UK IN A CHANGING EUROPE

THE BRITISH MONARCHY

The Constitution Unit

UCL

FOREWORD

2023 will see the coronation of King Charles III as the United Kingdom's thirteenth monarch, and the sixty-second King of England. For anyone under 70, this will be the first British coronation they have seen. For them, Queen Elizabeth II personified the monarchy. Her death has consequently sparked much interest in the institution and its role in modern Britain.

Because of this, UK in a Changing Europe and the Constitution Unit have come together to try to explain the role of the modern monarchy. This report attempts to explain what the monarchy does, how it does it, and to place it in its historical and comparative context. We have solicited contributions not only from those who study the monarchy but also from those studying wider UK politics and society, who have looked at the institution from their own unique perspectives. My appreciation to all of them for their efficiency and patience in dealing with numerous rounds of questions, suggestions, and edits.

Without the input of Robert Hazell, this report would not have seen the light of day. I'd like to express my gratitude to him as well as to Catherine Barnard, who first came up with the idea for it. Special thanks to our collaborators at the Constitution Unit – particularly Robert Hazell and Bob Morris – who have done much of the heavy lifting on the writing.

Dr Joelle Grogan deserves special mention for coordinating the whole enterprise and editing all the various contributions. Finally, thanks to the UKICE research and comms teams for their careful proofreading and editing.

The monarchy is, of course, a divisive subject. Whether you are one of those who hopes to flee the country on the day of the Coronation, or someone planning a day of celebration either on the Mall or in front of the telly, I hope you will find something of interest in what follows.

Anand Menon
Director, UK in a Changing Europe

25 April 2023

The views expressed in this report are those of the author(s) and not necessarily those of UK in a Changing Europe or the Constitution Unit.

INTRODUCTION

Anand Menon and Robert Hazell

For decades, the monarchy was personified by Queen Elizabeth II, the longest reigning British monarch. Her death in September 2022, and the accession and imminent coronation of Charles III, threw an institution which had existed as a background to all our lives into the spotlight.

This seems like a timely moment to take a look at the monarchy: to consider the nature of the UK's constitutional monarchy and where it sits in our uncodified constitution; to explain the rituals that we will witness on 6 May; and to look at the way the monarchy has evolved, and the place it now occupies in the everyday life of the UK and of the 14 'realms' where the British monarch remains head of state.

In what follows, we try to address these issues. We should be clear from the very start that our intention was not to be exhaustive - we simply could not address all the myriad questions surrounding the institution of the monarchy in a relatively short report such as this. That being said, we have aimed to address most if not all of the big issues. We begin with a discussion of how the constitutional monarchy functions in the UK. Bob Morris explains succession, accession, and the significance of the coronation ceremony we are about to see on 6 May 2023.

The report then considers how monarchy under Elizabeth II became the 'Firm', a family business - though not one without its more troubled and troublesome members. Robert Hazell looks at the size of the Royal Family and the way it is financed, and he contrasts that with its slimmed down European counterparts.

We then consider the many and multifaceted roles of the monarch. Robert Hazell and Bob Morris explore the political, ceremonial and diplomatic roles of the monarch, while Alison Young shows the key role the monarch plays in the UK's uncodified constitution. Robert Saunders explores how those conventions might be tested in a constitutional crisis. Hazell then takes a step back to compare the legal and constitutional role of the British monarchy with other European counterparts.

Catherine Barnard looks at the relationship with the courts, where all prosecutions still proceed in the King's name, and how top silks all changed their Twitter handles overnight in September 2022 to become KCs - King's Counsel.

We then explore how the monarchy has reflected the Union, as Dan Wincott looks at the relationship of the monarch to Scotland, Wales, and Northern Ireland. Fraser McMillan and Ailsa Henderson examine the complicated relationship of monarchy and Scottish independence, finding important correlations between opinions concerning monarchy and those pertaining to independence.

Among the consequences of English history is the unique link between the monarch and the Church of England, founded by Henry VIII after his break with Rome. That will be on display at the coronation, where the King will be crowned by the Archbishop of Canterbury, in an ancient ceremony, explained by Catherine Pepinster. That is despite the King expressing a preference, as Prince Charles, to be defender of faith, not 'Defender of the Faith'. Frank Cranmer compares the role religion plays in the monarchy in the UK to other constitutional monarchies and observes that all are evolving to reconcile monarchy with multi-faith societies.

Frank Prochaska highlights that modern members of the Royal Family are now both setting up their own foundations to promote causes they are interested in and acting as patrons for many more charities. Jean Seaton explores the way in which the Royal Family has used fashion both to signal but also to promote UK businesses. Valentine Low takes us behind the scenes to look at the people who help make the monarchy work - the courtiers.

The monarchy and the media have developed a mutual dependence which has frustrated some individual members. However, many members have also been able to utilise this relationship to their own benefit. Roger Mosey highlights the failure of our broadcasters and press to dig behind the gossipy headlines and the photo opportunities to ask any fundamental questions about the institution.

John Curtice notes that public opinion remains broadly supportive of the monarchy, with the death of Elizabeth II and the accession of Charles III having little impact on attitudes. Support is much stronger, though, among older age groups than 18-24 year olds, which might prove cause for concern.

Finally, Craig Prescott looks at debates about the future of the monarchy, noting the trend towards republicanism in some of the remaining realms. He concludes that any move to a republic is most likely to happen when there is a groundswell of opinion in favour, which coincides with a moment when radical political and economic change is sought.

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A CONSTITUTIONAL MONARCHY: SUCCESSION, ACCESSION AND THE CORONATION

Robert Morris

WHAT DOES IT MEAN TO BE A 'CONSTITUTIONAL MONARCHY'?

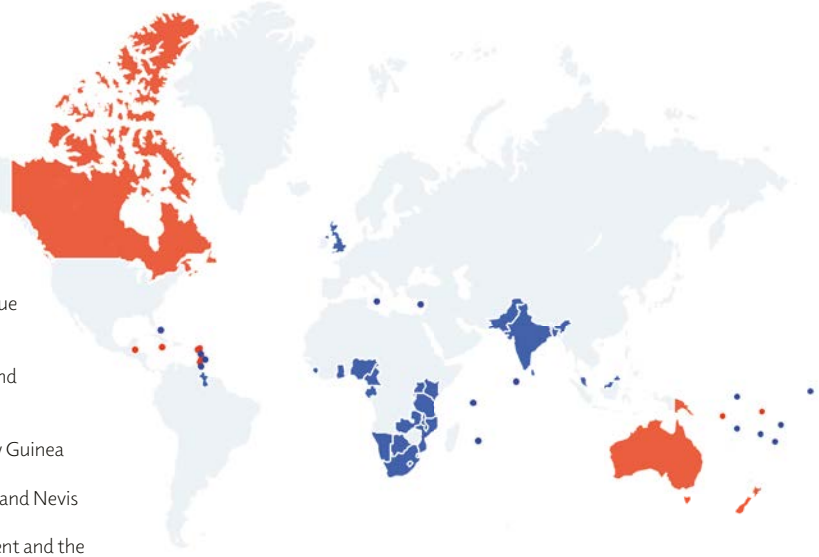
The UK is a constitutional monarchy. That means that certain powers are vested in the *monarch*, powers which are relics of much more extensive earlier powers. The *constitutional* part means that there are constraints on how those powers are used, reconciling the presence of monarchy with a functioning democracy. Given that the UK has no written or codified constitution, the constraints tend to be embodied in conventions – and those in turn depend on both the monarchy and the monarch's government working within those constraints.

There are, however, two further important features of the British monarchy. The monarch is the Supreme Governor of the Church of England, which is the established church with a special role in the state. The British monarch is also head of state of a further 14 realms and Head of the Commonwealth, an association of 56 independent nations.

Commonwealth Countries

UK IN A CHANGING EUROPE

56 countries are part of the Commonwealth (blue) and 14 are Commonwealth Realms (red) where the monarch is also head of state.



Antigua and Barbuda
Australia
Bahamas
Bangladesh
Barbados
Belize
Botswana
Brunei
Cameroon
Canada
Cyprus
Dominica
Eswatini
Fiji
Gabon
Gambia
Ghana
Grenada
Guyana
India
Jamaica
Kenya
Kiribati
Lesotho
Malawi
Malaysia
Maldives
Malta
Mauritius
Mozambique
Namibia
Nauru
New Zealand
Nigeria
Pakistan
Papua New Guinea
Rwanda
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Samoa
Seychelles
Sierra Leone
Singapore
Solomon Islands
South Africa
Sri Lanka
Tanzania
Tonga
Trinidad and Tobago
Tuvalu
Uganda
United Kingdom
Vanuatu
Zambia

Source: Data from the Commonwealth Organisation

The monarch also plays an important ceremonial role - such as at the state opening of Parliament - and the UK has retained elements of ceremony that have disappeared from the other constitutional monarchies in Europe. In this section, we set out the basics of the operation of the monarchy and the formal role it plays in public life in the UK, starting with succession.

THE RULES OF SUCCESSION

Succession is now governed by the Succession to the Crown Act 2013, under 'absolute primogeniture' - in other words, succession of first born regardless of gender, as opposed to the previous rule of male preference primogeniture. Absolute male preference primogeniture - commonly referred to as the Salic law - never applied and was the reason why, in 1837, Queen Victoria succeeded to the British crown but did not succeed to the Hanoverian throne though her uncle, Ernest Augustus, did.

The rules governing succession to the crown have evolved over many hundreds of years in response to events and in conjunction with broader constitutional changes. Today, they stem primarily from the period following the restoration of the monarchy in 1660 when Parliament gradually became the principal source of sovereignty and the executive separated from the person of the monarch.

Parliament asserted its position following the Glorious Revolution of 1688, when it deposed the Roman Catholic James II, and installed James's elder daughter, Mary, and her husband, William of Orange, as joint monarchs.

The Bill of Rights Act 1689 decreed that Mary's younger sister, Anne, should succeed if William and Mary had no heirs. The Act also disqualified from the throne anyone who was a Catholic or married to one.

This was followed in 1701 by the Act of Succession. When Anne's only surviving child died in 1700, the Act was passed to preserve the Protestant monarchy by designating the Electress Sophia of Hanover, who was the granddaughter of James I, to succeed together with her Protestant heirs.

It was at this point that the religious test was also tightened by requiring Protestants to be 'in communion with' the Church of England. This requirement can be satisfied by all baptised Trinitarian Protestants in good standing with their churches, and therefore able to be admitted to take Anglican communion. It is this provision which rules out all non-Trinitarian Protestants and Roman Catholics, together with those with other religions or none. The 2013 Act removed the 1689 provision that had made heirs married to Roman Catholics ineligible to succeed.

ACCESSION

Accession marks the event of a new King or Queen taking the throne upon the death of the previous monarch. It occurs as soon as possible following the death of the previous sovereign, by an Accession Council in St James's Palace.

The Accession Council is made up of Privy Counsellors, Great Officers of State, the Lord Mayor and High Sheriffs of the City of London, Realm High Commissioners, certain senior civil servants and others. It is held without the presence of the sovereign, and formally announces the death of the monarch and then proclaims the succession of the new monarch.

King Charles III's accession marked the changing face of religion in the United Kingdom. On 16 September, the King held a reception for 30 faith leaders where he confirmed his duty to protect the diversity of religion in the UK. It is widely thought that the title bestowed on British monarchs at their coronation as 'Defender of the Faith' will have a far more inclusive meaning under King Charles III.

Various novel aspects of the ceremonies also reflect the current state of the Union. The King and the Queen consort attended national memorial services in Scotland, Wales and Northern Ireland, in addition to receiving messages of condolence in person from each of the devolved Parliamentary Assemblies. Due to the Queen having died at Balmoral Castle in Scotland, she lay at rest in St. Giles' Cathedral, Edinburgh for twenty-four hours before her coffin was taken for the lying-in-state in Westminster Hall.

The series of ceremonies around the Queen's death included both traditional and novel features, reflecting contemporary expectations about media coverage and important constitutional changes since 1953. Many were the first to be televised. The Accession Council, the state funeral of Queen Elizabeth II at Westminster Abbey (last held there in 1760) and the committal service were the first to be broadcast live on television. Although George VI's funeral procession was the first of a British monarch to be televised, the funeral service itself was not filmed. Similarly, when King Charles III delivered his first address to the nation on 9 September, it became the only inaugural speech of a British monarch to be broadcast on television.

THE CORONATION

Upon the death of Elizabeth II, her son, Charles automatically acceded to the throne. In this sense, the coronation is not necessary for Charles to become King.

The coronation takes place on 6 May 2023 at Westminster Abbey in London, the same location where it has occurred for the last 900 years. The Archbishop of Canterbury will preside over the event.

The UK is now the only European monarchy that retains a coronation. Some monarchies - the Belgian, Dutch, Luxembourger and, since unification in the fifteenth century, Spanish - have never had them. In Scandinavia, discontinuation has been associated with the end of absolute rule (Denmark from 1849), expense (Sweden after 1873) and by change to the law (Norway after 1905).

The coronation is a highly symbolic event, intended to convey that the state and the church are connected in a joint project of national governance and that the monarch is answerable to a higher power. (See Pepinster on monarchy and religion in the UK, and Cranmer on monarchy and religion in Europe) This is illustrated visually by the use not only of the St Edward Crown but also by the sceptres held by the monarch - one signifying kingly power and justice and the other equity and mercy. The anointing - the most sacred part of the coronation - takes place with holy oil from the eagle-shaped ampulla vessel - the spoon, one of the oldest surviving items from the regalia of the late twelfth century. Golden Armills (bracelets) of sincerity and wisdom are presented, as are spurs, sword and ring. Another symbolic element is the Orb surmounted by a cross which signifies 'the subjection of the whole world to the power and empire of Christ'.

"The coronation is a highly symbolic event, intended to convey that the state and the church are connected in a joint project of national governance and that the monarch is answerable to a higher power."

During the ceremony, which takes place on the Cosmati pavement, the monarch takes the oath required under the Coronation Oath Act 1688 - passed before the Union with Scotland. The oath has changed a little over the centuries, mostly to accommodate constitutional changes such as the composition of the Union and the recital of those independent Commonwealth countries which have elected to retain the UK monarch as formal head of state. Some further slight alterations may be expected.

Queen Elizabeth II swore to rule according to law, to exercise justice with mercy and to maintain the Church of England in her coronation oath. Many Anglicans feel the latter part is inappropriate in more ecumenical times, little seems set to change for King Charles, though some explanation of his religious role may be presented.

