

# ON THE CONCEPTS OF ‘SOVEREIGN’ AND ‘GREAT’ ORDERS

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The only contemporary order of knighthood to include the word ‘sovereign’ in its name is the Sovereign Military Hospitaller Order of St John of Jerusalem of Rhodes and Malta. Sovereignty is here heraldically exemplified by the Grand Master’s use of the closed crown. Its *Constitutional Charter and Code* explains that the order ‘became sovereign on the islands of Rhodes and later of Malta’, and makes the following statement about its sovereignty: ‘The Order is a subject of international law and exercises sovereign functions.’<sup>1</sup> However, the topic of this article is not what current scholarship designates as military-religious orders of knighthood, or simply military orders, but monarchical orders.

To quote John Anstis, Garter King of Arms,<sup>2</sup> a monarchical order can be defined in the following terms:

a Brotherhood, Fellowship, or Association of a certain Number of actual Knights; subjected under a Sovereign, or *Great Master*, united by particular Laws and Statutes, peculiar to that Society, not only distinguished by particular Habits, Ensigns, Badges or Symbols, which usually give Denomination to that Order; but having a Power, as Vacancies happen in their College, successively, of nominating, or electing proper Persons to succeed, with Authority to assemble, and hold Chapters.

The very concept of sovereignty is ambiguous. A recent collection of essays has sought to ‘dispel the illusion that there is a single agreed-upon concept of sovereignty for which one could offer of a clear definition’.<sup>3</sup> To complicate the issue further, historical and theoretical discussions on sovereignty, including those relating to the Order of Malta, concentrate mostly on its relation to the modern concept of state, leaving the supposed sovereignty of some of the monarchical orders of knighthood an unexplored territory.

<sup>1</sup> *Constitutional Charter and Code of the Sovereign Military Hospitaller Order of St. John of Jerusalem of Rhodes and Malta: Promulgated 27 June 1961 revised by the Extraordinary Chapter General 28–30 April 1997* (Rome 1998), pp. 9, 11. For the historical background, see Ann Williams, ‘The constitutional development of the Order of St John in Malta, 1530–1798’, in Victor Mallia-Milanes (ed.), *Hospitaller Malta 1530–1789* (Msida 1993), pp. 285–96. For the current situation, see Anna-Karin Lindblom, *Non-Governmental Organisations in International Law* (Cambridge 2005), pp. 64–8.

<sup>2</sup> John Anstis, *Observations Introductory to an Historical Essay, upon the Knighthood of the Bath* (London 1725), pp. 35–6.

<sup>3</sup> Hent Kalmo & Quentin Skinner (edd.), *Sovereignty in Fragments: the past, present and future of a contested concept* (Cambridge 2010), p. 5.

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The head of many of these orders was styled simply Sovereign (*souverain*). This, however, had no bearing on the status of the orders or their 'sovereignty' in the modern political sense.<sup>4</sup> The style seems to have been chosen in order to avoid the use of the title Master (*magister*), used by the military-religious orders of knighthood. Edward III was *souverain* of the Order of the Garter while Philip of Burgundy became *chef et souverain* of the Order of the Golden Fleece in 1430.<sup>5</sup> Later, the title of Grand Master as the supreme office has gained ground in many orders, probably owing to the royal French model: Chief and Sovereign Grand Master (*chef et souverain grand maître*) of the orders. These terminological differences have no practical import apart from the fact that some orders have both Sovereign and Grand Master, in which cases the latter is one of the officers under the Sovereign.<sup>6</sup> Monarchical orders have often been direct tools of their sovereigns. The collegiate elections, mentioned in Anstis's definition, were often mere formalities, if maintained at all. Thus, monarchical orders have hardly ever been truly 'sovereign' even in their own affairs.

Internationally monarchical orders 'represented an assertion of sovereignty by the awarding prince'.<sup>7</sup> While 'real' international political power structures could not be changed by an order of knighthood, an act which has probably never been attempted, such an institution was a useful instrument in the symbolic struggles for prestige. For instance, the disputed regal succession affected the Orders of the Garter and of the Thistle, so that between 1689 and 1784 Jacobite claimants also made appointments to these orders.<sup>8</sup> Arguably, the conferral of honours was for the Stuart claimants one of the most visible methods of expressing their sovereignty. The office of the sovereign of the Order of the Golden Fleece, on the other hand, was permanently divided in 1700.

<sup>4</sup> I would like to thank Prof. D'Arcy Boulton for his comments on this and other terminological issues.

<sup>5</sup> D'Arcy Jonathan Dacre Boulton, *The Knights of the Crown: the monarchical orders of knighthood in later medieval Europe 1325-1520* (2nd edn., Woodbridge 2000), pp. 447.

