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Nobiliary Law

A selection from Bob Juchter van Bergen Quast's blog
about nobiliary law and relates topics
jvbq.wordpress.com

Today, in the UK and in certain Commonwealth realms^[1] and in the Philippines, a number of men are entitled to the prefix of 'sir', including knights bachelor^[2], knights of the orders of chivalry^[3] and baronets^[4]. The dignity of knighthood carries the prefix of 'Sir', but unlike a baronetcy it is only held for life. Although in the UK foreign nationals can be awarded these honours, they are explicitly excluded using the prefix. Instead they use the associated post-nominal letters^[5]. British nationals who have been awarded an honour by another country including countries of which the Queen is head of state, other members of the commonwealth^[6] and by all other foreign countries may not use any associated title, that the award might bestow, in the United Kingdom.

United Kingdom

- Baronet^[7] (Bt.) is a British hereditary dignity, first created by King James I ^[8]of England^[9] in May 1611. The baronetage is not part of the peerage^[10], nor is it an order of knighthood. A baronet ranks below barons but above all knights except, in England, Knights of the Garter and, in Scotland^[11], Knights of the Garter and of the Thistle. In England and Ireland^[12] a baronetcy is inherited by the male heir, but in Scotland ladies may succeed to certain baronetcies where it has been specified at the time of their creation.
- Knight of the Order of the Garter (KG). The Order of the Garter is the most senior and the oldest British Order of Chivalry and was founded by Edward III in 1348. The Order, consisting of the King and twenty-five knights, honours those who have held public office, who have contributed in a particular way to national life or who have served the Sovereign personally. The patron saint of the Order is St George (patron saint of soldiers and also of England) as well as of all orders of chivalry. The spiritual home of the Order is St George's Chapel, Windsor.^[13]
- Knight of the Order of the Thistle^[14] (KT). The Order of the Thistle represents the highest honour in Scotland. It is second only in precedence in the UK to the Order of the Garter. The Order honours Scottish men and women who have held public office or who have contributed in a particular way to national life. The date of the foundation of the Order is not known, although legend has it that it was founded in 809 when King Achaius made an alliance with the Emperor Charlemagne.
- Knight Commander or Knight Grand Cross of the Order of the Bath^[15] (KCB/GCB). Originally membership comprised the British monarch, a great master of the order, and 36 knights. Membership regulations have undergone numerous changes over the centuries. Three classes of knights were instituted in 1815 to commemorate the end of the Napoleonic Wars. Corresponding classes were added in 1847 for a civilian division. The order currently includes the monarch, members of the royal family, foreigners (known as "honorary members"), and the classes of knights—115 Knights or Dames Grand Cross (GCB), 328 Knights or Dames Commanders (KCB or DCB, respectively), and 1,815 Companions (CB). Investiture into the two highest classes (Knight/Dame Grand Cross and Knight/Dame Commander) means induction into knighthood, if the candidate does not already hold that honour, and the right to the title of "Sir" or "Dame" as appropriate. (Knights and Dames Grand Cross, together with Knights of the Garter and of the Thistle, may be granted the use of supporters with their arms.) The officers of the order are the Dean (usually the Dean of Westminster), Bath King of Arms, Registrar, Usher of the Scarlet Rod, and Secretary. Ladies are admitted to all classes of the order.

In 1725 King George I created a new military Order and called it the Order of the Bath; the civil branch was established in 1847. Broadly speaking, the Order is awarded to officers of the armed forces, and to high-ranking civil servants.

The Order now consists of the Sovereign, a Great Master (presently the Prince of Wales, who was installed in 1975), and three classes of members, each of which is divided into civil and military divisions: Knights and Dames Grand Cross; Knights and Dames Commanders; Companions.

- Knight Commander or Knight Grand Cross of the Most Distinguished Order of St Michael and St George^[16] (KCMG/GCMG). William IV instituted the three classes of knights of the order, which (in descending order of rank) are Knight Grand Cross or Dame Grand Cross (GCMG), Knight Commander or Dame Commander (KCMG or DCMG, respectively), and Companion (CMG). Membership is limited to 120 Knights Grand Cross, 390 Knights Commanders, and 1,775 Companions. Conferment of the two highest classes of the order entails admission into knighthood, if the candidate is not already a knight^[17] or dame, and the right to the title of "Sir" or "Dame" as appropriate. (Knights and Dames Grand Cross may be granted the use of supporters with their arms.) The order's officers are Prelate, Chancellor, Secretary,

King of Arms, Registrar, and Gentleman Usher of the Blue Rod.