Once the monarch has taken the oath, he is then 'anointed, blessed, and consecrated' by the Archbishop of Canterbury, whilst the monarch is seated in St Edward's Chair. The chair dates from 1300 and has been in use at the coronation since 1308. Beneath the chair sits the Stone of Scone, or the Stone of Destiny, which was used for the coronation of Scottish Kings.

The monarch receives the orb and sceptres, and the archbishop will then place St Edward's crown on his head. Camilla will be crowned Queen alongside her husband, Charles III. This follows the normal practice that the wives of kings are crowned and take the title Queen while the husbands of queens are not, and do not, become King. Hence, Prince Philip was not crowned alongside Elizabeth II, but the late Queen's mother was alongside George VI.

At the coronation, representatives of both Houses of Parliament, as well as of church and state, attend. Prime ministers and other key figures from the Commonwealth and representatives of other countries will also attend. Numbers will be smaller than at Elizabeth's coronation, and the service is expected to be shorter.

THE ROYAL FAMILY

Robert Hazell

The UK has a larger royal family than other European monarchies, with a dozen 'working royals' supported out of public funds. And the UK Royal Family is not alone in facing criticism about its size: that there are too many 'hangers-on', who enjoy privileged lives in palaces, paid for out of public funds, with little obvious public benefit.

Other European monarchies (encouraged by governments and legislatures) have kept the core team as small as possible. It can be just four people. In Norway and Spain it is the King and Queen, the Crown Prince or Princess and their spouse. Periodic pruning is needed to keep the team small. In 2019, the King of Sweden removed five grandchildren from the royal house, under parliamentary pressure to reduce its size and its cost. In 2022, Queen Margrethe of Denmark followed suit, stripping four grandchildren (the children of her younger son, Prince Joachim) of their royal titles.

The UK is following suit in slimming down the monarchy, partly by accident, partly by design.

"The UK has a larger royal family than other European monarchies, with a dozen 'working royals' supported out of public funds. Periodic pruning is needed to keep the team small."

It is for the monarch to decide who are the working members of the Royal Family. Prince Harry and Meghan found this out when Queen Elizabeth ruled that they could not be half in and half out, as did Prince Andrew when he was obliged to 'step back' following intense scrutiny of his historic relationship with convicted sex trafficker Jeffrey Epstein.

Before their respective departures, there were 15 working royals. There are now 11 recorded in the Court Circular as carrying out royal duties. Seven are full time working royals: Charles III (aged 74) and Camilla (75); William Duke of Cambridge (40) and Kate (41); Edward Duke of Edinburgh (59) and his wife Sophie (58); and Princess Anne (72). Additionally, there are four older royals who contribute part time: the Duke of Kent (87); Princess Alexandra (86); and the Duke (78) and Duchess (76) of Gloucester.

The reason for recording ages is to note how elderly they are; two are in their

80s, five in their 70s, with only four under the age of 60. King Charles is said to want a smaller, streamlined monarchy, of perhaps just half a dozen people (King Charles and his wife Camilla, Prince William and his wife Catherine, Princess Anne, Prince Edward and his wife Sophie), which will happen naturally. A smaller Royal Family reduces costs and the reputational risk from individuals like Prince Andrew or Prince Harry. However, a smaller royal team will mean that less is seen of the Royal Family when demand for royal visits already exceeds supply - running contrary to the late Queen's maxim that "to be seen is to be believed".

In 2019-20 the Royal Family carried out some 3,200 official engagements. That number was down to 2,300 in 2021-22, partly because of Covid; but it will be hard to reach the previous level with a smaller team (see Prochaska on monarchy and charities). Countries like Norway (population 5 million) and Denmark (6 million) can manage with a small Royal Family because they have much smaller populations. The UK, with a population of 69 million, is over ten times the size - and in addition there are the 14 realms like Canada and Australia where Charles is also head of state.

The King's vision implies a further programme of change toward a more domestic, less international monarchy. With fewer working royals it will not be possible to service the remaining 14 realms as in the past. The Queen's platinum jubilee is likely to be the last occasion when almost all the realms received a royal visit.

Expectations will also need to be managed about the likely savings from slimming down the Royal Family. We do not know the cost of individual members, since they no longer receive parliamentary annuities. In 2002, eight royals received annuities totalling £1.5m, which the Queen voluntarily refunded to the Treasury. Since the Sovereign Grant Act 2011, the living expenses of working royals have largely been met from the monarch's income from the Duchy of Lancaster. Assuming that four were to retire, saving £750k a year, that would reduce the overall costs of the monarchy (£86m sovereign grant, plus £20m from Duchy of Lancaster) by less than 1%. However, even that is likely to be an overestimate; elderly royals will continue to have living expenses, whether working or not.

Streamlining also has implications for the careers and lifestyles of Royal Family members. Hitherto, there would have been siblings and aunts and uncles supporting royal functions in the UK and abroad. In future, they could be expected to develop independent careers of their own. Like Princess Margaret's children they could, although still members of the Royal Family, flourish as private citizens.

FUNDING THE MONARCHY

Robert Hazell

In 2012, the arrangements for funding the monarchy were fundamentally changed by the Sovereign Grant Act 2011. The new system was designed to represent a more permanent arrangement than the old Civil List, which was reign-specific.

Funding for the Sovereign Grant comes from a percentage of the profits of the Crown Estate, initially set at 15%. Since 2017-18, the percentage has been increased to 25% to pay for the ten-year refurbishment of Buckingham Palace, costing £370m. The grant is reviewed every five years by the Royal Trustees (the Prime Minister, Chancellor of the Exchequer and Keeper of the Privy Purse). The latest (2021-22) review will take effect in 2023.

"The Sovereign Grant for 2022-23 is £86.3 million - equivalent to £2.40 per taxpayer in the UK."

The Sovereign Grant for 2022-23 is £86.3 million - equivalent to £2.40 per taxpayer in the UK. It meets the central staff costs and running expenses of the royal household, which employed an average of 491 staff (full-time equivalent) in 2021-22. It also covers maintenance of the Royal Palaces in England, and the cost of travel to carry out royal engagements.

Separately, the new King will benefit from the profits (currently £20m a year) from the Duchy of Lancaster - another portfolio of land, property and assets - which are fed into the Privy Purse for the support of the monarchy. At accession, King Charles lost the equivalent income from the Duchy of Cornwall, which was transferred to Prince William. The Duchy of Cornwall is a private landed estate created by Charter in 1337, when Edward III granted it to his son and heir, Prince Edward (the Black Prince) and all subsequent heirs. It provides each Duke with an income from its assets - some 130,000 acres which generate an annual income of £20m.

The sovereign is not legally liable to pay income tax, capital gains tax or inheritance tax. Since 1993 however, the Queen has paid income and capital gains tax on a voluntary basis. The Prince of Wales also pays tax voluntarily on his income from the Duchy of Cornwall to the extent that it is not used to meet official expenditure. The late Queen also agreed to pay inheritance tax on a voluntary basis, but under a 2013 memorandum of understanding with the Treasury, no inheritance tax was payable on assets held by the Queen as

sovereign. The official residences, the Royal Archives, the Royal Collection of paintings and similar assets fall into this category. The Treasury Memorandum of Understanding also provides that inheritance tax will not be paid on gifts or bequests from one sovereign to the next. The reasons given are that:

> *Private assets such as Sandringham and Balmoral have official as well as private use, and the monarchy as an institution needs sufficient private resources to enable it to continue to perform its traditional role in national life, and to have a degree of financial independence from the Government of the day.*

The reason the monarch enjoyed exemption from income tax from 1910 (under an arrangement extended to other 'working' Royal Family members) was that it enabled the government to keep the public costs of funding the monarchy - via the Civil List - lower, while subsidising the difference through the income tax exemption. The real costs are more transparent now that the monarchy is funded through the Sovereign Grant. On the one hand, this can be seen as a clever political ploy to link the Sovereign Grant to a percentage of the profits of the Crown Estate, conveying the impression that this was somehow 'royal' money in the first place. On the other, it can also be seen as a proxy system of indexation, linked to increases in the profits of the Crown Estate; but revision can only be upwards - so that in 2023-24 the Sovereign Grant will remain frozen at £86.3m, despite falling profits of the Crown Estate. But because of rising inflation, in real terms the monarchy's income will have fallen by £12.3m since 2021.

The Sovereign Grant Act 2011 passed without serious political criticism. The replacement by statute of the previous Commons Select Committee on the Civil List also removed a platform for MPs to scrutinise the royal finances. At present there are no MPs who are vocal critics of the monarchy or its expenditure. The Public Accounts Committee has shown no interest since its 2009 inquiry into the maintenance of the royal palaces. The media focus occasionally on individual items, but there is no sustained analysis, and very little interest shown in the publication of the monarchy's annual report and accounts. So long as the media retain this deferential attitude, and Parliament remains equally uninterested, the royal finances look reasonably secure.

THE POLITICAL, CEREMONIAL, AND DIPLOMATIC ROLES OF THE MONARCH

Robert Hazell and Bob Morris

Although the monarchy no longer has political power, the monarch is still centrally involved in the business of government as head of state. (S)he also performs a number of ceremonial roles as head of nation. The head of state roles are political, ceremonial, diplomatic and constitutional, ranging from receiving ambassadors to giving the King's speech at the annual state opening of Parliament. As the head of nation, the monarch attends events such as the annual Remembrance Day ceremony and speaks to and for the nation at times of celebration and crisis.

POLITICAL ROLES OF THE MONARCH

The day-to-day political functions of the monarch involve regular meetings with the Prime Minister, other ministers, and senior officers of state; presiding at meetings of the Privy Council; giving audiences to incoming and outgoing ambassadors; and appointing ministers, judges and other senior officials.

WEEKLY MEETINGS WITH THE PRIME MINISTER

The King is kept informed of the business of government through daily boxes of papers to read and sign. He receives all the Cabinet papers and minutes, diplomatic telegrams, and other government papers, especially about appointments. In addition, he hosts frequent lunches and dinners for politicians, and others in public life.

When Parliament is sitting, the King has a weekly audience with the Prime Minister, held on Wednesday evenings. The Private Secretaries in 10 Downing Street and the Palace liaise beforehand about the matters to be discussed. These are the occasions when the monarch can exercise Bagehot's trio of rights: the right to be consulted, to encourage and to warn. No notes are taken, and no record is published, so it is impossible to judge what influence the monarch has on government policy.

The King also has audiences with senior officials from the military, the diplomatic and security services, the judiciary, and with officials from other countries, in particular the 14 Commonwealth countries where he is also head of state (the realms). The King receives newly appointed ambassadors and High Commissioners, and their families. With over 170 foreign missions in London, this is a frequent part of the weekly routine. Although ambassadors are accredited to the Court of St James's, their audiences normally take place in Buckingham Palace.

STATE OPENING OF PARLIAMENT

At the State Opening of Parliament, the King delivers a speech written by the government which sets out its legislative programme for the next annual session. (See Young on the constitutional role of the monarch). Since Charles I's failed attempt to arrest five MPs in 1642, the monarch has traditionally never entered the House of Commons. So the annual speech takes place in the House of Lords, with peers arrayed in their full robes, and the Commons assembled at the bar of the House. In 2022, Prince Charles delivered the speech on behalf of the ailing Queen, accompanied by Prince William. The speech is followed by a five-day debate on the government's programme, led by the Prime Minister.

MEETINGS OF THE PRIVY COUNCIL

The Privy Council is the equivalent of the Council of State in other countries. It normally meets once a month, in Buckingham Palace. Its main business is to approve Orders in Council, a form of delegated legislation. The business is purely a formality as the Orders will have been agreed beforehand by ministers. Usually only three or four ministers attend; the meetings are brief, and the King and the members remain standing. The dissolution, summoning, and prorogation of Parliament are brought about by royal proclamations in Council.

INFORMAL INFLUENCE

It is hard to judge how much influence the monarch has on the business of the government. Successive Prime Ministers have commented on the value of their weekly audiences, and on Queen Elizabeth's unrivalled experience thanks to her very long reign. These reflections in their memoirs from Ted Heath and Jim Callaghan give a sense of the role these meetings can play:

> *I looked forward to these for a variety of reasons. It was always a relief to be able to discuss everything with someone, knowing full well that there was not the slightest danger of any information leaking. I could*

confide in Her Majesty absolutely, not only about political matters, but also about the personal affairs of those involved, both at home and abroad.

(Heath, The Course of my Life, 1998: p 317)

[There was] no doubt of the keenness with which she followed Commonwealth affairs and of her genuine concern for its well-being. Her very perceptive understanding comes not only from her many years spent reading Foreign Office documents, but also from numerous meetings with successive Commonwealth leaders and her regular overseas tours. These have given her a knowledge of Commonwealth politicians and politics unequalled by any member of the Diplomatic Service or any British politician.

(Callaghan, Time and Chance, 2006: p 380)

"Although the monarchy no longer has political power, the monarch is still centrally involved in the business of government as head of state. (S)he also performs a number of ceremonial roles as head of nation."

The Queen was regarded as a model of political neutrality. Insofar as she wielded political influence, her ministers were too discreet to admit it. Before his accession, it was thought that King Charles might seek to be more interventionist, following the pattern of his frequent letters to ministers when he was Prince of Wales. If that were to happen, the Prime Minister would remind the King that a constitutional monarch must remain above politics. In doing so, the Prime Minister could draw on the 1912 memorandum *The Constitutional Position of the Sovereign* written by Prime Minister Asquith for the new King George V, where Asquith firmly stated:

We have now a well-established tradition of 200 years that in the last resort, the occupant of the Throne accepts and acts upon the advice of his ministers. The Sovereign may have lost something of his personal power and authority, but the Crown has thereby been removed from the storms and vicissitudes of party politics...

(Roy Jenkins, Asquith, 1964: pp 543-4)

Two early tests of King Charles's willingness to follow ministerial advice have been COP27, and the Windsor Framework agreement on Northern Ireland. In 2021, Charles had addressed the opening session of COP26, the UN Climate Change Conference in Glasgow, with a passionate plea to save the planet; but in October 2022 he was obliged to accept the Prime Minister's advice not to attend COP27. In February 2023, he agreed to meet the President of the European Commission, Ursula von der Leyen, when she came to Windsor to announce the new post-Brexit agreement on Northern Ireland. He was criticised for doing so; but on both occasions was following ministerial advice.

CEREMONIAL ROLES OF THE MONARCH

Ceremony is not just ornamental but signifies the monarch's role as both head of state and nation. Head of nation events do not relate immediately to the constitutional responsibilities of the monarch, instead they originate from implied responsibilities of social leadership within the national community.