<sup>6</sup> At the time of the reform of the Swedish orders in 1975, it was argued that the change of titlature from the effective equivalent of Sovereign (*Herre och Mästare*) to Grand Master (*Stormästare*) reflected the fact that the orders were no longer prerogative of the sovereign but instead a state institution, where final decisions are made by the head of state in his capacity of Grand Master of the state orders. C. G. U. Scheffer, 'Det svenska ordensväsendet före 1975 och därefter: en översikt', in *De kungl. svenska riddarordnarna: förteckning över svenska ordensinnehavare jämte historisk översikt 1975* (Stockholm 1976), p. 20. However, this kind of distinction is artificial. Although the monarch of the United Kingdom is Sovereign of all British orders, only appointments to the Orders of the Garter, of the Thistle, of Merit and the Royal Victorian Order are currently in the personal gift of the Sovereign. The appointments to other orders are made so that the Sovereign merely approves the nominations without making changes.

<sup>7</sup> Christopher Storrs, *War, Diplomacy and the Rise of Savoy, 1690-1720* (Cambridge 1999), p. 193.

<sup>8</sup> One of the few discussions on the Jacobite orders within the general context of sovereignty is found in Edward Gregg, 'Monarchs without a crown', in R. Oresko, G. C. Gibbs and H. M. Scott (edd.), *Royal and Republican Sovereignty in Early Modern Europe: Essays in memory of Ragnild Hatton* (Cambridge 1997), pp. 394-6.

The most prestigious monarchical orders of knighthood formed a rather clear but, nevertheless, not well defined international ‘precedence group’.<sup>9</sup> The orders belonging to this group have variably been called sovereign orders, great orders or collar orders. One of the categories of orders created by the editors of *World Orders of Knighthood & Merit* (2006) is entitled ‘single class Collar Orders’. They have placed under this heading surviving ‘great monarchical Orders founded in the later Middle Ages as well as their sixteenth, seventeenth and eighteenth century imitations, the two principal Orders of the Holy See [...] and the Japanese Order of the Chrysanthemum’.<sup>10</sup>

The term ‘collar order’ is slightly problematic: historically, ‘a collar was by no means an essential part of an order of knighthood’, although ‘authors of histories of Knighthood [...] seem always to have considered the collars a very substantial part of the matter’, as a reviewer of Nicholas Carlisle’s *A Concise Account of the Several Foreign Orders of Knighthood* (1839) has pointed out.<sup>11</sup> Indeed, they were exceptional before the foundation of the Order of the Golden Fleece, and not universal until the end of the fifteenth century, when the collar became part of the insignia of the Order of the Garter.<sup>12</sup> It is also worth noting the use of a collar has not been restricted to the orders which can be regarded as ‘great’. The category ‘collar order’ appears, for instance, in the oldest German work on orders of knighthood, Hieronymus Megiser’s *Ein Tractat, von dem Dreyfachen Ritterstand, und allen Ritter Orden der Christenheit* (1593), where one of the three categories is ‘knights of the collar or neck ribbon orders’.<sup>13</sup> Charles Loyseau underlined in 1610 the primacy of the knights of the orders over plain knights and explained that the former, whom he called ‘true knights’, wore collars to render them more distinguishable. Therefore they were ‘vulgarly called in Latin *equites torquatos*’.<sup>14</sup>

#### **‘Four special orders of souereigne knighthood’**

The pivotal question is: which orders have been considered sovereign or great at various times and on what grounds? As D’Arcy Boulton has pointed out in his monumental work on the several late-medieval monarchical orders of knighthood, only four of them survived in 1525: the Garter, the Golden Fleece, the Annunciation and St Mi-

<sup>9</sup> Antti Matikkala, *The Orders of Knighthood and the Formation of the British Honours System, 1660-1760* (Woodbridge 2008), p. 13.

<sup>10</sup> Guy Stair Sainty and Rafal Heydel-Mankoo, *World Orders of Knighthood & Merit* (Delaware 2006), vol. 1, p. xxxix.

<sup>11</sup> *Gent’s Mag.* 1839, p. 624. For instance, the heraldic author Alexander Nisbet wrote about the practice of ‘the Knights Companions of any sovereign Order’ to ‘surround their Shield of Arms with Collars of sovereign Orders’. Alexander Nisbet, *An Essay on the ancient and modern use of Armories, etc.* (London 1718), p. 69.

<sup>12</sup> Boulton, op. cit., pp. 480f.

<sup>13</sup> The second chapter of the book is entitled ‘Von den Rittern der Cleinath/Ketten oder Halsband Orden’. Hieronymus Megiser, *Ein Tractat von dem Dreyfachen Ritterstand und allen Ritter Orden der Christenheit* (Frankfurt 1593), p. 2.

