

THE COUNCIL OF THE KINGDOM OF ARAUCANIA AND PATAGONIA

On November 17, 1860, His Majesty King Orelie-Antoine I promulgated the Constitution of the Kingdom of Araucania and Patagonia.

This Constitution was extended to Patagonia after its union with Araucania on November 20, 1860, as a result of the favorable response of the Tehuelche Indians to Orelie-Antoine's proposal of a new state.

Title V of the 1860 Constitution details the composition, function and spheres of activity - of the Council of the Kingdom. Following are those Articles of Title V which regulate the Council of the Kingdom.

Article 16. "The Council of the Kingdom will be composed of citizens chosen by the King. The number of its members will be proportional to the burdens of its dunes."

Article 17. "The Councilors of the Kingdom are named for life, but they may be discharged by the King for crimes, attempts and plots against the internal and external security of the State or the person of the King and members of his family, and for all infamous acts."

Article 18. "The President and Vice President of the Council are named by the King and chosen from among the Councilors who have served at least one year."

Article 19. "The King convokes the Council of the Kingdom and can extend its sessions. He establishes by ordinance the length of its sessions."

Article 20. "The meetings of Council of the Kingdom are open to the public and the press can report on the meetings. In cases of inaccurate reporting, however, the President of the Council or the Prefect may request corrections based on the report given by the official journal, subject to the penalties stipulated in the law on the press."

Article 21. "The Council of the Kingdom is the guardian of the fundamental pact and public liberties. All laws must be submitted to it before promulgation."

Article 22. "The Council of the Kingdom will oppose the promulgation of any law 1) which would attack the constitution, religion, morality, freedom of worship, individual liberty, equality before the law, and the inviolability of property; and 2) those which would compromise the integrity of the territory."

Article 23. "The Council of the Kingdom rules by a decision approved by the King in 1) situations not foreseen by the Constitution and necessary for its development; and 2) situations where the meaning of the Articles of the Constitution admit of different interpretations."

Article 24. "The Council of the Kingdom can propose bills, but before all deliberation, the bills must be transmitted to the Council of State, in conformity with Article 30."

Article 25. "The Council of the Kingdom may propose modifications to the Constitution. When these proposals are accepted by the Council of State, the proposal is implemented by a royal ordinance."

As a constitutional monarchy with a Council of the Kingdom and other bodies of the State (Council of State and Legislature), the new Kingdom of Araucania and Patagonia had all the attributes of a powerful, modern and well-structure democracy.

The bicameral system established by the 1860 Constitution guarantees the optimal functioning of State institutions. The role of the Council of the Kingdom is similar to the French *Senat* or the British House of Lords.

Reign of Achille I

During the reign of King Achille I, the Council of the Kingdom was called the "Privy Council." The functions of the Council of State were also performed by the Privy Council.

The Honorary President of the Privy Council was Baron Anatole Arthur Textor de Ravisi. The President was Dr. Antoine Cros, Duke of Niacalel, who would later be King Antoine II. Eugene Mahon de Monaghan, among others, was a member of the Council

Reign of Antoine II

During the extremely brief reign of King Antoine II, the Council of the Kingdom changed its name again to the " Council of the Royal Orders." The President of this Council was Georges Senechal de la Grange, the Vice President was Count Gaston Dugnelle de Montnoir, and the Secretary was Baron Henri de Gaugler. Members included Count Alphonse O'Kelly de Galway, Baron Louis Girardot and others.

After the death of King Antoine II, the Council of the Kingdom fell into disuse for three-quarters of a century.

The Reconstituted Council

In 1978 H.R.H. Prince Philippe of Araucania reconstituted the Council of the Kingdom. The Council resumed its important work and permanence and has not flagged in its efforts since. The Council was reconstituted to promulgate an amendment to the Constitution -the first and only amendment to the Constitution established by King Orelie-Antoine in 1860. The amendment was drafted to definitively establish the conditions of a non-hereditary succession to the throne and to regulate a possible regency -- two situations the Constitution did not foresee.

Prince Philippe named Chev. Roland Vergnaud, Count of Catiray as the President of the reconstituted Council. The Prince named Baron Raoul de Lavalette, Prior in France of the Royal and Noble Order of the Star of the South, as the Council's Vice President. The other members of the Council named by Prince Philippe were: Chev. Pierre Castang, Count of Queilen- Mr. Diego Reyes Silva, Count of Ocisto, Chev. Paul de Montaignac de Pessotte de Bressoles, and Chev. Jacques Savin d'Orfond.