One example of this role as head of nation is the monarch's participation at Remembrance Sunday, where members of the Royal Family and MPs lay wreaths at the Cenotaph in Whitehall. This ceremony, started in 1920, focuses national attention on the sacrifice of British service men and women in the two World Wars and later conflicts.

A further example is the Royal Maundy service, which is rooted in mediaeval royal practices marking the Christian celebration of Good Friday by the distribution of gifts of money and goods. From 1932, George V revived the tradition, with the monarch attending a special service, usually at a different cathedral each year. During the reign of Elizabeth II, it was no longer limited to Anglicans but also to members of other Christian denominations, and so reflected the ecumenism expressed by Elizabeth II early in her 2012 Golden Jubilee.

The monarch and Royal Family also undertake state visits abroad and receive important foreign dignitaries in the UK, as well as supporting charity events, and UK enterprises, local services and civic society. This is done in part through garden parties at Buckingham Palace and twice-yearly honours' awards.

DIPLOMATIC ROLES OF THE MONARCH

The British monarchy has a profile that extends well beyond the UK - and has been deployed as a major source of soft power by successive UK governments. This was evident, for example, in President Emmanuel Macron's tribute on the

death of Elizabeth II, alluding to her standing in France - "To you she was Your Queen. To us, she was The Queen."

The King and Queen made their first official State visit to Germany, following the last-minute postponement of their planned visit to France. The decision that the first visit would be to France followed by one to Germany is seen as further evidence of the desire of the UK government to rebuild relationships with European nations after Brexit. This was reflected too in the controversial but significant decision to invite the European Commission President, Ursula von der Leyen, for a cup of tea after the unveiling of the Windsor framework in February. For the monarch there is no such thing as just a cup of tea.

"President Emmanuel Macron [gave] tribute on the death of Elizabeth II, alluding to her standing in France - "To you she was Your Queen. To us, she was The Queen."

It will be no easy task for Charles and Camilla to match the diplomatic clout or range of Queen Elizabeth II. Over her prolonged reign, she visited over 120 nations and hosted 112 state visits. Many of those were relatively routine - a laying on of the pomp and splendour of a carriage ride down the Mall, a banquet at Buckingham Palace and then the political meetings around them. But some were used as a lure by the British government - US President Trump made no secret of his desire to visit the Queen and bring his family. President Xi's state visit in 2015 was the apogee of the Cameron-Osborne golden era of UK-China relations.

Although this is an area where the monarch may express preferences, the ultimate decision is for the government. Hence, following a debate, the decision that King Charles should not attend COP27. Both incoming and outgoing state visits are planned by the Royal Visits Committee, chaired by the Permanent Secretary in the Foreign Office.

The most notable piece of Royal diplomacy in recent decades was the historic state visit to Ireland in 2011, when the Queen spoke Gaelic at the state banquet and took a message of reconciliation 13 years after the historic Belfast/Good Friday Agreement. Other examples of standout royal diplomacy include a state visit to South Africa which rejoined the Commonwealth shortly after the first free elections in 1994 and a visit to the US to reaffirm relations with Ronald Reagan following the Falklands invasion. A royal head of state, particularly when bolstered by a royal family, can undertake more public diplomacy than a President with the obligations of government.

There are other more mundane aspects to the monarch's diplomatic role. Every incoming Ambassador or High Commissioner has to present their credentials - and the monarch has audiences with outgoing representatives before they take up their postings as British Ambassadors or High Commissioners overseas. Having a well-travelled long-serving monarch who had met many world leaders over decades meant that such audiences with the late Queen offered the potential to tap into her unparalleled personal knowledge. One new appointee described their audience before they left for their posting: "The Queen is the supreme diplomat... She was very knowledgeable about the country I was heading to and offered wise advice."

Of course, not all Royal visits are triumphs. The 2022 visit by the then Duke and Duchess of Cambridge to the Caribbean was seen as tone deaf and reminiscent of colonialism of a bygone era. The royal couple were confronted with questions about the future of the monarchy as head of state and with demands for reparations for slavery. Other tours risk not hostility but indifference, should support for the monarchy be falling away.

The monarch has a particular relationship with the Commonwealth. Elizabeth II was seen as a particularly strong supporter. The Commonwealth started with 8 members and now has 56 - including recently countries which were never part of the British empire but which have chosen to join (like Mozambique and Rwanda). Rwanda hosted the Commonwealth Heads of Government meeting in 2022 - attended by Charles and Camilla.

King Charles has taken over from his mother as the Head of the Commonwealth, but the Commonwealth has no formal constitution and it is not guaranteed that the next British Monarch will head the Commonwealth. The late Queen had made clear that it was her "sincere wish" for Charles to succeed her, and that was agreed at the Commonwealth Heads of Government Meeting at Windsor in 2018 - but the position is not hereditary.

Is the monarchy a positive for international perception of the UK? A poll undertaken before the wedding of Prince Harry and Megan Markle in 2018 suggested that, on balance, it is. Ipsos Mori concluded that 'Across the world, views towards the Royal Family are more favourable than unfavourable (by 35% to 11% on average), though around half are either neutral (37%) or don't know (16%)'. But there was considerable variation across countries, with Romania the most favourable and Spain and Argentina the least (see also the section by Curtice on public opinion).

At that time, of the senior members of the Royal Family, Prince Charles had the lowest international favourability rating - at only 24% compared to the then Queen's 42%, suggesting he may be less of a diplomatic asset. And, based on most people saying they were favourable to the British monarchy because of 'tradition' the pollsters concluded: 'there might be a danger that it promotes a traditional rather than modern image of Britain, although it increases associations of Britain as powerful and self-confident too.'

THE CONSTITUTIONAL ROLE OF THE MONARCH

Alison Young

The monarch plays a key role in the UK constitution. However, there are restrictions on the powers exercised by the monarch. Only a constitutional crisis would be likely to usher in a change in the way these are exercised.

ELECTIONS AND PROROGATION

Before 2011, the monarch had a prerogative power (a historical power that is not granted by an Act of Parliament) to summon and dissolve Parliament. The Fixed-term Parliaments Act 2011 changed this. It set dates for a general election every five years, with an earlier one only possible following a two-thirds vote of MPs, or a failure to form an alternative government after a no confidence vote.

This changed again in 2022, when the Dissolution and Calling of Parliament Act 2022 revived the power of the monarch to summon and dissolve Parliament. This restores the role in the UK constitution that was held by Queen Elizabeth II until 2011. However, constitutional conventions limit this power (see Saunders in this collection on the Lascelles Principles). The monarch will only dissolve Parliament when requested to do so by the Prime Minister and only summons a new Parliament after a general election.

Constitutional conventions cannot be enforced by the courts. Nevertheless, if the King were to act in breach of a convention, this may lead to questioning, and potentially limiting, of the King's constitutional role. Hence the power to call an election has really returned to the Prime Minister, not the monarch.

Parliamentary sessions open with the King's Speech, setting out the legislative programme of the current government. They end with the prorogation of Parliament. The monarch has the power to prorogue Parliament. However, this power is also limited by convention. The monarch is advised by the government as to when to prorogue Parliament and normally follows this advice.

The prerogative power of prorogation now has legally enforceable limits. In the 2019 *R (Miller) v Prime Minister; Cherry v Advocate General for Scotland* case, the UK's Supreme Court quashed an unlawful prorogation of Parliament. (See Saunders in this volume on the monarchy and constitutional crisis). The Court found that prorogations of Parliament cannot unduly restrict parliamentary sovereignty and parliamentary accountability without justification.

APPOINTMENT OF THE PRIME MINISTER AND MINISTERS

The monarch also appoints the Prime Minister. However, by convention, the monarch's power is limited as set out in the Cabinet Manual, the document which sets out the internal rules and procedures under which the UK government operates. A monarch usually appoints a Prime Minister following a general election and will normally appoint the leader of the political party which has won the most seats - the person most likely to be able to form a government that commands confidence of the House of Commons. When no one party has a clear majority, the monarch will wait for political parties to negotiate the formation of a coalition government, or a minority government that can nevertheless command the confidence of the House. The monarch will then appoint the leader of this coalition or political party as Prime Minister.

In 2022, the UK had three Prime Ministers, but no general election as successive Prime Ministers resigned as leader of their party. It is then for the governing political party to use its own procedures to determine the next leader of the party. By convention, the monarch will then appoint this new leader as Prime Minister.

Although the monarch appoints ministers to the UK government, according to the Ministerial Code, the Prime Minister is responsible for the organisation of the government. By convention, the monarch acts on the advice of the Prime Minister.

Weekly meetings between the Prime Minister and the monarch facilitate the right of the monarch to be consulted, to encourage, and to warn the Prime Minister. We do not know how the late Queen performed this role over her long reign, and we do not know whether King Charles will do it any differently.

THE MONARCH'S LEGISLATIVE ROLE

Acts of Parliament are enacted by the King-in-Parliament (the King acting in his legislative role with the advice and consent of Parliament). If the monarch does not give assent to legislation, it does not become law. However, by convention, the monarch assents to all legislation. The only exception is when ministers advise the monarch to refuse assent. The last time the monarch refused to grant royal assent was in 1708.

The need for royal assent applies to Acts of the Scottish Parliament, the Senedd Cymru, and the Northern Ireland Assembly, as well as the UK Parliament. This places more power in the hands of the UK government than it does in the monarch. As happened with the Gender Recognition (Reform) Scotland Bill,

the UK government has a power to prevent a bill from being presented to the monarch for royal assent if a specific set of circumstances are met. This may be used to trigger negotiations between the UK government and the devolved administrations or allow it to effectively veto a bill enacted by a devolved legislature.

The King also opens Parliament, setting out the legislative agenda for a new session of Parliament in the King's Speech. However, the speech is written by the government, bills are proposed by ministers and the legislative timetable is determined by a Cabinet Committee. The role of the King, therefore, is purely ceremonial.

"Acts of Parliament are enacted by the King-in-Parliament. If the Monarch does not give assent to legislation, it does not become law. However, by convention, the Monarch assents to all legislation."

Legislation does not bind the Crown unless it specifically sets out that it will do so. When legislation is proposed that will affect prerogative powers or the interests of the Crown, this requires the consent of the monarch before it is enacted. This includes legislation that affects hereditary revenues, personal property, or the personal interests of the Crown or the Duchy of Cornwall. This extends to the monarch's interests as a landlord or employer. It is hard to know how far this provides the monarch with the power to shape legislation that limits these interests, though some evidence suggests that consent may be more than a mere courtesy.

This assessment has focused on the day-to-day running of the country. The monarch may play a larger role in a constitutional crisis. The monarch's power to dissolve and prorogue Parliament, or even to veto legislation, may provide a constitutional longstop (or backup) to either prevent or resolve a crisis. Were this to occur, the personality of the monarch may play more of a role in the constitution than law and convention would suggest.

THE MONARCHY AND CONSTITUTIONAL CRISIS

Robert Saunders

For much of British history, it was hard to imagine a constitutional crisis without the monarch at its core. From the Barons at Runnymede imposing Magna Carta on King John to the expulsion of James II in 1688, the English (and, later, British) constitution was forged in the collision between Crown and Parliament. As late as the nineteenth century, suspicion of royal power pulsed through progressive politics. Victorians may have revered 'Her Little Majesty', but they also celebrated a 'Glorious Revolution' against royal tyranny and erected a statue of Cromwell outside Westminster.

With the decline of constitutional politics in the twentieth century, the political functions of the Crown slipped from public debate. Yet recent controversies have redirected attention to the role of the monarch at times of constitutional crisis. More specifically, they have reopened a question that deserves greater public discussion: who wields the historic powers of the Crown once the monarch is no longer politically active? Should there be any limit on their use by a Prime Minister?

AN EMERGENCY BRAKE

Some of the highest powers of the British state still technically reside with the Crown, including the right to declare war, conclude treaties and suspend Parliament. By convention, those powers are exercised 'on the advice of the Prime Minister'. But they do not *belong* to the Prime Minister, and might, in theory, be withheld.

In 1950, the King's Private Secretary, Alan 'Tommy' Lascelles, published a letter in *The Times*, identifying three circumstances in which a monarch might refuse a request to dissolve Parliament (a 'prerogative power' before and after the 2011-2022 Fixed-Term Parliaments Act). The 'Lascelles Principles' suggested that the monarch might reject a Prime Minister's advice if the existing Parliament was still viable; if an election would be detrimental to the economy; or if an alternative Prime Minister could secure a 'working majority' without an election.

It is not difficult to envisage other circumstances in which a monarch might prevent an abusive dissolution: for example, when the Opposition was engaged in a leadership contest; when it was intended to frustrate parliamentary scrutiny; or when electoral fraud was suspected.

Underpinning all this was a new idea of the monarch's role, which established the Crown as the 'emergency brake' of the constitution. A monarch could not exercise the prerogative powers him or herself but could deny their use to a Prime Minister. The Crown would act as a safety lock on the 'nuclear weapons' of the constitution, such as the power to declare war or suspend Parliament.

That brake was never wholly satisfactory. It relied on one person, with no democratic authority, who might be inept, corrupt or Prince Andrew. As Britain evolved from a 'constitutional' to a 'ceremonial' monarchy, it grew ever less likely that a monarch would actually use it. The priority for the Palace became to shield the monarch from 'political controversy', not to shield the constitution from political abuse.

From a democratic perspective, the reluctance of the monarchy to interfere in 'politics' is broadly welcome. A democracy should not depend on a hereditary institution to protect it from the abuse of power. But it raises an important question: who, if anyone, should take over its constitutional functions?

Under the UK constitution, a Prime Minister can take office with no majority in Parliament and no direct electoral mandate, following a vote among party members. It would be curious if there were no limit on their power to declare war, sign treaties, or suspend Parliament. So, who now holds the brake?

For a period, it seemed that the powers of the Crown were to be transferred to Parliament. The Fixed-Term Parliaments Act required MPs, not the monarch, to consent to an early dissolution. Both Tony Blair and David Cameron sought parliamentary approval for the use of armed force in Iraq and Libya respectively (though Theresa May sought to roll this back).

In other areas, the courts have intervened. In 2019, the Supreme Court declared an 'improper' prorogation of Parliament to be 'null and of no effect'. It was now the Courts, not the monarch, that were acting as the 'emergency brake'.