<sup>14</sup> Charles Loyseau, *A Treatise of orders and plain dignities*, ed. and transl. Howell A. Lloyd (Cambridge 1994), pp. 129, 224.

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chael.<sup>15</sup> These same four orders were mentioned by the common lawyer John Ferne in his work *The Blazon of Gentry* (1586) as the ‘four special orders of souereigne knighthood’ without any explanation of what he meant by ‘sovereign’ in this context.<sup>16</sup> King James V of Scotland (reigned 1513-42), who was a knight of three of these orders – the Golden Fleece (1531), the Garter (1535) and St Michael (1536) – had their collars depicted around the arms of the respective sovereigns on the gateway to Linlithgow Palace. These were joined by the royal arms of Scotland encircled by the ‘ornaments of St Andrew’, as they were described in 1578. The armorial and pictorial use of a Thistle collar begins during the reign of James V, but there is no evidence of such a collar having actually been worn by the king.<sup>17</sup> James V may have made attempts ‘to imitate the great monarchical orders’,<sup>18</sup> but in any event, the Order of the Thistle was not founded until 1687.

After the accession of James I to the English throne in 1603, William Segar, Garter King of Arms, wrote a brief treatise on the *Original Institutions of the Princely Orders of Collars*, dedicating it to his sovereign. Segar discussed the Garter, the Annunciation, the Golden Fleece, St Michael, the Holy Ghost and the ‘Collar and Device of the Thistle’. As Segar pointed out, the number of the Knights of the Order of St Michael had been ‘so much increased, as it abated the reputation and glory thereof’.<sup>19</sup> The Order of the Holy Ghost, instituted in 1578, took its place as the premier French order. The Knights of the Order of the Holy Ghost were inherently Knights of the Order of St Michael as well. Thus John Selden could comment in his *Titles of Honor* (1614) that ‘Mongst Knights *di Collana* foure are of speciall and of most honor: that of the *Gartier* with vs, of the *Anunciada* in *Sauoy*, of the *Golden Fleece* in *Burgundie*, and of *S. Michael* and *de Saint Esprit* in *France*.’<sup>20</sup>

The composition of the list of the four major orders varied slightly. When Leibniz published a supplement volume to his *Codex juris gentium diplomaticus* in 1700, he considered the Garter, the Golden Fleece, the Elephant and the Holy Ghost as the ‘major orders’ worthy of inclusion.<sup>21</sup> **Figure 1** shows the same four orders depicted – together with the crosses of four military-religious orders – in the decorative architectural frontispiece of the polyhistor and poet Christian Gryphius’s *Kurzer-Entwurff Der Geist- und Weltlichen Ritter-Orden* (1697). In 1685 Professor Johann Christoph Becmann mentioned these four orders, but also discussed the ‘Order of the Bath’ – which was not a real order at the time – as well as the Orders of Michael of the Annunciation.<sup>22</sup>

<sup>15</sup> Boulton, op. cit., p. 499.

<sup>16</sup> John Ferne, *The Blazon of Gentry* (London 1586), pp. 120-6.

<sup>17</sup> Peter Galloway, *The Order of the Thistle* (London 2009 [but 2010]), pp. 13-15.

<sup>18</sup> Carol Edington, *Court and Culture in Renaissance Scotland: Sir David Lindsay of the Mount (1486–1555)* (Amherst, Mass. 1994; reissued East Linton 1995), p. 105.

<sup>19</sup> Wm. Segar, *Original Institutions of the Princely Orders of Collars* (Edinburgh 1823), p. 11.

<sup>20</sup> John Selden, *Titles of Honor* (London 1614), p. 362.

<sup>21</sup> Gottfried Wilhelm Leibniz, *Mantissa codicis juris gentium diplomatici continens statuta magnorum ordinum regiorum ...* (Hanover 1700), vol. 2, pp. 1-76.

<sup>22</sup> Johann Christoph Becmann, *Noticia dignitatum illustrium civilium, sacrarum, equestrium XVI Dissertationibus Academicis* (Frankfurt 1685), pp. 416f.