- Knight Commander or Knight Grand Cross of the Royal Victorian Order^[18] (KCVO/GCVO). The Royal Victorian Order is given by The Queen to people who have served her or the Monarchy in a personal way. These may include officials of the Royal Household, family members or perhaps British Ambassadors who have helped organise a State Visit to a particular country. The Order was founded in April 1896 by Queen Victoria as a way of rewarding personal service to her, on her own initiative rather than by ministerial recommendation. The Order was, and is, entirely within the Sovereign's personal gift. The anniversary of the institution of the Order is 20 June, the day of Queen Victoria's accession to the throne. There have never been any limits on the number of appointments made. Today, people receive their award either privately from The Queen or another member of the Royal Family, or during an Investiture.
- Knight Commander or Knight Grand Cross of the Order of the British Empire^[19] (KBE/GBE). The Order of the British Empire recognises distinguished service to the arts and sciences, public services outside the Civil Service and work with charitable and welfare organisations of all kinds. Today the Order of the British Empire is the order of chivalry of British democracy. Valuable service is the only criterion for the award, and the Order is now used to reward service in a wide range of useful activities. Citizens from other countries may also receive an honorary award, for services rendered to the United Kingdom and its people. There are more than 100,000 living members of the Order throughout the world.
- Knight Bachelor^[20] (Kt.). A knighthood (or a damehood, its female equivalent) is one of the highest honors an individual in the United Kingdom can achieve. While in past centuries knighthoods used to be awarded solely for military merit, today they also recognize significant contributions to national life. Recipients range from actors to scientists, and from school head teachers to industrialists. A knighthood cannot be bought and it carries no military obligations to the Sovereign. The Queen (or a member of the Royal Family acting on her behalf) confers knighthoods in Britain, either at a public investiture or privately. The ceremony involves the ceremonial dubbing of the knight by The Queen, and the presentation of insignia.

Antigua and Barbuda

In Antigua and Barbuda, Knights Companion of the The Most Distinguished Order of the Nation may use the prefix 'Sir' in front of their forename, and their wives may use the title 'Lady' in front of their husband's surname. Similarly, Dames Companion of the Order may use the title 'Dame' in front of their forename. No specific privilege exists for their husbands. The Order of the National Hero was first established and constituted by the Parliament of Antigua and Barbuda under the National Heroes Act 1994^[21], in 1998 reestablished and most recently amended in 2015.

See for the use of an Antiguan knighthood by a British national in the United Kingdom an article in the Mail on Sunday.^[22]

Jamaica

- The honour of the Order of National Hero may be conferred upon any person who was born in Jamaica or is, or at the time of his or her death was, a citizen of Jamaica and rendered to Jamaica service of a most distinguished nature. National Heroes are entitled to be styled "The Rt Excellent" and the motto of the Order is "He built a city which hath foundations".
- Knight Commander, Knight Grand Cross, or Knight Grand Collar of the Order of the Nation (KCN/KGCN/KGN). The honour of the Order of the Nation (ON) may be conferred upon any Governor-General of Jamaica and upon any person who has been appointed as Prime Minister of Jamaica, not being a person upon whom the honour of the Order of National Hero has been conferred. A member of the Order is styled "The Most Honourable" and the spouse of the member is also entitled to be so styled. The motto of the Order is "One Nation Under God"
- Members of these orders are not entitled to the prefix of Sir, contrary to my earlier remarks.

Australia

- Order of Australia** (AK; for male Australian subjects only). The Queen is the Sovereign Head of the Order of Australia and the Governor-General is the Principal Knight or Dame, as the case may be, and as

Chancellor is charged with the administration of the Order. The Official Secretary to the Governor-General is the Secretary of the Order of Australia. From 1976 to 1986 there was provision for the appointment of Knights and Dames in the Order of Australia. On 25 March 2014, Knights and Dames were reinstated as the highest awards in the Order of Australia. Knights and Dames are already included in the Order of Wearing Australian Honours and Awards above Companion. *Please note:* this gain has been suspended by the current Prime Minister Mr. Malcolm Turnbull and his government in November 2015.

Barbados

- Knight of St. Andrew^[23] of the Order of Barbados^[24] (KA). The Order of Barbados was instituted by Letters Patent^[25] on July 25, 1980, as part of the Barbados National Honours and Decorations System. The Knight or Dame of St. Andrew is the highest order given by the Queen of Barbados^[26], and is awarded for “extraordinary and outstanding achievement and merit in service to Barbados or to humanity at large”.

New Zealand

- Knight Companion or Knight Grand Companion of the New Zealand Order of Merit^[27] (KNZM/GNZM). The New Zealand Order of Merit was instituted by Royal Warrant dated 30 May 1996. The Order is awarded to those “who in any field of endeavour, have rendered meritorious service to the Crown and the nation or who have become distinguished by their eminence, talents, contributions, or other merits”. On 10 April 2000 it was announced that The Queen had approved the discontinuation of titles (damehoods and knighthoods) within the Order. The new designations were principal companions and distinguished companions. The first appointments to the re-designated levels were made in The Queen’s Birthday Honours on 5 June 2000.

On 8 March 2009 it was announced that The Queen had given approval for the reinstatement of the titles of Knight and Dame Grand Companion and Knight and Dame Companion. The first appointments to the redesignated levels were made in The Queen’s Birthday Honours on 31 May 2009.