TAKING BACK CONTROL

Since 2019, the direction of travel has reversed. The 2022 Dissolution and Calling of Parliament Act shut down any role for Parliament in preventing an early dissolution and declared the revived prerogative powers to be non-justiciable by the courts. That left only the monarch as a check on their use, and the government's 'Dissolution Principles', published alongside the Bill, reminded the monarch that they should never be drawn into political controversy. As the Bill's 'Explanatory Notes' made clear, the intention of the Act was to 'enable Governments … to call a general election at the time of their choosing'.

"In a democracy, the monarchy can only survive if it stands outside political contention - that makes it a broken reed when it is the constitution itself that is in crisis."

Those notes did acknowledge that, 'in certain exceptional circumstances, the Sovereign could refuse to grant a dissolution'. Yet what those circumstances might be remained wholly unclear. That question became urgent in the summer of 2022, when it appeared that a Prime Minister might request a punitive dissolution, ending the parliamentary session and triggering a general election, in the face of rebellion from his cabinet and parliamentary party.

What might have happened in that scenario remains opaque, though it was rumoured that the Queen would have been temporarily 'unavailable'. Constitutional lawyers could only speculate on Twitter - not just about what a 96-year-old woman might do, but about the principles on which she would reach her decision. That leaves the constitution unprotected, and risks miring the monarch in political controversy.

'Back again?'

In a democracy, the monarchy can only survive if it stands outside political contention. Yet that makes it a broken reed when it is the constitution itself that is in crisis.

The logic of this situation is not that the monarch should be more politically active, but that we cannot rely on a ceremonial monarchy to protect the constitution from attack. For that, other instruments will be needed.

In their absence, both the constitution and the monarchy will suffer: one from the lack of effective protections; the other from political pressures that it lacks the democratic authority to navigate.

COMPARING THE BRITISH MONARCHY WITH OTHER EUROPEAN MONARCHIES

Robert Hazell

The UK is one of eight constitutional monarchies in Europe: the others being Belgium, Denmark, Luxembourg, the Netherlands, Norway, Spain, and Sweden. On the whole, the similarities between them are much greater than the differences. The role of a constitutional monarch is identical in all these countries, now that they have lost all political power. The main difference is one of scale: the British monarchy has the largest Royal Family, serving the biggest country (population 69 million), and it is an international monarchy, providing the head of state for 14 other countries around the world.

In all these countries the continuation of the monarchy depends on continuing popular support. It is a brave monarch who goes against the wishes of the government or the people. Monarchy has survived by gradually ceding power to the elected government: a development which happened first in Britain, in the seventeenth century, followed by the other European monarchies during the nineteenth. Monarchical power is still being reduced: most dramatically in Sweden, where the monarch lost all formal power in 1974. Other countries have seen further reductions over the last two decades. Since 2008, the Grand Duke in Luxembourg has lost the power to assent to the laws made by the parliament; now his role is merely to promulgate them. In the Netherlands the monarch is no longer involved in the process of government formation: that role passed to the lower house of parliament in 2012.

Yet the monarch still remains the ultimate guardian of the constitution, whose role in an emergency is to safeguard democratic and constitutional values. The most dramatic illustration of that was in Spain in 1981, when King Juan Carlos helped foil an attempted coup d'état by the Civil Guard, by going on television in uniform, declaring that the coup was illegal, and ordering the armed forces as their Commander-in-Chief to return to their barracks. There was a similar instance in Norway when, after the German invasion in 1940, King Haakon VII told his Cabinet that, although it was their decision, he would rather abdicate than accept Vidkun Quisling as head of the new government. In both countries, the example set by the King helped to reinforce the legitimacy of the monarchy as an institution.

"The monarch still remains the ultimate guardian of the constitution, whose role in an emergency is to safeguard democratic and constitutional values"

One other circumstance where the monarch might need to act to safeguard democratic values would be if the Prime Minister acted in breach of the constitution, and there was no other legal or political remedy to prevent this. An example could be if there was a formal vote of no confidence in the government, but the Prime Minister tried to remain in office, refusing either to resign or to advise fresh elections. The UK came close to this in October 2019, when sources suggested Boris Johnson would not resign in such circumstances. The only remedy would have been for the Queen to dismiss the Prime Minister. (See Saunders on monarchy and constitutional crisis). In Denmark in 1993, the Conservative People's Party Prime Minister, Poul Schlüter wished to retire and hand over the leadership to a Conservative successor. He was reminded by the Palace that the majority in Parliament had shifted, and the new Prime Minister was appointed from the Social Democrats, reflecting the new majority.

In countries like Denmark and the Netherlands where no party has an overall majority and governments are often composed of multi-party coalitions, it can be a difficult matter of judgement to determine which potential coalition is most likely to form a stable and effective government. The monarch inevitably risks being criticised when making these difficult judgements, and is sometimes accused of allowing personal preference to affect the outcome - as happened with the accusations levelled against Queen Beatrix of the Netherlands in 2010 by politicians such as Geert Wilders and the Freedom Party.

In the UK, it has similarly been suggested that Queen Elizabeth was exercising a personal preference when appointing Lord Home as prime minister in 1963, though she was actually acting on the advice of the elders in the Conservative party. Since all parties in the UK now elect their leaders, it has become easier to identify whom to appoint as Prime Minister; especially since the conventions have been codified in the 2011 Cabinet Manual.

Withholding royal assent could be another way in which a monarch can prevent the parliament from enacting legislation which breaches fundamental constitutional values. In the UK, again, the suggestion was made in the Brexit parliament of 2017-19 that Johnson might advise the Queen to withhold royal assent from legislation passed against the government's wishes. It was a wild suggestion, because royal assent is automatic, a legislative, and not an executive act. Royal assent has however been withheld by other European monarchs.

Examples are Queen Juliana of the Netherlands' opposition to the death penalty (1952), the Belgian King Baudouin's objection to legalising abortion (1990), and Grand Duke Henri of Luxembourg's opposition to euthanasia (2008). These were all motivated by personal conscience, not constitutional values. In Luxembourg the outcome was dramatic, with an immediate constitutional amendment removing the requirement for royal assent, and subsequent proposals for further reductions in the Grand Duke's powers.

The proposals in Luxembourg included making the monarch more accountable and giving power to the parliament to require the monarch to abdicate. What the episode shows is that the monarch may formally be the guardian of the constitution; but ultimately, the exercise of the monarch's reserve powers depends upon popular support.

None of the constitutions of the other European monarchies, save one, contain a specific power of the kind proposed in Luxembourg. The exception is the Netherlands, where Article 35 of the constitution provides that, on a proposal from the Council of Ministers, the parliament can declare the King incapable of exercising his royal authority. Most of the constitutions do, however, require the monarch to take an oath to be faithful to the constitution. The guardian of the constitution must themself observe the constitution. However, it may not even require a violation of the constitution; we can broaden the principle to say, if the monarch by their conduct loses the support of the government or their people, they put their throne at risk. We have seen four examples of this over the last century: in the abdication of Grand Duchess Marie Adélaïde of Luxembourg in 1919, of the British King Edward VIII in 1936, the Belgian King Leopold III in 1951, and the Spanish King Juan Carlos in 2014.

Ultimately, the continuation of the monarchy as an institution depends upon the continuing support of the people.

MONARCHY AND THE COURTS

Catherine Barnard

Nowhere are the complexities of the UK's evolving constitution clearer than in the relationship between the monarch and the courts. The starting point is 1066 and the Norman conquest. Norman monarchs believed that the 'King is the fountain of all justice throughout his Dominions, and exercises jurisdiction in his Council, which act in an advisory capacity to the Crown'. This early use of the word 'Crown' drew no distinction between the office of the monarch and the individual, a view confirmed in the 1561 *Case of the Duchy of Lancaster*, where the judges said the King had a 'body natural and a body politic together indivisible'.

This mixing of the Crown and the judicial system, which to modern eyes looks at best quaint and at worst murky, continues today. As the current Lord Chief Justice, Lord Burnett, put it, '[t]hat the sovereign remains the fountain of justice is evidenced daily in our courts. It is symbolised by the Royal Court of Arms in our courtrooms'.

But it goes further than that. Professor Martin Loughlin notes that all 'jurisdiction is [...] exercised in the name of the Queen [now King], and all judges derive their authority from her [his] commission' (i.e. judges are appointed by the King on recommendation of the Lord Chancellor). Senior Advocates are King's or Queen's Counsel (KC or QC), a title dating back to 1597, when Sir Francis Bacon was granted precedence at the bar during Queen Elizabeth I's reign. More significant cases are heard in the *Royal* Courts of Justice in the Strand in London; one of the divisions in the High Court is the '*King's* Bench Division'.

With the evolution of a constitutional monarchy, power shifted from the monarch personally to the executive. Yet the coming together between Crown and courts continues, not least in the nomenclature: Crown Court, the Crown Prosecution Service, the Crown Office and Procurator Fiscal Service. Prosecutions are made in the name of the Crown (cases are cited as *R* (for Rex or Regina) v. [the name of the defendant]). Judicial reviews of executive acts are also brought in the name of the Crown.

As (relatively) recently as 1965, Lord Devlin said in the House of Lords in *Re K* 'all justice flows from the [royal] prerogative'. This has the practical consequence that the monarch is immune from prosecution, even for parking offences. In

response to a freedom of information request, the Ministry of Justice (MoJ) said 'the King, as head of state, has sovereign immunity from both civil and criminal proceedings. That is a long-established customary rule of law not statutory provisions.' However, the MoJ notes that the 'Crown Proceeding Act 1947 allows for civil actions to be brought against the Crown in certain circumstances but this in general terms means His Majesty's Government rather than the Sovereign.' The monarch can also sue: the Queen twice sued *The Sun* for breach of copyright. Other members of the Royal Family have also sued various newspapers to prevent the publication of personal information.

What about the doctrine of separation of powers? The separation of courts from the monarch in person can be dated back to the famous *Case of Prohibitions* in 1607. James I wanted to decide a property dispute. He considered that there was no need to know any law to dispense justice. He was endowed by God with all the qualities that were needed and could apply his sense of justice. As Lord Burnett explains, Sir Edward Coke, then Chief Justice of the Court of Common Pleas, disagreed, saying, 'the King in his own person cannot adjudge any case, either criminal - as treason, felony etc, or betwixt party and party; but this ought to be determined and adjudged in some court of justice, according to the Law and Custom of England.'

"Nowhere are the complexities of the UK's evolving constitution clearer than in the relationship between the monarch and the courts."

And so began the long and painful process by which the courts and the state started to separate. The judiciary is now seen as a separate branch of government, albeit until recently headed by the Lord Chancellor, a political appointee, which underlined the somewhat partial nature of the separation of powers. To create a separation of the judiciary and the executive, the Constitutional Reform Act 2005 made the Lord Chief Justice (Lord Burnett) the head of the judiciary, yet the nomenclature rooted in the Crown outlined above (*Crown* courts etc.) remains.

Professor Maurice Sunkin KC puts this more positively: 'All the three instruments: government, the courts, and parliament, operate in the name of the Crown.' It is a concept that unifies the system as a whole. He says: 'so even though the three powers are separate, they are connected by - and working for - something beyond themselves and each other, which is the Crown.' The language of the Crown is a legacy of the history that got the UK to this point.

The fact that there is an independent judiciary does mean that it is able to

consider the scope of the (royal) prerogative powers, now mainly exercised by ministers not the Crown. Take, for example, *Miller I* where the Supreme Court examined whether the decision to start the Article 50 process for the UK to leave the EU could be taken by the Prime Minister herself, exercising prerogative powers (freely to enter into and to terminate treaties without recourse to Parliament). The Supreme Court said no; there needed to be an Act of Parliament.

Miller II concerned another prerogative power, this time to prorogue (i.e. suspend) parliament. Traditionally, 'the Government of the day advises the Crown to prorogue and that request is acquiesced to'. However, on this occasion the request to prorogue was for five weeks (not the usual few days) at the height of the Brexit crisis. This request would have forced the Queen to take a political decision and so put her in a constitutionally difficult position. She was spared by the Supreme Court's decision that principles of parliamentary sovereignty and parliamentary accountability meant that the prorogation could not be justified.

The *Miller* cases show the sheer complexity of the constitutional web in the UK, mixing the functions of monarch, government, and state. A thousand years of history and the evolution of a piecemeal unwritten constitution have created the current structures, structures which still deliver an independent and good quality judiciary but whose trappings of power, including the room in which they sit, still refers to the monarch as the fountain of justice.

MONARCHY AND THE MULTI-NATIONAL STATE

Dan Wincott

Queen Elizabeth II's death brought the UK's multi-national character into sharp focus. The protocols and ceremonies that marked the change of head of state – both the proclamation of King Charles III and mourning period for the Queen – were meticulously organised on a 'four-nations' basis. Journalists and commentators pored over the details of operations code-named 'Unicorn', 'London Bridge' and 'Spring Tide'.

Richly detailed and long-established, the 'four-nations' plan marked a significant change from the ceremonies when Queen Elizabeth II took the throne. Designed to appeal to diverse national sentiments across the UK, the plan's implementation further underscored the new monarch's multi-national vision. At least in the short term, the monarchy's emollience may smooth some edges from the UK government's more abrasive approach to politics relating to the devolved nations (territorial politics). However, it could prove challenging for the head of state and his ministers in Whitehall to operate with sharply contrasting territorial visions of the UK over the longer term.

King Charles III's formal proclamation at St James's Palace on 10 September was followed by an unprecedented multi-national pattern of ceremonies in the devolved capitals. Later that day a proclamation was read at Cardiff Castle in English and Welsh. The following day the King was proclaimed in Northern Ireland and Scotland. A proclamation was read at Stornoway in Gaelic (and English) on 12 September.

The Queen's own proclamation some 70 years earlier had a municipal feel, at least outside London. Its emphasis was on the 'local custom' of towns and cities across the realm: the Mayor of York toasted the Queen with a solid gold cup. In 1952, only the oath for the security of the Church of Scotland spoke to the state's multinational character.

The Queen's death at Balmoral meant that Scottish aspects of the mourning period were strengthened. It brought distinctive protocols for Scotland into play. The Queen's coffin travelled from Balmoral to Edinburgh on 11 September. It was then placed in the Throne Room at Holyroodhouse, the official residence of the British monarch in Scotland. The coffin was carried up the Royal Mile to St

Giles' Cathedral, part of Scotland's Presbyterian national church, on the following day. The Crown of Scotland was placed on it. After a service of thanksgiving, the Queen lay at rest in St Giles' for 24 hours. Members of the public queued to pay their respects. Some commentators speculated that the Queen chose to end her days in Scotland. One or two even suggested she did so to bolster the Union. (See McMillan and Henderson on monarchy and Scottish independence).