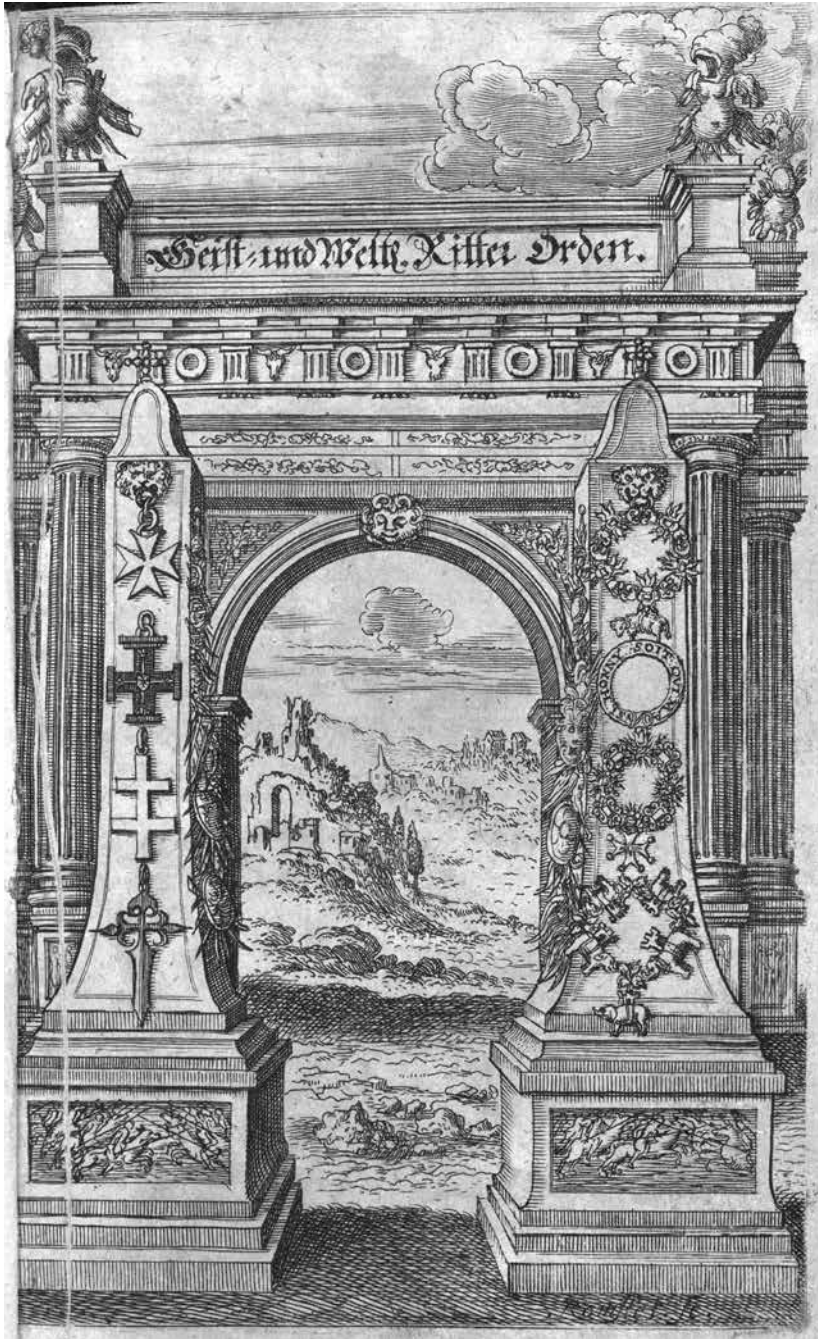


Figure 1: The different types of crosses of four military-religious orders of knighthood (the left column) and the insignia of four major monarchical orders (the right column).

*Religious:*

- The Order of Malta
- The Teutonic Order
- The Order of the Knights Templars
- The Order of Santiago

*Monarchical:*

- The Order of the Golden Fleece
- The Order of the Garter
- The Order of the Holy Ghost
- The Order of the Elephant

From [Christian Gryphius,] *Kurzer-Entwurff Der Geist- und Weltlichen Ritter-Orden* (Leipzig 1697), frontispiece. © British Library Board (9904.b.19).

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In Johann Christian Lünig's great ceremonial compendium, *Theatrum Ceremoniale Historico-Politicum* (1719, 1720), the discussion of two military-religious orders – the Teutonic Order and the Order of St John – is followed by the presentation of eight major monarchical orders of knighthood and merit: the Holy Ghost, St Louis, the Golden Fleece, the Garter, the Thistle, the Elephant, the Dannebrog and the Black Eagle.<sup>23</sup> Notable here is the inclusion of the first 'modern' multi-class military order of merit, the Order of St Louis, among single-class orders. The Order of the Black Eagle, instituted in 1701, arguably became the most prestigious of the German orders founded during the eighteenth century. Despite the rise of Prussia amongst the great powers, its order never quite managed to rise to the same level as the older greater orders. Nevertheless, some experts have referred to it as one of the great orders,<sup>24</sup> and it has been occasionally listed among them in other contexts.<sup>25</sup>

After the earlier mentioned eight orders, Lünig discussed 'some other orders of knighthood and other orders'. Among these he placed the Russian Order of St Andrew and the Order of St Hubert, conferred at the time by the Elector of the Palatinate, as well as four other orders: *Orden der Fruchtbringenden Gesellschaft*, *Order des Stern-Kreuzes*, *Ordens der Liebe des Mädchen* and the 'Constantinian' Order.<sup>26</sup> It is interesting but quite understandable that in 1720 Lünig placed the Order of St Andrew into this category of 'other orders'. It was still a fairly young order, instituted according to the official account in 1698, and its statutes were first drafted in 1720 but not ratified until 1797. It also took some time before the Order of St Andrew began to play a major role on the international level. King Augustus II of Poland became in 1712 the first foreign sovereign to receive it.

