Her Majesty Queen Elizabeth II opened the Parliament of South Australia on the 23rd March, 1954, the regal splendour of the Sovereign combined with the ceremonial to make a scene of great dignity and solemnity. A Military Band and Guard of Honour in colourful uniforms were posted in front of Parliament House; the central steps leading into the building were lined with officers of the Australian Regular Army in blue ceremonial uniforms; whilst the Premier in morning dress and the officers of Parliament in traditional gowns and wigs took up positions on the footpath. On arrival of the Royal cars, which were preceded by a detachment of police lancers, the Queen and the Due of Edinburgh were received by the Premier who presented the President, the Speaker and Black Rod. After the presentations had been made, the Guard of Honour gave the Royal Salute, the Band played the first verse of the National Anthem and the Royal Standard was broken on the centre flagpole of Parliament House. Then Black Rod advanced, bowed to the Queen, turned and led the Royal Procession up the crimson carpeted steps of the Parliamentary Building. A fanfare of trumpets heralded the approach of the Sovereign and her suite into the chamber, and members and guests stood in silence as Black Rod announced from the Bar of the Council: “Her Majesty the Queen”. The procession moved slowly down the chamber; and on reaching the dais, the Queen stood for a moment and then bowed to the right and to the left; members and guests bowed and curtseyed in response. Her Majesty sat in the Royal chair, requested members to be seated, and proceeded to address the assembled Parliament. At the conclusion of the Royal Speech, the Queen declared the session open and a 19-gun salute was fired at the Torrens Parade Ground. In the chamber the assemblage stood as the Queen rose, stepped from the dais and received from the Private Secretary two signed copies of the speech, the Sovereign presenting one to the President of the Council and the other to the Speaker of the Assembly. Then Black Rod advanced again, bowed to the Queen, turned and preceded the Royal Procession from the chamber to the waiting cars outside the building.

Similar but simpler ceremonial is observed each session when His Excellency the Governor opens the Parliament of South Australia. Police lancers escort the Governor to Parliament House, and on his arrival, the Guard gives the Royal Salute and the Band plays the National Anthem. After the Guard has been inspected, Black Rod receives the Governor at the steps of the building and precedes him to the Bar of the Council where the President meets and conducts His Excellency to the dais. When all in the Chamber have been seated, the Governor commands Black Rod to summon the House of Assembly; but when he approaches that House in response to His Excellency’s command, the door is “slammed” in his face by the Serjeant-at-Arms. Black Rod knocks three times with his rod on the door of the Assembly whereupon the Serjeant-at-Arms after making sure that the representative of the Crown is alone, announces to Mr Speaker that Black Rod desires admittance. The speaker replies: “Admit Black Rod.” Attendants open the door, Black Rod proceeds to the Bar of the House, makes his obeisance to the Chair and says: “Mr Speaker – His Excellence the Governor desires the attendance of this Honourable House in the Legislative Council chamber forthwith.” Then he returns to his own chamber; and the Serjeant-at-Arms, with the Mace on his shoulder, leads the Speaker’s Procession to the Legislative Council. When the Members of the Assembly have taken their seats, His Excellency addresses the Parliament and concludes his speech by declaring the
session open. As the 19-gun salute is fired at the Parade Ground, His Excellency moves in procession to the Bar where signed copies of the Speech are presented to the two presiding officers. Then, preceded by Black Rod, the Governor and his suite retire from the chamber.

The ceremonial with which Black Rod is received in the Lower House if of great historical significance. It stems from that momentous day in the annals of Parliamentary history – 4th January, 1642 – when Charles 1, supported by an armed escort, went down to the House of Commons to seize the five members who had so strongly opposed his financial demands. He was the first Sovereign ever to enter to Commons’ chamber and the last to do so with the House in session. A tense silence greeted his entry as the Speaker stepped from the dais to meet him. The King took the Speaker’s chair, professed his goodwill to the House, and demanded the surrender of the five members – Hampden, Pym, Holles, Strode and Haselrig; but they had received a timely warning and had already fled from the House. When the King sought information about the absent members, Mr Speaker Lenthall made his famous reply: “I have neither eyes to see nor tongue to speak in this place but as the House whose servant I am is pleased to direct me.” After this assertion of the Speaker’s independence of the Crown, the King was nonplussed for a moment, but he soon rejoined: “Well! I see all the birds have flown.” Then, requesting that the members concerned be sent to him on their return, the King left the chamber. His departure was followed by shouts of “Privilege! privilege!” from the incensed members – cries that presaged Civil War and the trial and execution of Charles 1. Since then the House of commons has maintained the right of freedom of speech and uninterrupted debate by the closing of the doors on the representative of the Sovereign; and this curious ceremonial is a constant reminder of the historic incident and of the privileges won from the Crown by the representatives of the people.

Although judicial powers are not vested in Australian parliaments, each House has the necessary authority to deal with cases of contempt or disorder and may adjudge that any act constitutes a breach of privilege. Black Rod is required to execute the orders of the Chair in relation to such matters, and any offender summoned to the Bar of the Council would appear in the custody of this officer. In England, Black Rod has been sent to apprehend both peers and commoners. For instance, before his execution in 1641, the Earl of Stafford was arrested and kept under restraint by Black Rod. But in South Australia political institutions are held in high regard and the Parliament is noted for the orderly manner in which its proceedings are conducted. To cite a local case of committal of a stranger or removal of a member it is necessary to refer to the records of last century.

In 1870 the Hon. John Baker, a member of the Legislative council, produced in the House an abusive letter sent to him by one McBride. The letter was read to the Council and a motion was moved and carried that it constituted a breach of the privileges of Parliament. The matter was postponed for a week, and at the next meeting of the Council the President read a letter from McBride expressing regret for his offence; but, as he had omitted an apology to Baker, his offence was considered to have been aggravated. He was thereupon adjudged guilty of contempt of the Council and committed to gaol for seven days on the warrant of the President.

During a debate in the Legislative Council in 1896, the Hon. E. Ward made an offensive reflection upon another member and refused to withdraw and apologise. The member was “named” and the President reported that the Hon. Ebenezer Ward had been guilty of highly disorderly conduct and disrespect to the Chair. Mr. Ward refused to make any explanation of his conduct, and the Chief Secretary, as Leader of the House, moved that the member be suspended from duty in the Council for the
remainder of the sitting. The motion was carried and the President ordered him to leave. Refusing to go when requested by the officers of the council, the constable at the door was summoned and the member was forcibly removed from the chamber.

At ceremonies such as the Governor’s levee and the presentation of the Address-in-Reply at Government House, Black Rod leads the processional entry of Members of the Council. At the beginning of each Parliament he receives and introduces to the Council the Judges of the Supreme Court who, as Commissioners appointed by the Governor, administer to Members the Oath of Allegiance to the Sovereign. It is clear, therefore, that Black Rod – the executive officer of the Upper House – is concerned primarily with the ceremonial element in Parliament. The history of the past in England shows its long association with the Crown and the Upper House – that branch of the Legislature which evolved from the original King’s Council and which represents the old Parliament chamber over which the King presided. The newer Parliaments of the commonwealth, by their adoption of the office, have retained this visible link with the historic origins of the Parliamentary system. Thus the Sovereign, when addressing the Members of the South Australian parliament in 1954, was graciously pleased to say: “You and your predecessors have faithfully maintained the traditions, the spirit and the practices which you inherited from the Mother of Parliaments at Westminster. I congratulate you upon your success in adapting the British system of Parliamentary Government to the needs of your country.”