From Edinburgh, the coffin was moved to London 13 September. The Queen lay-in-state in public view at Westminster Hall from 14 September until 6.30 am on 19 September. Her state funeral at Westminster Abbey was later that day.

The four-nations plan included ceremonies in Belfast and Cardiff. Services of remembrance at St Anne's Cathedral, (13 September) and Llandaff Cathedral (16 September) extended the formal mourning process to Northern Ireland and Wales. Both disestablished, St Anne's and Llandaff are Episcopalian (or 'Anglican') Cathedrals.

The devolved services were all ecumenical. They nodded towards multi-culturalism. More or less prominently, all reflected distinct *national* traditions. A psalm was sung in Gaelic at St Giles. Representatives of Jewish and Muslim communities spoke at Llandaff, where the service was conducted in a mix of Welsh and English. The Welsh National Anthem 'Hen Wlad Fy Nhadau' was sung (in Welsh) immediately before 'God Save the King'.

The First Ministers of Scotland and Wales gave readings at St Giles and Llandaff respectively. In Belfast, Alex Maskey speaking in remembrance of the Queen at Anglican St. Anne's presented a particularly striking image. Originally elected on a Sinn Féin ticket, Maskey was participating as Speaker of Northern Ireland's Assembly. Sinn Féin had not attended the King's proclamation in Northern Ireland. The Belfast service was also attended by the Irish President and Taoiseach.

The monarch's careful cultivation of these leaders brings us back to territorial politics and the contrast with the threadbare and abrasive world of UK devolution. Political leaders have handled the 'four-nations' ceremonies with different degrees of skill. For example, when Liz Truss was Prime Minister, she attended the services for the Queen in Edinburgh, Belfast and Cardiff. Although initial reports suggested she was 'accompanying' King Charles on his 'four-nations' tour, No 10 issued a clarification that Truss was simply attending the three services with no formal role in them. Despite her generally low profile, an apparently 'icy stare' directed at Nicola Sturgeon garnered some media attention.

"At a moment when territorial politics were notably tense, the Monarchy's sensitivity to multi-national diversity seemed to help the UK territorial state to carry on."

At a Service of Reflection for Queen Elizabeth II at St Anne's Cathedral in Belfast, Sinn's Féin's Michelle O'Neill seemed to catch the Prime Minister off-guard when she leant across the pews at St Anne's to greet her. O'Neill's 'hello' at this service was not the only adroit move made by politicians with Sinn Féin links. Alex Maskey welcomed the King at Hillsborough in Irish and then introduced him to First Minister-designate O'Neill. Charles III seemed singularly at ease with these Irish republican politicians, commenting on their 'skill and ingenuity'.

Compared to these ceremonies, where differences can be temporarily suspended, the day-to-day realities of UK politics is rather more competitive. Each Prime Minister since 2016 has extolled the 'precious union' (or 'awesome foursome'), without adding much flesh to the bones of these Unionist slogans. The UK government has taken some steps to improve the machinery of intergovernmental relations. On becoming Prime Minister, Rishi Sunak reversed Liz Truss's policy of not communicating with devolved leaders. But the UK government still appears to be constrained by a domestic territorial logic of 'take back control' Conservatism. The UK government now seems minded to make assertive interventions in devolved policy fields. Doing so against the grain of devolved priorities has generated confusion, contradiction and inefficiency in public policies.

UK politics has a history of muddling through difficult and otherwise intractable problems. At a moment when territorial politics were notably tense, the monarchy's sensitivity to multi-national diversity seemed to help the UK territorial state carry on. Unusual moments of high ceremony aside, though, it is governments not the monarchy that set the agenda of UK territorial politics. If its governments remain unable to agree how devolution *should* work, the September 2022 ceremonies may come to be seen as a high-water mark for the 'four-nations' vision of the UK.

MONARCHY AND SCOTTISH INDEPENDENCE

Fraser McMillan and Ailsa Henderson

The British monarchy occupies a contradictory position within Scotland's political culture. Support for the institution has long been lower than that in England and Wales. However, the Royal Family, particularly the late Queen Elizabeth II, have spent a lot of time in Scotland in recent decades. Following her death in 2022, mourners filled the streets during the procession of the coffin from Balmoral Castle to Buckingham Palace. Individually, the Queen was admired and respected, even if the wider institution that she represented was viewed by many as outdated.

There is an equally nuanced relationship between the monarchy and Scottish independence. In keeping with their apolitical role, the Palace have always shied away from taking a public position on the constitutional question - the Queen merely urged Scots to "think very carefully about the future" during the referendum campaign, even if the Prime Minister David Cameron claimed that she "purred" when she heard the eventual results.

"Attitudes to the Monarchy are very strongly associated with support for or dislike of independence. 47% of Yes backers are strongly in favour of a republic, while 51% of No backers are strongly in favour of retaining the Monarchy."

And, despite a long-term association between pro-independence attitudes and republican sentiments, senior nationalist elites have publicly supported the monarchy. The Scottish government's White Paper on independence, *Scotland's Future*, released prior to the 2014 referendum, indicated that an independent Scotland would retain the institution. During the referendum campaign, the official pro-independence campaign Yes Scotland insisted that, while independence would end the political union, it would retain the head of state. Similarly, while the Scottish National Party (SNP) is committed to securing Scotland's independence, it remains, officially, supportive of the monarchy. However, the new First Minister Humza Yousaf has stated that he would seek to remove King Charles III as head of state in Scotland within the first five years of independence.

While such positions could be perceived as a strategic necessity to avoid alienating middle Scotland, rather than reflecting intrinsic support for the institution, it is still maintained by senior nationalist figures. As then-First Minister Nicola Sturgeon stated shortly after Elizabeth II's passing, "We knew how important Scotland was to the Queen and... have been reminded just how much Her Majesty meant to the people of Scotland".

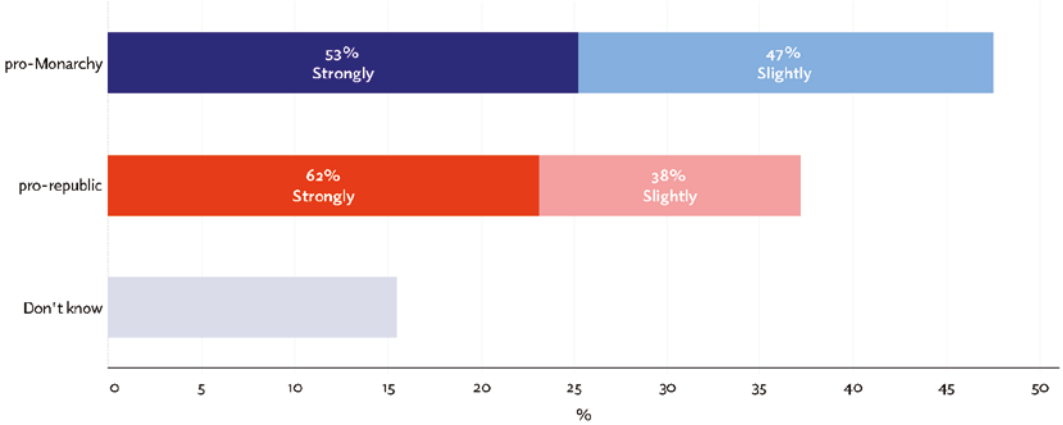
The SNP is a broad church on many issues. Similarly, supporters of independence, like the rest of the Scottish electorate, encompass a range of views on the monarchy.

Following the Queen's death, in November 2022 the Scottish Election Study (SES) collected data on Scottish attitudes to the monarchy. When asked whether they favoured the UK retaining the monarchy or becoming a republic, 48% of Scots supported the monarchy and 37% favoured replacing the Royal Family with an elected head of state. When asked whether they were 'strongly' or 'slightly' opposed or in favour of the monarchy 62% of declared republicans indicated that they held such views 'strongly' compared to only 53% of monarchists. (For UK-wide, see Curtice on public opinion).

Nearly half of Scots support retaining the monarchy

UK IN A CHANGING EUROPE

Response to question "Following the death of Queen Elizabeth II, to what extent would you favour the UK retaining the monarchy or becoming a republic with an elected head of state?"



Source: Scottish Election Study. n = 1,210, population weights applied

These findings reflect the divisions apparent in other polls. They show that support for the monarchy is higher among older Scots, and that women are more supportive than men. Among party supporters, Conservative voters are by far the most in favour of the monarchy.

INDEPENDENCE ATTITUDES AND SUPPORT FOR THE MONARCHY

Attitudes to the monarchy are very strongly associated with support for or dislike of independence. Just under half of decided Yes backers (47%) are strongly in favour of a republic, while just over half of pro-union supporters (51%) are strongly in favour of retaining the monarchy.

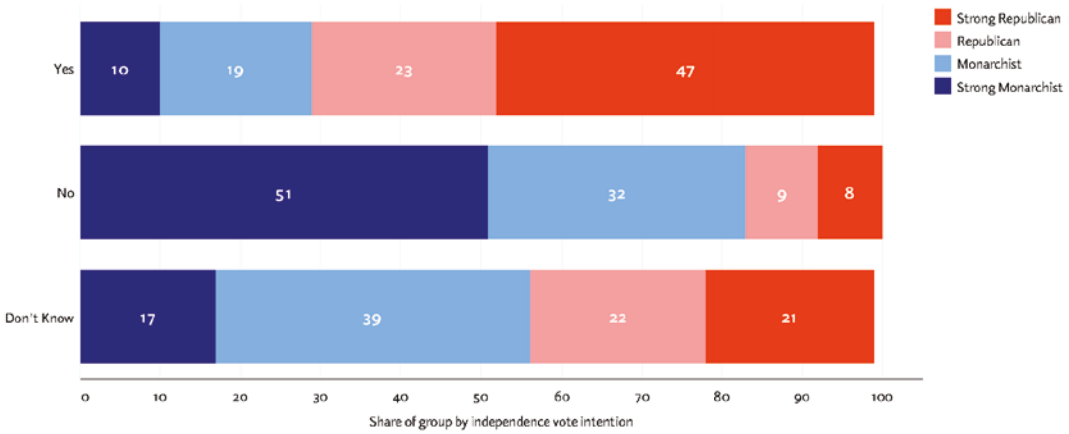
There is some asymmetry here. Yes supporters are less pro-republic than No voters are pro-monarchy. Just 17% of pro-union supporters would prefer the UK to become a republic, while 29% of pro-independence Scots are broadly in favour of the monarchy. Those undecided on independence lean very slightly in favour of the monarchy.

Retaining the monarchy is one aspect of the constitutional status quo that commands plurality support, in part because it attracts residual sympathy among supporters of Scottish independence. This reflects the Scottish government's public support for the institution and the absence of anti-monarchist messages from political leaders before the new First Minister.

Attitudes to the monarchy are very strongly associated with support for or dislike of independence

Response to question of support of Scottish independence based on their attitudes to the monarchy.

UK IN A CHANGING EUROPE



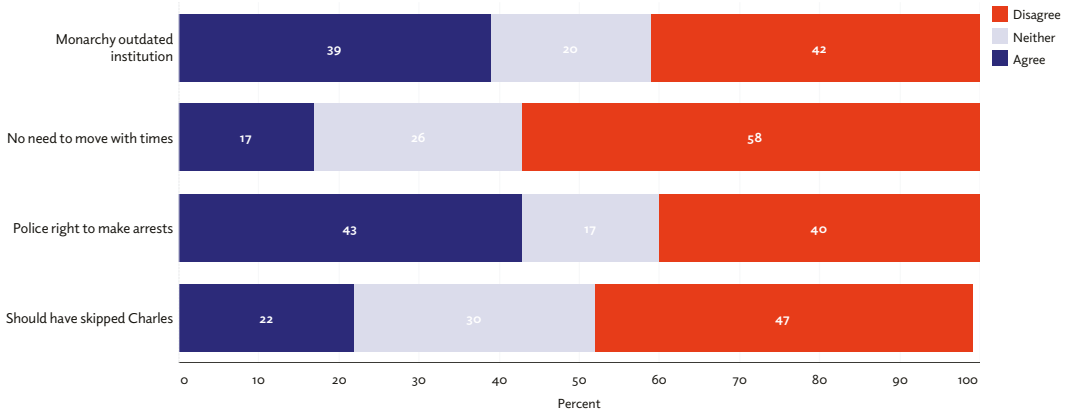
Source: Scottish Opinion Monitor, November 2022. Population weights applied

The SES also asked respondents for their views on a series of statements about the monarchy using a five-point scale from 'Strongly disagree' to 'Strongly agree'. Responding to questions on the importance of tradition versus modernisation, whether the Crown should have passed straight to Prince William, and the way the police handled protests at the time of the Queen's death, respondents made clear their preference for a monarchy that moves with the times. They favoured sticking to the line of succession but were evenly split over the police's handling of protests and whether the monarchy is an outdated institution.

While Scots are divided on the British Royal Family, opinion is nuanced

Responses on their views for the following statements using a five-point scale which was simplified to a three point scale for this graphic

UK IN A CHANGING EUROPE



Source: Scottish Opinion Monitor, November 2022

While Scots are divided on the Royal Family, opinion is nuanced. Independence supporters are more republican than supporters of the union, but to the extent that the Scottish electorate supports the monarchy as a whole it is because of residual support among those who want to end the Union. Majority support for the monarchy in Scotland relies on support not just from committed unionists, but also independence supporters. However, that does not suggest independence supporters would like a monarchy in an independent Scotland.

Should Scotland gain independence, there are a number of challenges for maintaining support for the monarchy in Scotland. Asked if the monarchy should remain for Britain, half of Scots agree with this statement. However, when asked if the same should be true in an independent Scotland, support then drops to 41%, with support increasing from 34% to 40% for a republic. This is particularly important because the change of opinion is not among Yes voters (who are equally republican regardless of context) but among No voters, where support drops from 70% in the context of Britain to 57% in an independent Scotland. The only age group with majority support for the monarchy in an independent Scotland are those 65+. There is a sense that while the institution and all it stands for might well be appropriate for the UK, it might not be best option for a new state.

MONARCHY AND RELIGION IN THE UK

Catherine Pepinster

Bit by bit, drip by drip, Buckingham Palace has gradually been revealing the details of the Coronation of Charles III and Queen Camilla. There have been announcements about the crowns they will wear and the music that will be played, as well as commentaries from the press about the King not wanting a lavish ceremony and striving for both continuity and change on May 6. Then in December 2022, Prime Minister Rishi Sunak described it as a unique moment that would "allow us to showcase the very best of Britain".