### **Sovereign orders as orders which sovereigns can exchange and the sovereignty of the seal**

One of the central features of the premier monarchical orders is that they were used in diplomatic exchanges between sovereigns. The statutory restrictions which allowed membership to be held in one order only were dispensed with in these cases. As Polydore Vergil explained in 1499, the Knights of the Order of St Michael 'were bound [...] to forsake and leave all other orders [...] only excepting Emperours, Kings and

<sup>23</sup> Johann Christian Lünig, *Theatrum ceremoniale historico-politicum, Oder Historisch- und politischer Schau-Platz aller Ceremonien* (2 vols., Leipzig 1719, 1720), vol. 2, pp. 1109-53.

<sup>24</sup> Hervé Pinoteau has referred to the Orders of St Andrew and of the Black Eagle as 'grands ordres étrangers'. Hervé Pinoteau, *Le chaos français et ses signes: étude sur la symbolique de l'état français depuis la révolution de 1789* (La Roche-Rigault 1998), pp. 189, 206 n. 53. Also, for instance, in E. F. Wrede, *Finlands utmärkelsetecken: en redogörelse för Finlands officiella och halvofficiella utmärkelse- och minnestecken* (Helsingfors 1946), p. 410.

<sup>25</sup> According to the Danish novelist Carl Bernhard, the Duke of Metternich had received 'alle mulige store Ordener, kort sagt, det var et heelt Menagen; der var Ørne, Elephanter, Lam og Duer deriblandt'. Carl Bernhard, *Samlede Noveller og Fortællinger* (7 vols., Copenhagen 1856-67), vol. 5, p. 175.

<sup>26</sup> Lünig, *Theatrum Ceremoniale Historico-Politicum*, vol. II pp. 1154–1163 (Von einigen andern Ritter- und andern Orden).

Dukes, which besides this Order, might wear that Order whereof they were chief’.<sup>27</sup> One legal argument brought forward which facilitated such membership could be called the sovereignty of the seal and is further elucidated below. The membership of foreign sovereigns, princes and nobility gave further lustre to these orders. John Ferne argued in 1586 that the Garter was ‘the chiefest’ of the orders partly just because ‘many Cæsars, Emperors, Kings, Princes, Nobles, and Knights, of diuers and sundrie nations of Europe’ had been admitted to it.<sup>28</sup>

When James Johnston invested Frederick III, Elector of Brandenburg, as a Knight of the Garter in 1690, he argued in his speech that ‘Amongst Military Orders, there are none that can dispute either Antiquity or Dignity with that of the Garter; which may indeed be called the Mother Order; For the other great Orders have sprung out of this Root, being formed upon the Model of it.’ Without using the word itself, Johnston spoke about the sovereignty of the Order of the Garter by pointing out that it was entirely separated from ‘the Laws and Government of England’, and was thus ‘a distinct Body with Seals and Officers, and Statutes Peculiar to it; over which the Seals and Laws of England have no sort of Authority’.<sup>29</sup>

The case for the seal of the order being an essential characteristic of its sovereignty had been earlier argued. Previously, the payment of the expenses of the Order of the Garter – for instance, the salaries of its officers – had been made under the authority of the great seal or privy seal. However, in 1622, ‘well considering its institution, nature, and constitution; and that it was in the nature of a distinct Sovereignty, governed by laws, statutes, and assemblies of its own’, James I conceived ‘it incongruous that the Officers should longer receive or challenge their pensions by virtue of any other Seal than that of the Order; and in some kind of derogatory to the Dignity of the Order itself, to permit other Seals longer to work within, or upon the same’. Consequently, it was decided that ‘all things concerning the Order, should thereafter be passed under the Seal of the Order only’.<sup>30</sup>

### **‘Instituted for birth alone’ and ‘reserved for the high nobility’**

One of the great early modern experts on hierarchy, the Duke of Saint-Simon (1675–1755), gave in his memoirs, written between 1739 and 1749, an account of the French orders, which was arguably ‘more analytical and critical than the histories of knighthood’.<sup>31</sup> Saint-Simon himself became a Knight of the Order of the Holy Ghost in 1728

<sup>27</sup> [Polydore Vergil], *A pleasant and compendious history of the first inventers and instituters of the most famous arts, misteries, laws, customs and manners in the whole world*, transl. anon. (London 1686), p. 87.