Philippines

- Knights of the Order of Knights of Rizal prefix *Sir* to their forenames and add the relevant post-nominal according to their rank at the end of their names while wives of Knights prefix “Lady” to their first names. The Order of the Knights of Rizal^[28] is a fraternal and cultural organization created to honor and uphold the ideals of Philippine^[29] national hero Jose Rizal^[30]. Established on December 30, 1911, the organization was granted a legislative charter by the President of the Philippines as a civic^[31] and patriotic organization on 14 June 1951 by Republic Act 646^[32]. Although the Order is not a state entity, it enjoys state recognition. This means the state recognizes the insignia corresponding to its ranks. The sword and kneeling ceremony during dubbing states: “*Vested upon the By-Laws of the Order, I dub (name of new member) – By virtue of the Order (he taps left shoulder with sword). Arise, Sir (name of new member).*” (excerpt by Sir Justo P. Torres jr., KGCR Supreme Commander, Manila, Philippines, December 30, 1985^[33]). The prefix is mentioned in the diploma of the recipient. Some notable members of the Order, such as King Juan Carlos of Spain^[34], former American Foreign Secretary and Nobel peace prize laureate, Henry Kissinger^[35] and other noted Filipinos who are recipients of the Order’s decoration certainly give credence and dignity to it. The Archbishop of Manila is also a member of the Order dispelling any notion that the Order could be Masonic. The late Jaime Cardinal L. Sin^[36] was honored with the highest degree of the Knighthood. He also blessed the building where the Order established its international headquarters in Manila. Other famous members include:

H.E. Sir Benigno Simeon Cojuangco Aquino^[37] III – President of the Philippines

H.E. Sir Fidel V. Ramos^[38], KGCR – Past President of the Philippines

H.E. Sir Joseph Estrada^[39], KGCR – Past President of the Philippines

Sir Halario Davide^[40] Jr., KGCR – Past Chief Justice of the Supreme Court

H.E Sir Anwar Ibrahim^[41], KGCR – Past Deputy Prime Minister of Malaysia

Sir Juan Ponce Enrile^[42], KCGR – Senator

Sir Edgardo Angara^[43], KGCR – Senator

Sir Jovito Salonga^[44], KCGR – Senator

Sir Salvador H. Laurel^[45] III, KGCR – Senator

Sir Arturo Tolentino^[46], KGCR – KGCR – Senator

Sir Cesar Virata^[47], KGCR – Senator

Sir Feliciano Belmonte^[48] – KGCR, Speaker of the House of Representatives

Sir Jose H. Laurel^[49] III, KGCR – Senator

Sacred Military Constantinian Order of Saint George

- The first known British subject to be invested into the Sacred Military Constantinian Order of Saint George was Lieutenant Colonel John Pritchard in 1798. Captain Sir William D’Arley was also invested in 1801, receiving the decoration from King Ferdinand I of the Two Sicilies. In the same year, he obtained a Royal Licence from King George III of Great Britain which permitted him to be styled as “Sir William” and to wear the Order’s decoration at Court. However, please note that this is not currently being practiced.

Link

The Cabinet Office is part of the Department of the Prime Minister and Cabinet (DPMC)^[50]

Notes

I would like to gratefully and sincerely thank mr Kevin Couling, Lord of the Manor of Little Neston and Hargrave, for his contributions.

Sources: The London Gazette of 1 June 2016, britannica.com, debretts.com, wikipedia.com, dpmc.govt.nz, gg.gov.au, royal.gov.uk, gisbarbados.gov.bb, Blog by Christoph S. Eberle, Sacred Military Constantinian Order of Saint George^{[51][52]}

Note: I published this article earlier on the nobility news blog^[53]

Important update:

A protocol from Buckingham Palace and the Foreign Office preventing such usage of foreign knighthoods was published in The London Gazette of 1 June 2016^[54]. It states that in line with the long-established convention concerning foreign titles, British nationals who have been awarded an honour by another country may not use any associated title, that the award might bestow, in the United Kingdom. Only those British nationals, including dual nationals, awarded a British Knighthood or appointed to a British Order of Chivalry as a Dame, may use the title ‘Sir’ or ‘Dame’ in the United Kingdom.

Comments by mr Christopher Buyers: *You may like to check the Antigua & Barbuda section again.*

Commentary more relevant to Jamaica seems to have crept in. The 2016 Gazette notification does rely on some ‘smoke and mirrors’ and ‘eyewash’ to make its case. Perhaps because the writer knew that the reader would not necessarily understand the finer points of the Law. In English and British law there is, in fact, no such thing as a foreigner. There is only “subject” and “alien”. HM’s subjects from Commonwealth realms, indeed even those citizens of Commonwealth republics of which she is not Head of State, are not aliens in UK law. They are entitled to join the armed forces, be appointed to judicial positions, stand for parliament and take part in elections. The