Amid this chatter, there has been barely any coverage of what lies at the heart of the coronation - religion. Since the time of Henry VIII and his creation of the Church of England, religion and monarchy have been inextricably linked. The sovereign takes the title of Supreme Governor of the Church of England, which is the established church in this country. Long before that, church and monarch were intertwined, with both bestowing different forms of power - temporal, spiritual - upon the other. For more than a thousand years, the coronation of first the English, and later, the British monarch, has been a Christian service, with roots in Biblical ideas of kingship, focusing on notions of service and the importance of the monarch being blessed with wisdom. This is most memorably expressed in Handel's spine-tingling Zadok the Priest, composed for the coronation of George II and performed at every coronation since. It is expected to be played again in May, including the lines from the Old Testament's First Book of Kings: 'Zadok the priest and Nathan the prophet anointed Solomon king'.

Note the reference to Solomon - a byword for wisdom - and note mention of anointing. Most people assume crowning is at the heart of a coronation, and it is certainly the most visually affecting moment. For constitutionalists, the most important aspect of the coronation is the oath-taking. This is when the monarch promises to govern according to laws and customs, honour the legal settlement of the Church of England and its rights and privileges, as well as uphold the Protestant religion. However, for the clerics, Christian believers, and monarchs, it is the anointing, when the sovereign is blessed and the grace of God is called down upon him, that is the key aspect of the ceremony.

All three key moments - anointing, oath-taking and crowning - highlight the connection between the monarchy and religion - or at least, the Church of England. This connection is as old as the monarchy itself but is rarely debated.

That link was clearly apparent in September 2022, when the Accession Council met, and the proclamations of Charles as King took place. Several times that day he was pronounced Defender of the Faith - the title that all our Anglican monarchs since Henry VIII have held, despite it being first given to him, pre-Reformation, by a Pope Leo X for Henry's refutation of Martin Luther.

While Defender of the Faith means being an advocate of at least Anglicanism if not Christianity as a whole, the King's other religious title, Supreme Governor of the Church of England is about supervising its running by the bishops. That special relationship between the monarch and the established Church of England - founded by Henry VIII when he broke with the Roman Catholic Church - is emphasised at the coronation through its oaths and by the Archbishop of Canterbury, the Primate of the Church of England, crowning the King, assisted by the Archbishop of York and the Bishops of London and Durham. It is a moment of mutual endorsement.

There are now fewer than a million people in the UK who attend Anglican Sunday services. Despite this, the Church of England remains the established church, with its special privileges. These include having 26 bishops involved in law-making through membership of the House of Lords, and several special duties, such as offering to bury anyone - for all Britons are nominal members of that Church. However, the Church does not have the influence it once did.

The 2021 Census showed that only 46.2% of people identified themselves as Christian - a drop of 13% in ten years. This raises questions over the right of the Church of England to retain responsibility for the Coronation of the monarch and over the special relationship between the Church and the Crown.

"[In 2021] only 46% of people identified themselves as Christian... This raises questions over the right of the Church of England to retain responsibility for the Coronation of the monarch and over the special relationship between the Church and the Crown."

With just weeks to go before the coronation, it is evident that the Church of England is not relinquishing its hold on the ceremony. Discussions are apparently going to the wire about how other Christian denominations and other faiths might participate. Involving denominations is relatively easy, with their clerics involved in readings, or blessings, although inviting the Roman Catholic Cardinal Archbishop of Westminster on to the altar while the King promises to uphold the Protestant religion - a vow rooted in anti-Catholicism - may be hard to square. But finding ways to involve other faiths, when Anglican canon law prohibits joint prayer

and the Archbishop of Canterbury, Justin Welby, has hard-line members of the Anglican Communion watching his every move, may prove trickier still.

The King though, like his mother, Elizabeth II, has found more room for manoeuvre outside the coronation ceremony itself. In 2012, at the time of the Queen's Diamond Jubilee, she made a landmark speech at Lambeth Palace, highlighting the role of the Church of England in enabling all faiths to prosper, and was keen for the Commonwealth Day service to involve not only other Christian denominations but other faiths. Charles III held an unprecedented reception for faith leaders just days after his mother's death in which he emphasised he was a committed Anglican but also promised to ensure other faiths thrived.

Thirty years ago, the then Prince of Wales surprised bishops when he said that he would rather be known as Defender of Faith rather than the traditional Defender of the Faith. However, when the Queen died, he was given - and took - the ancient title. As his mother did, he has reinvented the monarchy's relationship to religion in twenty-first century Britain. The King has cast himself as a protector of faith, holding a metaphorical umbrella to shelter belief from the storm. Quite where that leaves the relationship between the monarchy and the more secular in society remains open to question.

MONARCHY AND RELIGION IN EUROPE

Frank Cranmer

In addition to the United Kingdom, there are 11 other monarchies across Europe, with varying constitutional arrangements when it comes to religion: Andorra, Belgium, Denmark, Liechtenstein, Luxembourg, Monaco, the Netherlands, Norway, Spain, Sweden - and, of course, the Vatican City, where the Pope is head of state. In Andorra, the Bishop of Urgell and the President of France are co-Princes and the constitution gives special recognition to the Roman Catholic Church. Under the constitution of Liechtenstein, the Roman Catholic Church is the 'National Church', while the constitution of Monaco declares Roman Catholicism 'the religion of the state'.

Under the terms of the Act of Settlement 1700, the monarch of the United Kingdom may not be a Roman Catholic, and the relationship between church and state means, in effect, that he or she must be a member of the Church of England as established by law. Uniquely in Europe, the British monarch is also the Supreme Governor of the Church: a title that goes back to the Act of Supremacy 1559, when the Protestant Elizabeth I succeeded the Catholic Mary. Henry VIII had declared himself the 'Supreme Head in earth' of the Church, but Elizabeth chose a less confrontational title.

The monarch also has a unique association with the Church of Scotland, appointing a Lord High Commissioner to the annual General Assembly of the Church who makes opening and closing addresses to the Assembly as the monarch's representative and carries out a number of official functions while the Assembly is sitting. In 2002, Queen Elizabeth II attended in person rather than appointing a commissioner.

Scandinavia also preserves a Protestant succession. The Church of Sweden was disestablished on 1 January 2000. Furthermore, ties between church and state in Norway were somewhat loosened by an amendment to the constitution which came into effect on 1 January 2017, which removed the previous reference to an 'official religion of the State'. However, both countries still require their monarch to be Lutheran. In Sweden, for example, under Article 4 of the Act of Succession 1810, 'The King shall always profess the pure evangelical faith, as adopted and explained in the unaltered Confession of Augsburg and in the Resolution of the Uppsala Meeting of the year 1593'. Likewise in Denmark, Article 4 of the

Constitution maintains the establishment of the Evangelical Lutheran Church and Article 6 requires that the monarch shall be a member of the Church.

In contrast, when France conquered the Netherlands in 1795 and established the Batavian Republic, church and state were separated – and have remained so to this day. Article 20 of the Constitution of Belgium – described by a Council of Europe body as 'the prototype of the constitutional monarchy, transposing the British customary constitution into a written text' – guarantees both freedom of religion and freedom from religion. The Belgian monarch's religion is therefore a private matter and the first King, Leopold I, was a Lutheran in a largely Roman Catholic country. So when in 1990 King Baudouin, a Roman Catholic, could not in conscience sign a law permitting abortion, the Cabinet suspended him from governing, assumed his powers, promulgated the abortion law and recalled Parliament for a special session – and King Baudouin resumed office on the following day.

"The United Kingdom is … the last country in Europe that crowns its new King or Queen."

The United Kingdom is also the last country in Europe that crowns its new King or Queen. Elizabeth II was anointed and crowned by the Archbishop of Canterbury in Westminster Abbey in 1953 in a tradition dating back centuries, and the present Archbishop will both crown Charles III and anoint him with oil consecrated by the Greek Orthodox Patriarch of Jerusalem and the Anglican Archbishop in Jerusalem.

Belgium and Luxembourg do not have royal regalia but have swearing-in ceremonies for their monarchs in the legislature. Even those countries that once crowned their monarchs no longer do so – the last coronation in Denmark, for example, was of Christian VIII in 1840. In the Netherlands, under Article 32 of the Constitution a new monarch is sworn in at a joint session of the two Houses of the States General. They are invested, rather than crowned, at the Nieuwe Kerk, with the crown and the other regalia simply on display. In Spain, the new monarch takes a formal oath before the Parliament to uphold the Constitution: again, the crown is displayed but there is no coronation. Perhaps surprisingly, not even the Vatican continues the custom: no Pope since Paul VI has been crowned with the Papal Tiara.

Somewhat ironically, Pope Leo X conferred on Henry VIII the title Fidei Defensor in 1521, after Henry had published Assertio Septem Sacramentorum: a defence of traditional sacramental theology against the teachings of Martin Luther – and the King or Queen still uses that title, traditionally rendered as 'Defender of the Faith'. However, the relationship between monarchy and religion has become more

complex as Europe has become both increasingly multi-faith and increasingly secular, and in recognition of those changes, King Charles announced on his 60th birthday, while still Prince of Wales, that on his accession he would prefer to be known as 'Defender of Faith'.

At a meeting of faith-leaders in September 2022 he re-emphasised that commitment:

> *I am a committed Anglican Christian, and at my Coronation I will take an oath relating to the settlement of the Church of England ... I have always thought of Britain as a "community of communities". That has led me to understand that the Sovereign has an additional duty - less formally recognized but to be no less diligently discharged. It is the duty to protect the diversity of our country, including by protecting the space for Faith itself and its practice through the religions, cultures, traditions and beliefs to which our hearts and minds direct us as individuals.*

Or as King Harald put it in a much-applauded speech in 2015, 'Norwegians believe in God, Allah, everything and nothing;. In 2016, Queen Margrethe told Der Spiegel that, though the Danish Constitution obliged her to be a Lutheran, 'that does not exclude people of other faiths. On the contrary, I believe that the fact that I am religious brings me closer to anyone with a different faith'.

In his strong desire to be seen as a monarch for all faiths, King Charles may well have been speaking as much for his fellow-monarchs as they reconcile their historical religious traditions with the reality of modern multi-faith societies.

MONARCHY AND CHARITIES

Franklyn Prochaska

Prince William opened an address to the Charity Commission in 2018 by saying that 'supporting charities is at the heart of what I—and the whole Royal Family—do.' The statistics on royal activity for 2018 bear out his remark. Between them, 15 members of the royal family carried out 3,793 engagements in that year, most of them charitable. In 2021-2022, though a reduction partly due to pandemic, the royal family carried out some 2,300 engagements. (See Hazell and Morris on roles of the monarch).

The extended royal family serve as patrons and presidents to around 3,000 organisations, including well-known charities such as British Red Cross as well regiments in the armed forces. Further statistics suggest the massive change in the purpose of the monarchy over the years. George III was the patron of 9 charities during his reign. Queen Elizabeth II had over 600 patronages at the time of her death, down from a peak of 800 or so twenty years earlier. During his lifetime, the Duke of Edinburgh served as patron to some 800 foundations, associations, clubs, and regiments.

"George III was the patron of 9 charities during his reign. Queen Elizabeth II had over 600 patronages at the time of her death, down from a peak of 800 or so twenty years earlier."

As the political power of the monarchy declined, the royal family filled the vacuum with social service. Indeed, the loss of political influence meant that the monarchy could serve charitable purposes without implication of political motivations. The 19th century economist, Walter Bagehot made the distinction between the 'dignified and efficient parts' of the constitution, identifying the monarchy as representing the dignified branch by symbolising the state through pomp and ceremony. However, he failed to foresee that through its social work, the crown was also becoming a more active part of the state and constitution.

By increasing their links to the public, charitable activity provided respectability and heightened the popularity of members of the royal family and, by implication, the monarchy more generally. The advantages were reciprocal. For charities, while it has been debated, there is an argument that a royal link provides publicity and respectability and thus encourages donations, particularly in those organisations

or societies with active or regular royal engagements. Indeed, many societies founded by the monarchy would not have existed without royal intervention and financial assistance.

Members of the royal family have long been financial supporters of charity. While it is impossible to compare overall levels of royal donations over time, owing to a lack of detailed evidence, it is clear that members of the Victorian royal family were prominent in their financial support of charity. Queen Victoria alone donated upwards of £650,000 to charitable causes during her reign - the equivalent of roughly £100 million in today's money. Judging from the available patronage books, Queen Adelaide, the consort of William IV, gave away as much as 40% of her income each year, making her one of the most generous contributors to charity in the history of the royal family.

According to the Privy Purse Charitable Trust, Queen Elizabeth was giving away over £200,000 a year across a range of local and national causes in the early 1990s, a figure that rose to over £600,000 in recent years. This is clearly a considerable sum, albeit on the surface, lower than that donated by some of her predecessors, and only a very small proportion of the Queen's personal wealth which was estimated by *The Times* at £277 million in 2022.
(See Hazel on funding the monarchy).

"Queen Elizabeth was giving away over - £600,000 a year in recent years. A very small proportion of the Queen's personal wealth which was estimated - at £277 million in 2022."

The monarchy, Queen Elizabeth II notably said, needs to be seen to be believed, a view reinforced by the criticism of Queen Victoria's seclusion after the death of Prince Albert and the growth of a republican movement in the UK before she returned to royal duties. The monarchy also needs visibility to enhance its reputation, which charitable events provide. The advances in transport over the years have played a major part in increasing royal visibility. King George V and Queen Mary, for example, used the motor car very effectively to reach once inaccessible parts of the country on their charitable rounds.

A Mass Observation survey carried out on the monarchy in 1964 concluded that the public was three times more likely to see a member of the royal family in a 'welfare' context than in any other. The size of the 'working' royal family - larger than any other in Europe - enables it to carry out far more charitable engagements.

When a member of the royal family dies, every effort is made to redistribute his or her patronages - a process now underway in regard to Queen Elizabeth's charities.

When the Queen Mother died in 2002, all her 300 or so institutions were taken up by other members of the royal family. Given the current ambition to scale down the monarchy (see Hazell on the Royal Family), however, there may be a shortage of royals to serve as working members.

Members of the royal family have long enjoyed considerable freedom to pick and choose causes with which they identify. Today, we routinely see the Prince and Princess of Wales actively campaigning on behalf of a host of issues from infant welfare to conservation through their Royal Foundation.

King Charles III has long been identified with causes related to the inner cities, minorities and the environment. He has nudged several of his institutions into areas that are in keeping with his particular interests such as homelessness, alternative medicine, and of course the Prince's Trust. The Prince's Trust, founded by then Prince Charles in 1976, has provided business support for over 125,000 entrepreneurs, and has supported over a million young people, including ex-offenders, with employment opportunities. Between 2006 and 2016, the work of the Trust was worth an estimated £1.4 billion.