<sup>28</sup> Ferne, *Blazon of Gentry*, p. 120.

<sup>29</sup> James Johnston and Gregory King, *An Account of the ceremony of investing his Electoral Highness of Brandenburg with the order of the Garter, perform’d at Berlin on the 6th of June, 1690 ... with the speeches made..by the said Mr. Johnston, and Monsieur Fulks* (London 1690), pp. 11, 14.

<sup>30</sup> Sir Nicholas Harris Nicolas, *History of the Orders of Knighthood of the British Empire* (4 vols., London 1842), vol. 1 p. 221.

<sup>31</sup> Charles Wendell Herman, ‘Knights and kings in Early Modern France: royal orders of knighthood, 1469-1715’, unpublished Ph.D. thesis, University of Minnesota (1990), p. 27.

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and arranged the appointment of his eldest son as a Knight of the Spanish Order of the Golden Fleece during his own diplomatic mission to Spain in 1722. Saint-Simon wrote that he assured ‘the Knights of the Golden Fleece how much I appreciated the honour conferred on my eldest son by his admission to that noble and distinguished Order’.<sup>32</sup> However, Emmanuel Le Roy Ladurie has argued that ‘For Saint-Simon himself, the Golden Fleece was mainly an amusement, a young man’s decoration that he passed on to his older son as a stopgap until the boy could inherit the more substantial position of duke and peer.’<sup>33</sup>

Contemporary authors usually formulated their arguments strictly from their own national perspectives. Therefore it is not surprising that in Saint-Simon’s opinion, the Order of the Holy Ghost was self-evidently the world’s premier order. When writing about its officers, he referred to ‘two other great orders, the Garter and the Fleece, and that of the Elephant’ (*deux autres grands ordres, la Jarretière et la Toison, et même l’Éléphant*).<sup>34</sup> Saint-Simon’s list of the ‘other great orders of Europe’ was the same in another context as well.<sup>35</sup> In his discussion on the wearing of the Order of the Holy Ghost, Saint-Simon explained why the Order of the Elephant ‘may be counted amongst the great orders’. This was because of its venerable age as well as the small number and the singularly illustrious choice (*choix singulièrement illustre*) of members.<sup>36</sup>

Given Saint-Simon’s high-nobiliary perspective and extremely hierarchical view of society, it is hardly surprising that he was critical of the use of the Order of the Holy Ghost as a reward for self-made military men who had risen to the rank of marshal of France. Indeed, Saint-Simon went as far as to argue that the rewards ‘for military merit’, such as promotions, were given ‘without any regard for birth, whereas the Order was instituted for birth alone’.<sup>37</sup> The contemporary French legal scholar and historian François Ignace Dunod de Charnage agreed by stating that ‘the great orders are reserved for the high nobility’ (*les grands Ordres, sont reserves à la haute Noblesse*).<sup>38</sup> In Saint-Simon’s thinking, the required high-born status was an essential characteristic of the great orders since ‘Only the great orders require proofs [of nobility]’.<sup>39</sup> In this line of thought, the high-nobiliary ethos of the great orders appears as not necessarily exactly opposed to merit but at least independent from merit. In the

<sup>32</sup> I quote from the translation by Francis Arkwright, *An Infamous Regent’s Rule 1717-1723: an abridged translation with notes from the memoirs of the Duke de Saint-Simon* (6 vols., New York, 1915-18), vol. 6, pp. 395-6.

<sup>33</sup> Emmanuel Le Roy Ladurie, *Saint-Simon and the court of Louis XIV*, transl. Arthur Goldhammer (Chicago 2001), p. 80.

<sup>34</sup> *Mémoires de Saint-Simon*, ed. A. de Boislisle (41 vols., Paris 1879-1928), vol. 11, p. 174.

<sup>35</sup> ‘Les autres grands ordres de l’Europe [...] la Toison [...] la Jarretière et l’Éléphant’: *ibid.*, vol. 8, p. 282 n. 3.

<sup>36</sup> *Ibid.*, vol. 11, p. 484.

<sup>37</sup> Transl. Arkwright, vol. 2, p. 237.

<sup>38</sup> F. I. Dunod de Charnage, *Mémoires pour servir à l’histoire du comté de Bourgogne* (Besançon 1740), p. 28.

<sup>39</sup> ‘C’est le seul des grands ordres qui demande des preuves [de noblesse]’: *Mémoires de Saint-Simon*, vol. 11, p. 440.



following century, the British Prime Minister Lord Melbourne, who himself refused an appointment as Knight of the Garter, would put it more bluntly: ‘I like the Garter; there is no damned merit in it.’