The inaugural meeting of the reconstituted Council of the Kingdom was held at La Cheze, the boyhood home of King Orelie-Antoine I, on September 17, 1978, the 100th anniversary of the death of the first King of Araucania and Patagonia. After an introductory statement by President Vergnaud, the Counselors of the Kingdom donned the insignia of their offices and ranks, such as are defined by article 2 of Ordinance No. 118-78, given by Prince Philippe on June 6, 1978. These insignia consisted of a sash composed of the colors of the Araucanian flag -- green, white, and turquoise blue -- with a gold tassel at the end. The oaths of office were administered, in conformity with Article 65 of the Constitution. Then, the following document was signed by each Councilor:

" I swear obedience to the Constitution and fidelity to the King and promise to fulfill my duties with dignity and probity."

These signed oaths were received by the President of the Council of the Kingdom. Prince Philippe, himself, administered the oath to the President of the Council.

The proposed amendment was read. After deliberations, various modifications were made to the proposed amendment upon the request of Prince Philippe.

The Council of the Kingdom then approved the minutes of its discussion of the amendment and these were transmitted on the same day to the Council of State. The Council of the Kingdom reconvened for further deliberation and concluded their work with this statement:

Chev. Roland Vergnaud, Count of Catiray, President of the Council of the Kingdom, has received the deliberations of the Council of State, in conformity with Article 30 of the Constitution. The Council of State has informed the Council of the Kingdom that it has declared satisfactory and transmitted the amendment and minutes to Prince Philippe who, by the terms of Article 25 of the Constitution is invited to rule on the subject of this amendment by a royal ordinance.

Made at La Cheze, Commune of Chourgnac d'Ans, Dordogne, France, September 17, 1978 at 5:30 p.m.

The same day, the Prince issued an ordinance fixing definitively the rules of the succession to the throne of the Kingdom of Araucania and Patagonia.

The role of the Council of the Kingdom as defined in this amendment to the constitution is very important. In what follows, we cite the sections of the amendment which discuss the Council of the Kingdom.

Article I of Title I, The Succession to the Throne, stipulate that "the heir to the throne is designed by the legitimate and legal Head of the Royal House of Araucania and Patagonia. This designation is sovereign. This designation is done by means of an act, open or secret, made known to the Guard of the President of the Council of the Kingdom and to the Vice President of the Council of State. The designation is written in two original examples."

Article 6 requires that an oath be pronounced by the natural or designated successor at his or her accession before the President of the Council of the Kingdom. Once this oath is pronounced, the heir immediately becomes the sovereign of the Kingdom of Araucania and Patagonia.

Article 9 of Title 2, The Regency, states that "if the late sovereign did not establish a Council of Regency before his death, the spouse -- if there is one -- of the sovereign becomes the Regent and the President of the Council of Regency. In default, the President of the Council of the Kingdom becomes the Regent."

Article 10 says: "In the first case foreseen in Article 9 of this amendment, that is to say, if the sovereign dies without naming the members of the Council of Regency before his death, and his spouse succeeds him as Regent, the President of the Council of the Kingdom and the Vice President of the Council of State are the two Regent Councilors foreseen in Article 8 of this amendment."

Article 14 says that: "The Council of the Regency can nominate only to vacated positions and can replace its numbers only following their death or dismissal by agreement of the absolute majority of the members, with the express accord of the majority of the members of the Council of the Kingdom and the Council of the State."

Article 15 says that: "If the King dies without natural heir or without having named a successor, or if the natural or named heirs refuse the succession, no Regency will be instituted. In this case the Council of the State and the Council of the Kingdom will form together a Parliament and after electing its President will discuss and name a successor.

Article 16 says that "This amendment to the Constitution of 1860 becomes an integral part of the Constitution. The Council of the Kingdom is charged with watching over its application, and is its guarantor, along with the Ministry of State."

Thus, at the end of the 20th century, the Council of the Kingdom remains one of the fundamental bodies of the Araucanian monarchy and watches over the durability of the crown at the dawn of the 21 st century.

After the death in 1995 of Chev. Roland Vergnaud, Marquis of Maipu and Count of Catiray, Prince Philippe named His Excellence Don Jean-Michel Parasiliti di Para, Baron of San Pedro de Hueyusco as President of the Council by Royal Ordinance 160-97.

The current composition of the Council of the Kingdom is:

President -- His Excellence Don Jean-Michel Parasiliti di Para, Baron of San Pedro de Hueyusco.

Vice President -- His Excellence Baron Raoul de Lavalette de Saint Genies, Dulce of Bora.

Mr. Oliver Levy.

Mr. Pascal Beer Demander,

The composition of the State Council is:

Philippe de Lavalette

K.-P. Pohland, Count of Coronel