One of the main themes about the monarchy over the last two hundred years has been its feminisation. The shift of royalty from political authority to social influence has been largely driven by its female members. Charitable work, after all, was thought to be a female vocation in the past, and like women generally, royal women found fewer avenues for self-expression than their male relatives.

Since the accession of Queen Victoria in 1837, Britain has had a reigning Queen for 133 years, which has had a major impact on the charitable work undertaken by the Monarchy. The charitable work of other female members of the royal family has also been significant. Queen Mary was a veritable 'charitable bulldozer' who led the crown's voluntary work after the First World War. The name of Princess Diana became synonymous with good works, not least because of her links with the British Red Cross.

What, then, is the future of the welfare monarchy given the likelihood of three kings in succession and fewer members of the royal family on charitable parade? Philanthropy has been of considerable significance in the monarchy's adjustment to social democracy. In defence of the role of the monarchy in modern Britain, its charitable work shows both its relevance and the important work it can deliver.

DRESSING THE CONSTITUTION: MONARCHY AND FASHION

Jean Seaton

Dress matters. Projecting power, legitimacy, authority, and communicating clear messages has always been intertwined with what people wear. Putin's western suits and Zelensky's combat fatigues are carefully choreographed representations of power. The rich, who dress to display taste and wealth, usually do so to a secluded club of other rich people. In Iran, the brave and wild abandonment of the hijab is about accumulating opposition and assembling power. What women wear is at the centre of revolt.

Monarchs, in comparison to heads of state, have a wider canvas of action and dress. But that dress matters even more important for them, since they do not wear clothes quite as themselves but as what they represent: the nation and the constitution. In the sixteenth century Elizabeth I used splendid dresses along with court appearance, rituals, and painting to disseminate the image of the all-seeing 'virgin' Queen. In the seventeenth, Charles I was very good at projecting an astonishingly cultured image - though less good at ruling or indeed surviving. And in the age of constitutional monarchs, who hold less power, costume is complicated.

Of course, they also have jewels, with attendant arguments in the case of the 2023 coronation about Britain's colonial past. When President Trump came to the UK, the Queen dazzled in diamonds, and laid on lines of scarlet uniformed guardsmen to impress. She could not express her own views, but sometimes she eloquently let the dress do the talking. When Trump came to tea, she wore a broach given to her by his predecessor Barack Obama, whom she is known to have liked. And as the UK left the EU, her majesty wore a fine blue hat adorned with yellow roses. It was just a hat. But it could be interpreted as quite a poignant gesture.

In 2011 she wore vivid green in Ireland as she came close to an apology for the UK's role in the conflict, and that, with her lines in Gaelic, brought a palpable shiver of appreciation. That coat and hat shifted politics. It may be of course that the range of the late Queen's dress eloquence was broader than any subsequent royalty we shall see, not least because of the length of her reign which saw her transition from a young beauty to a best dressed nonagenarian.

"Dress is interactive, it affects the wearer and the viewer and their reaction reflects back to the wearer. So in this sense what the Monarch wears (like much of monarchical power) is both mysterious and personal."

The key elements of dress for a constitutional monarch are to wear the right thing, that expresses the right feeling, to the right event, with courtesy, respect and wit. Dress is interactive, it affects the wearer and the viewer - and viewer's reaction reflects back to the wearer. So, in this sense what the monarch wears (like much of monarchical power) is both mysterious and personal. It enables them to be themselves while acting in public. Visual judgements are swift and very hard to reverse as well.

In the time of social media, when instant opinions are forged, image-making and the visual are important politically and commercially. It is no coincidence that in the Conservative leadership race in 2022 it was the most prolific users of Instagram, Rishi Sunak and Liz Truss, who led the pack. Rishi Sunak and that parody of dressing up that was Liz Truss had cultivated their images for years.

The British monarchy know they have to adapt to this environment. Josephine Ross, from Vogue magazine, said royal dress "is not about looking sexy, not about looking fashionable, not about themselves exactly". It amplifies attention and interest in what it does and what it represents.

Securing and holding a place in the imagination of the citizenry of the nation and the world is now a brutal battlefield. Catching public focus on *anything* is bewilderingly hard when attention is so monetised, when there is so much to see and do. How do you leverage attention? The battles over and for royal dresses are like, but not the same as, the battles for control of image that are waged by celebrities and politicians. The Victorian chronicler of the British constitution, Walter Bagehot, said 'a Constitutional monarchy has a comprehensible element for the vacant many, as well as complex laws and notions for the inquiring few.' This is a wide range, and so the monarch catching our attention is also recruiting - perhaps sympathy in the face of hostility - but at least attention from a wider group of the population. It may sometimes be flippant, but the monarchy is a glue that holds the nation together. Whether this survives in the future is an increasingly tough question to answer.

In this way dress is a vital reserve power. The capacity to do other things depends on winning the dressing game. The roles that the monarch and the now smaller Royal Family around him fulfil are wide: to encourage charities and help

business, convene talent and recognise the less powerful, hold fast the line of the constitution, be an image of the nation abroad, and attend carefully to delicate moments. This is true for the males (all those uniforms, elegant suits, and well considered casuals) but more true for the females where dress has so much more scope and variety. Royalty now also have to blend high fashion and couture with off-the-peg fashion: balancing being utterly different and exactly the same as their publics. Monarchs need to be real people to be respected. The palace successfully sued Grazia magazine for digitally altering Kate Middleton's shape on their front cover, a blow on behalf of normal women.

The feminisation of monarchies (the welfare monarchy, the caring monarchy) is matched by the imperative to be a dressing monarchy. Half the public is female. Bagehot noted that this half of the human race 'care fifty times more for a marriage than a ministry. A princely marriage is the brilliant edition of a universal fact, and as such, it rivets mankind.' So, I would suggest, does a good dress. One aspect of dressing is about relating to half of the public in ways they enjoy.

The power to lead if not fashion, then social change, through clothes has been significant. Early in the late Queen's reign, when she was often a lone woman among a crowd of dark-suited men, she wore very feminine lacy dresses. She was always working when she was seen in public, and evolved the first truly feminine uniform for working women that was not merely a mimic of male clothes. The American designer, Nina McLemore, who specialises in dressing professional women, said the royalty dresses to emphasise predictability, confidence, continuity and trust and that the Queen's clothes reflected that.

There is a commercial side to this as well. British fashion has been influential in the last 50 years and some of this success is down to the exposure given by dressing royalty. It is a vital part of soft power: the capacity to get inside people's heads, while making room for their own values and interests. Kate Middleton's wedding dress, designed by Sarah Burton went worldwide. Perfectly pitched glamour and beauty change other people's perception of the nation, as personified by Princess Diana. The perfect apparel for the moment is a thing of beauty, but also of power and influence.

THE WORK AND INFLUENCE OF COURTIERS

Valentine Low

Courtiers is a catch-all term which covers the advisers and officials who help to run the monarchy. At Buckingham Palace they include the keeper of the privy purse, who looks after the money; the comptroller, who is in charge of ceremonial; the communications secretary; and the master of the household, who was described by one Palace insider as the equivalent of the hotel manager, in charge of the service staff, catering and entertaining. The late Queen Elizabeth also had ladies-in-waiting, one of whom was always on duty and whose duties included assisting on public engagements, attending formal functions, and helping with correspondence. They were not paid a salary but received a nominal amount to cover expenses. After Elizabeth's death Queen Camilla appointed six 'Queen's companions,' who instead of being in constant attendance only accompany the Queen to a few key events each year. Three of Queen Elizabeth's ladies-in-waiting were kept on as 'ladies of the household' to assist the King in hosting formal occasions at Buckingham Palace (including Lady Susan Hussey, who was at the centre of a race row after she asked the black head of a charity where she "really came from").

The most important is the private secretary, who is the equivalent of the monarch's chief of staff. They are the link between the sovereign and their ministers, particularly the Prime Minister; they organise their public engagements and speeches; and they deal with their correspondence. More informally, they are there to steady the nerves of any visitor before they are ushered into the royal presence. Harold Laski, the political theorist and economist, asserted in an article in 1942 that the role was one of 'dignified slavery', with the successful private secretary knowing how to intrude without seeming intrusive, and how to steer their way between 'anxious politicians' and 'jealous courtiers'.

He also wrote: 'Half of him must be in a real sense a statesman, and the other half must be prepared, if the occasion arises, to be something it is not very easy to distinguish from a lacquey.'

In the view of constitutional expert Vernon Bogdanor this is a misunderstanding of the nature of the office. A private secretary who behaved like that would be serving neither the sovereign nor the constitution.

The question as to what extent courtiers exert real power – or are just there to fawn and carry out their principal's will – is a complex one. There is a telling passage in Prince Harry's 2022 book 'Spare', in which he recounts a conversation with Prince William on the eve of his wedding to Meghan Markle about whether the brothers were going out to meet the crowds gathered outside. William said that Harry did not have to do it just because the press office told him to. "Since when?" replied Harry. Two years later, when Harry and Meghan were planning to step back from royal duties, Harry phoned the Queen from Canada to arrange a meeting with her at Sandringham to discuss the issue. They put a date in the diary, but just before he flew back, he was told that she was not available after all. He was in no doubt that her private secretary had got to her and advised her not to see him on her own. The incident fuelled his mistrust of courtiers.

In 1994 Prince Charles made his famous admission in a television interview with Jonathan Dimbleby that he had been unfaithful to Diana, but only after the marriage had "irretrievably broken down". His confession of adultery was much criticised, with Charles's private secretary Richard Aylard held to blame. At a dinner party Charles, when quizzed by a friend as to why he had confessed, pointed across the table at Aylard and said: "He made me do it."

Courtiers can exert considerable influence but are only able to do so successfully if they are in sympathy with their principal. Richard Aylard was, for a while, one of Charles's more effective private secretaries, because he believed in the prince's green agenda. By contrast, his predecessor Major General Christopher Airy lasted only a short time in the job, because he was unfamiliar with the charitable and environmental world in which Charles was moving. As one contemporary put it: "Christopher would not have known one end of a biodiversity strategy from another."

Courtiers used to be drawn from a narrow social circle. Martin Charteris, who served the late Queen as private secretary, had one grandfather who was a duke and another who was an earl. Even if they were not aristocrats, more often than not they had gone to Eton or served in one of the more elite regiments. After criticism in the late 1950s that the Queen was surrounded by an insular, tweedy clique of 'second-raters', that began to change, albeit slowly.

More courtiers were recruited from government, especially the Foreign Office. From the 1990s, the palace began to hire from the commercial world, often using head-hunters. Some people were recruited who had never previously considered working for the Royal Family. When the Palace was looking for its first communications secretary in 1998, the private secretary said the ideal candidate

would be "a comprehensive-educated, left-of-centre person". At one stage Prince William's private secretary was the son of a Post Office clerk.

Other changes have been slower to implement. One internal critic called the Palace "a misogynistic, pale, male, stale environment". There are few senior figures from ethnic minorities. At the time of writing, King Charles has over his lifetime had ten principal private secretaries, and Prince William five: not one has been a woman.

"The more skillful courtiers are adept at persuading their principals to accept unpalatable advice."

The sovereign's private secretary has a close relationship with the Cabinet Secretary and the Prime Minister's Principal Private Secretary, often talking to the latter on a daily basis. In 2014, in the run-up to the referendum on Scottish independence, the Prime Minister David Cameron began to worry that Scotland might vote to leave the Union and approached the Palace for help - as he put it, nothing unconstitutional, but just 'a raising of the eyebrow' on the part of the Queen. That raising of the eyebrow was plotted by the Queen's private secretary, Sir Christopher (now Lord) Geidt and the Cabinet Secretary, Sir Jeremy Heywood. In a carefully arranged encounter outside the local church near Balmoral, the Queen replied to a question about the vote from a member of the public by saying: "Well, I hope people will think very carefully about the future."

Courtiers also have to grapple with the dilemma of whether they serve the individual or the monarchy. For those who worked for the late Queen, this was rarely if ever a problem. However, with other members of the Royal Family it can lead to difficulties. One former private secretary described how on more than one occasion they had to go against the wishes of their principal in the interests of the institution. As they left work at the end of the day, they told a colleague: "I probably won't be here tomorrow." Somehow, they survived.

The more skilful courtiers are adept at persuading their principals to accept unpalatable advice. Yet however much influence they wield, decisions - especially the big ones - are ultimately made by the royals themselves. This was evident during the negotiations over the Duke and Duchess of Sussex's decision to stand down as working members of the Royal Family. They wanted to have a compromise whereby they spent part of the year abroad, and part carrying out royal duties: it was the late Queen who stood firm and said that a half-in, half-out arrangement would not work.

For all that, the Queen was regarded by her former advisers as an easy boss to work for, even if she was capable of rejecting advice. In the 1980s her private secretary, Sir William Heseltine, wrote an internal paper suggesting it was time for the Queen to start paying tax. However, the idea would not be taken up until 1992 during the Queen's *annus horribilis*, when the Prime Minister John Major announced that the Queen and Prince of Wales had agreed to start paying income tax on a voluntary basis. "I think the resistance came from the Queen herself," said Heseltine. "I think she was told by her father that this was a really vital element of the royal finances that should not be questioned."

The episode showed that courtiers are not necessarily lackeys, despite what Laski had to say: it also showed that royals don't always do what they are told.

MONARCHY AND THE MEDIA

Roger Mosey

In a message in February 2022 to mark her 70th anniversary on the throne, Queen Elizabeth II noted that it was her "sincere wish" that the former Mrs Camilla Parker-Bowles would become known as Queen Consort when her son Charles acceded to the throne. The media reaction to what could have been a controversial move showed the deferential and unquestioning tone that characterises much media reporting of royal matters. 'Camilla WILL become Queen,' proclaimed the *Daily Mail*, calling it a 'surprise announcement' that would see 'the former royal mistress' become the woman who constitutionally represents the nation. It was a surprise because the Palace had previously said that this would not happen; Camilla would be known, they had said, as Princess Consort.

This significant change to the role of the King and his Queen was overwhelmingly treated by most of the media as a pleasing family touch by Elizabeth on a special occasion for her, and it even took *The Guardian* many paragraphs before they got to a commentator describing the announcement as 'extraordinary'. Debates on broadcast media were vanishingly few, though Jack Royston - royal correspondent for Newsweek - said on ITV's Good Morning Britain that "the public don't want it. The numbers are really clear." The programme's presenter said that their audience response supported that.