Considering the French-inspired foundation of the Swedish orders of knighthood in 1748 in the light of Saint-Simon’s views, despite the outward similarities between the French and the Swedish orders – such as their plural-form names (*les ordres du Roi – Kungl. Maj:ts Orden*), the insignia (white Maltese Cross) and the light blue and black ribbons – it is interesting to observe that the Swedish ones were explicitly orders of merit, the purpose of which was to reward service, as mentioned in their statutes. During the course of the eighteenth century, however, the Order of the Seraphim was increasingly fashioned to include features which were typical of the older great orders. A divine service was conducted on the festival day of the order until 1832, and there was even a bishop of the Order between 1783 and 1883. Furthermore, following the tradition of having a charitable institution attached to an order, a hospital named the Seraphim Hospital was associated with it.

The relationship between the great orders and merit was also reflected on by Jeremy Bentham. He wrote that ‘of all orders’ an order of merit ‘is the least distinguished: the nobility are not candidates for admission; they consider it derogatory to their *birth*. It is the reward of, it may be purchased by, *service*.’ Bentham continued by asking: ‘The higher ranks of knighthood, are they to be considered as rewards?’<sup>40</sup> The corresponding sentence had been earlier published in French in 1811 as follows: ‘Les grands Ordres de Chevalerie sont-ils des recompenses, je veux dire, des recompenses publiques?’<sup>41</sup> Bentham answered that they ‘are sometimes given for the performance of distinguished services; but much more generally to courtiers and men of rank, who are the companions of the sovereign’.<sup>42</sup>

This semantic difference has also found its way into the dictionary of the Swedish Academy (*Svenska Akademiens ordbok*), according to which the antonyms for an ‘order of merit’ are ‘great orders and house orders’ (*stora ordnar o. husordnar*). The dictionary explains that great orders have one class only, which is given to members of the royal and princely houses, heads of state and in limited numbers to citizens who have attained the highest ranks of state. The definition seems essentially to derive from the one published in *Nordisk Familjebok* in 1888.<sup>43</sup>

### ‘The six prime Orders of Christendom’

The infamous Levett Hanson, who indefensibly styled himself Sir Levett,<sup>44</sup> in 1802 anonymously published a work entitled *An Accurate Historical Account of All the Or-*

<sup>40</sup> Jeremy Bentham, *The Rationale of Reward* (London 1825), p. 10.

<sup>41</sup> Bentham, *Théorie des peines et des recompenses*, ed. and transl. E. Dumont (2 vols., London 1811), vol. 2, p. 9.

<sup>42</sup> Bentham, *Rationale of Reward*, p. 10.

<sup>43</sup> ‘Man plägar skilja mellan s. k. stora ordnar, som föräras endast åt furstar och högadel (af detta slag äro Strumpebands-orden, Gyllene skinet, Annunziata-orden, ryska Andreas-orden, danska Elefant-orden m.fl.) [...]’ *Nordisk Familjebok* (20 vols., Stockholm 1876-99), vol. 12, p. 324.

<sup>44</sup> See a book review by Clive Cheesman in *CoA* 3rd ser. 2 (2006), p. 63.

*ders of Knighthood at Present Existing in Europe*. Hanson lived in Stockholm from 1807 and in Copenhagen from 1811 until his death in 1814. He was presented to King Gustavus IV Adolphus ‘just as the march of the Russian troops towards Swedish Finland was officially announced to the unhappy king’. According to John Brown’s *Northern Courts*, the king remembered having corresponded with Hanson about the Swedish orders and said to Hanson that he had read his book and ‘admired it very much’.<sup>45</sup>

Those orders, ‘which elect their own Grand-masters’, Hanson called ‘Chapteral’, but his concept of a sovereign order is implicit: it is the senior order of a state which is conferred by a sovereign. Hanson states that the Order of the Seraphim ‘is now the Sovereign Order of Sweden’. On the other hand, ‘Properly speaking, the Order of Saint Michael [of Bavaria], is not a Sovereign Order, since it is always conferred by an appanaged Prince of the Electoral House; and is, as it were, under the Protection of the Elector.’ The House Order of the Golden Lion of Hesse-Kassel, instituted in 1770, was ‘the Sovereign Order’ of the state, while the Hessian Order *Pour la vertu militaire*, instituted the previous year, was ‘alone destined as a Recompense for Military Merit’.<sup>46</sup> The most interesting information with regard to the great orders in Hanson’s book relates to the question of what orders should be regarded as premier. Hanson recounted that General Sir John Irwin, KB (died 1788) ‘used always to declare, that The Garter, The Thistle, The Golden Fleece, The Annunciation, The Elephant, and St. Andrew of Russia, were, most incontestibly, in all respects, the six prime Orders of Christendom’.<sup>47</sup>