The long-term goal of Charles and his courtiers to secure acceptance for Camilla is a perfectly understandable human wish, but it has not been achieved by an open debate facilitated by the media about the monarchy. In October 2022, *Tatler* reported that even the word 'consort' was, as they put it, 'to be quietly dropped' from Camilla's title. Yet the instinct of many journalists is to present this as the latest twist in a high-quality soap opera rather than about the way we as citizens - or maybe 'subjects' - are governed. There are some exceptions to the royal conformists: a *Guardian* journalist fought a lengthy battle to uncover Charles's interventionist memos to ministers, and *The Sunday Times* exposed bags of cash being handed over by questionable donors.

However, it is overwhelmingly what we might call 'The Crown' narrative that wins out. The real-life drama of the Windsors delivered some of its most compelling episodes when the Duke and Duchess of Sussex left the United Kingdom for their new life in North America, via Oprah Winfrey and Netflix.

There were high viewing figures in the UK and record book sales. This points to the greatest attraction of the Royal Family for newspapers, radio, television and the rest: they are box office. Most of us avidly consume the gossip. The late Queen is reported to have said "I have to be seen to be believed" and now that can be achieved by internet clickbait more effectively than by a royal visit to Barrow. This can of course be hurtful to the humans at the centre of the story: Harry and Meghan seem to offer an example of not being able to live with - or without - it.

It would be a mistake to see the Royal Family as neutral players here. They, naturally, want to preserve the institution. To support that, they have a large team of professional media advisers and have used high-profile consultants on the trickiest assignments. Indeed, Prince Harry's central allegation is that he was sacrificed by 'the machine' to bolster others. When a significant death occurs, there is a media plan. The tributes are filtered out: first from the then Prince of Wales, and a day later the Princess Royal's words about her late father the Duke of Edinburgh were posted by the Palace on Instagram. Princess Eugenie brought up the rear.

The Royal household can be vigorous in defending its interests. The BBC lost its exclusive production rights on the Queen's Christmas broadcast when it was thought to have displeased the Royal Family in the 1990s. I was editor of the Today programme on Radio 4 between 1993 and 1996, when the chairman of the BBC was Marmaduke Hussey - spouse of Lady Susan Hussey, who was a lady-in-waiting. By whatever route, the displeasure of the Palace at two of our royal items - I was told that Hussey wanted action taken against me personally - was made known. Happily, the management ignored the chairman. A few years later, as head of television news, I had a lovely, civilised drink with a courtier who asked me to replace one of the journalists assigned to a royal visit because of the dislike for them "at the very top". We did not comply.

"The media are much more interested in personalities than they are in what they see as dreary process stories."

The broadcaster David Dimbleby summed up the continuing tension in comments at the Henley Literary Festival in October 2022. He told how the Palace sought to control every aspect of the televised funeral of the Queen: "There was this complete list of things that no broadcaster could show because the copyright belongs to Buckingham Palace. I think that's wrong, just wrong. It's just interesting how tightly controlled monarchy is." He went on to list items that most journalists rarely challenge, such as the royal ability to change tax legislation or avoid capital gains tax on the Duchy of Cornwall. After the

Queen's death, there was very little coverage of the constitutional issues raised by the transition to a new monarch; only Channel 4 ran a peak-time programme. When a correspondent tried to raise questions in a news report, he was criticised by politicians. The Conservative Scottish Secretary Alister Jack said "the BBC should really not be introducing the independence debate into the Queen's death. There's no link." That is not what David Cameron had said about the Queen's intervention in the 2014 referendum campaign.

This fits into a pattern in which the media are much more interested in personalities than they are in what they see as dreary process stories. I and others have charted the risk that trivia overwhelms what really matters. With the Royal Family the characters are particularly vivid and the narrative is sometimes irresistible. But they represent our country's government too and cement our national hierarchy and define our global image. It is hard to contend that the media has lived up to its role of scrutiny here, which is both a journalistic failing and - in the case of the public service organisations - risks an injustice to the millions of people who dissent from the monarchy.

A DIFFICULT LEGACY? TRENDS IN PUBLIC OPINION TOWARDS THE MONARCHY

John Curtice

When the late Queen Elizabeth's coronation took place seventy years ago, the monarchy appeared to be a sure and solid foundation in a country that was still recovering from the ravages of war. King Charles, in contrast, is inheriting an institution that, while still widely popular, now has a harder task justifying itself in the eyes of public opinion.

So firmly embedded was the crown in the country's life that for many years pollsters hardly ever bothered to ask people their attitude towards having a monarchy. That decision appeared to be vindicated when, in 1983, the first British Social Attitudes (BSA) survey asked, 'How important or unimportant do you think it is for Britain to continue to have a monarchy?'. As many as 65% said it was 'very important' and another 21% that it was 'quite important - a combined total of 86%.

Unsurprisingly, the question was not posed again for another decade.

However, 1992 was, as the Queen herself admitted, an "*annus horribilis*". Three of her children decided to separate or divorce their partners, including, most controversially, the then heir to the throne, Prince Charles, from his popular wife, Diana, Princess of Wales. These marital break-ups shattered the carefully crafted image that had been created of the monarchy as a happy model 'Royal Family', most notably in a 1969 television documentary, shortly after which National Opinion Polls (NOP) found that as many as 88% thought the monarchy was good for Britain.

When British Social Attitudes (BSA) revisited people's views on the importance of the monarchy in 1994, only 32% said that its retention was 'very important', while only two-thirds (66%) stated it was either 'very' or 'quite' important. Similarly, when the previous year Ipsos asked for the first time, 'Would you favour Britain becoming a republic or remaining a monarchy?', 69% said it should be a monarchy, while 18% reckoned it should be a republic.

This picture changed little over the subsequent twenty years. In eleven readings taken between 1995 and 2008, on average 31% told BSA it was 'very important' to have a monarchy, while 65% said it was 'very' or 'quite important'. Similarly, in 20 polls it conducted between 1994 and 2006, on average Ipsos found that 72% wanted to keep the monarchy, while 18% stated that Britain should become a republic.

However, the popularity of the monarchy has oscillated over the last decade - in both directions. In 2011 and 2012 the Queen made much lauded trips to Northern Ireland and the Irish Republic, symbolically healing divisions on both sides of the border - most notably by shaking the hand of the former IRA commander Martin McGuinness. (See Hazell and Morris on roles of the monarchy). In both years, three-quarters (75%) told BSA it was important to have a monarchy. Meanwhile, in three polls conducted in 2012, also the year of the Queen's Diamond Jubilee, on average 79% advised Ipsos that they preferred a monarchy, while support for a republic slipped to 15%.

However, this purple patch did not last. Cracks in the image of a stable 'Royal Family' appeared once again. In 2019 Prince Andrew was forced to withdraw from public life following a disastrous television interview and subsequent out of court settlement in respect of allegations about improper sexual behaviour. In early 2020 King Charles' younger son, Harry, and his wife, Meghan, opted to pursue a private life in the US following a well-publicised and continuing falling out with other members of the family.

"A YouGov poll in October 2022 reported that only 55% believe the monarchy is good for Britain, very different from the 88% figure reported in 1969."

In the wake of these developments, King Charles has found himself inheriting the crown at a time when support for the monarchy appears as low as ever. A YouGov poll in October 2022 reported that only 55% believe the monarchy is good for Britain, very different from the 88% figure that NOP reported in 1969. In the most recent BSA, conducted towards the end of 2021, a record low of 55% said it was important to have a monarchy. Equally, an Ipsos poll in November 2021 found that those preferring a monarchy had dropped to a new low of 60%, while 21% supported a republic. Although the former figure edged up to 68% at the time of the Queen's Platinum Jubilee in May 2022, it was still only 64% in Ipsos' latest poll in January this year. That last reading suggests the widespread mourning at the death of Queen Elizabeth has not significantly reversed the recent dent to the Royal Family's popularity.

In any event, the future of the monarchy under King Charles and his heirs will rest on their ability to persuade new generations of the value of the crown. Yet there is a big age difference in attitudes. According to BSA just 14% of those aged under 35 say that it is 'very important' to keep the monarchy, whereas 44% of those aged 55 and over express that view. Similarly, in their most recent poll Ipsos found that, among those aged less than 35, those who preferred a monarchy (43%) only just outnumbered those who back a republic (38%). In contrast, no less than 84% of those aged 65 and over supported a monarchy.

However, there has long been some age difference in attitudes, but one that has been relatively constant over time. That suggests people have tended to become more supportive of the monarchy as they get older. For example, among those born in the 1960s, in 1994 only 22% felt it was 'very important' to have a monarchy, ten points below the 32% figure among the whole population. In the most recent BSA, in contrast, 38% were of this view, seven points above the proportion among all adults.

Yet more recently there are signs the age gap has widened. Thanks to the very low level of under 35s who now say that it is 'very important' to have a monarchy, the age difference in attitudes in response to the BSA question is as wide as it has ever been. Equally, the 43% of under 35s who currently prefer the monarchy to a republic is well below the 70% figure in Ipsos' polls in 2012. In contrast, the level of support now among over 65s is only seven points down on a decade ago.

The monarchy may look secure for now, but the foundations of its public support need some reinforcement.

THE FUTURE OF MONARCHY

Craig Prescott

The British public, as Brexit underlined, is not necessarily averse to major constitutional change. The start of a new reign provides an opportunity to reappraise the monarchy. Such a reappraisal is already taking place in many of the 14 Commonwealth realms.

In June 2022, Australia appointed an Assistant Minister for the Republic, with the intention that Australia will move towards becoming a republic after the next election, due in 2025. Over the next few years, referendums on whether to become a republic are likely in Antigua and Barbuda and Jamaica. Belize has formed a People's Constitutional Commission to review its constitution, including the question of whether to become a republic.

There is no reason, in principle, why such a reappraisal should not take place in the UK.

"Constitutionally, the core argument for the monarchy was that it could function as a pressure valve in times of political crisis."

Constitutionally, the core argument for the monarchy was that it could function as a pressure valve in times of political crisis. If necessary, a Prime Minister could be dismissed, or a Parliament dissolved. Especially during the reign of Elizabeth II, that argument diminished almost to vanishing point as the personal prerogative powers of the monarch became increasingly regulated by convention and law. For example, the Cabinet Manual (para 2.12), and events after the 2010 General Election made clear that the monarch plays no active role in the formation of government even if an election returns a hung Parliament.

Instead, the primary political argument for the monarchy is that it provides a space in public life which is beyond day-to-day party politics. Through its role as Head of Nation, the monarch seeks to 'represent the nation back to itself'. Most notably, this can be seen on occasions such as Remembrance Sunday, when the monarch leads the nation in an act of remembrance which commands broad and deep, but not total, support across the political spectrum and in the country at large. In this way, there is a separation between the state and the government of the day.

In this way, on behalf of the nation, the monarchy seeks to represent widely held values. These include the concept of voluntary and community service, diversity, and religious expression. This can manifest itself through the variety of engagements that the Royal Family undertake across the country. Especially through the honours system, the monarchy can recognise the ideals of excellence and service.

In this space, the monarchy can draw attention to issues in a manner that supplements rather than supplants party politics. For example, the Royal Foundation Centre for Early Childhood, established by the Princess of Wales, commissions research and encourages collaboration from experts on how the challenges someone faces in their early years can impact them for the rest of their lives. Yet, the need to be politically impartial means that such activity must always be several steps away from engaging in specific policy problems or making policy proposals for the government to consider.

None of this is exclusive to monarchies. Most presidents undertake duties which could be classed as acting as Head of Nation. The difference with the monarchy, based on the hereditary principle, is that these activities take place beyond the electoral cycle, which some argue means monarchy can withstand even the most turbulent politics.

The core argument for republicans is to take these points and make them the core weakness of monarchy and the greatest strength of a republic. Fundamentally, the republican argument is based on the principle that all political power should, in some way, flow from a democratic mandate. A directly elected president would be accountable to the electorate, and an indirectly elected president would be accountable to Parliament.

This accountability would enable both a directly or indirectly elected president to provide a constitutional check on the government of the day. A president might be more inclined to reject an inappropriate request to dissolve or prorogue Parliament. By contrast, the King cannot get involved and must act on the advice of the government. At moments of acute political crisis, this creates a risk that the King becomes a mere pawn in a broader game of political chess. By contrast, a president would be expected to be an independent player in the political process. For example, in October 2022, Italian President Sergio Mattarella facilitated the formation of a new government by meeting the leaders of the political parties.

A president would also be more active politically. This may not be a bad thing. In June 2022, Irish President Michael D Higgins, described housing as "our great, great, great failure" and a "disaster". Despite his actions as Prince of Wales, it is

inconceivable that the King would make such a political intervention. In this way, a president can provide an outlet at moments when ordinary party politics has, for some reason, failed or been reluctant to confront a policy problem.

A series of presidents, elected over time, can represent different aspects of the nation in ways that a hereditary monarchy is simply unable to achieve. In principle, those becoming president could be of any gender, race or sexuality, drawn from anywhere in the country, have different political backgrounds, or perhaps none at all. They would bring their background to the role of President, representing the nation as it is today.

By contrast, a monarchy which projects continuity through its ceremonies and iconography provides comfort in the glories of an imagined past. This can be at the expense of confronting today's problems. For some, that imagined past may also carry the baggage of the Empire and imperialism. Some go further, arguing that the monarchy seeks to maintain the status quo, perpetuating the class system and inequality. Symbolically, abolishing the monarchy would be a profound shift away from this past.

Yet, in many ways, this last point is the biggest problem for the republican argument. To be more than a symbolic move, any move to a republic needs to coincide with an underlying change in political culture. Otherwise, is not immediately obvious how abolishing the monarchy would improve equality more effectively than tackling specific policy problems by reforming tax, investing in skills or improving infrastructure. In principle, all of these things can be achieved under a monarchy. The challenge for the republican argument is to connect these dots.

Any move to a republic is most likely to happen when there is a groundswell of opinion in favour, which coincides with a moment when radical political and economic change is sought.

Otherwise, the monarchy's biggest weakness may be the Royal Family itself. They endure constant press intrusion and are unable to benefit from many of the freedoms we take for granted. These include the freedom of expression, a free choice of career and the freedom to travel. It is understandable that some members of the Royal Family, not in the direct line of succession, such as Prince Harry, have chosen to opt out and pursue a private life.

This begs the question, what if Prince George thinks that his Uncle Harry is right, that the loss of freedom is too high a price, and that he too would like to flee the 'gilded cage'? What then?

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