### **The great British orders**

The greatness of an order is to a large extent dependent on the national *vis-à-vis* international context. In the composite monarchy of the United Kingdom of Great Britain and Ireland, three orders came to be regarded as ‘great’. ‘The great orders are those of the Garter, Thistle and St Patrick, which are largely exempt from considerations of merit’, argued the Scottish constitutional lawyer A. Berriedale Keith in 1936.<sup>48</sup> Occasionally, the Order of the Bath has been referred to as the fourth ‘great’ British order, but unlike the others, it is not a ‘national order’ and ranks after the three great ones. Furthermore, while the three premier orders have one class only, the Order of the Bath was divided into three classes in 1815. During the Crimean War, it was suggested in one contribution to the press debate that ‘the very suitable mode’ for recognising distinguished service ‘would be by attaching to each of our great orders of Knighthood a new dignity by creating officers of the Orders of the Garter,

<sup>45</sup> John Brown, *The Northern Courts: containing original memoirs of the Sovereigns of Sweden and Denmark, since 1766* (2 vols., London 1818), vol. 2, pp. 322, 325f.

<sup>46</sup> [Sir Levett Hanson], *An Accurate Historical Account of All the Orders of Knighthood at Present Existing in Europe* (2 vols., London 1802), vol. 1, p. xvii; vol. 2, pp.38 n., 155 n., 263.

<sup>47</sup> *Ibid.*, vol. 2, p.117 n.

<sup>48</sup> A. Berriedale Keith, *The King and the Imperial Crown: the powers and duties of His Majesty* (London 1936), p. 344.

Bath, Thistle, and Saint Patrick’.<sup>49</sup> The Order of the Garter remains the only one of the three premier British orders to have played a prominent role on the international level. Thus far the only foreign head of state to have been appointed a Knight of the Order of the Thistle has been King Olav V of Norway (1962), and there have been no foreign knights in the Order of St Patrick.

Whereas the Garter remains the ‘Most Noble Order’ and is the senior British order of knighthood, in the order of wear it is preceded by two gallantry decorations, the Victoria Cross (1856) and the George Cross (1940). In order to be able to recognise ‘exceptionally meritorious service’, Edward VII established the Order of Merit in 1902. The model was taken from the Order *Pour le Mérite*, the civil division of which had been founded by Edward VII’s godfather, King Frederick William IV of Prussia, in 1842. Since the number of its ordinary members is limited to twenty-four, some have held it in even greater respect than the Garter within the British context. For Field Marshal Viscount Alanbrooke, who was appointed to the Orders of Merit and that of the Garter in 1946, the former was more important: ‘Of all the decorations that I received none of them have ever seemed in the same category.’<sup>50</sup> Interestingly, Edward VII deliberately left the Order of Merit and its members without statutory precedence. However, for practical reasons he decided that it comes immediately after the Grand Cross of the Order of the Bath (GCB). In spite of this, the Order of Merit has always ‘been conferred after GCB as a distinctly higher honour’. Since 1946, the Sovereign has appointed Knights of the Garter and of the Thistle without prime ministerial advice. Stanley Martin, former First Assistant Marshal of the Diplomatic Corps and the historian of the Order of Merit, has even argued that along these orders, the Order of Merit is now one ‘of the great orders in the personal gift of the Sovereign’.<sup>51</sup>

### **The elements of greatness**

In conclusion, it can be said that there are great varieties in the greatness of orders and that the meaning of a ‘sovereign order’ has varied greatly too. It should be stressed that there are no reasonable grounds to call any current order ‘sovereign’ apart from the Sovereign Military Order of Malta. In some cases the ‘greatness’ of an order has been a mere figure of speech without any real import. While there are no clear-cut definitions for these concepts, some orders can be considered ‘great’ without debate, and it is possible to compile a list of such central characteristics of greatness which many of the great orders share. These characteristics can be divided into inclusion criteria and other shared features. It can be argued that a ‘great order’ must be headed by a monarch, have one class only, be the premier order of the country, have a high-profile international role i.e. be used in exchanges of orders between the heads of

<sup>49</sup> Letter from ‘A Civilian’ to the editor, *The Times*, 27 Dec. 1854. Quoted in Melvin Charles Smith, *Awarded for Valour: a history of the Victoria Cross and the evolution of British heroism* (Basingstoke 2008), p. 36.

<sup>50</sup> Quoted in Stanley Martin, *The Order of Merit: one hundred years of matchless merit* (London 2007), p. 93.

<sup>51</sup> *Ibid.*, pp. 24, 33-4, 52, 524, 545; quotations pp. 55, 175.

states, and be of considerable age.<sup>52</sup> Among the additional characteristics we can mention the following: many of the great orders have traditionally had a strong 'hereditary' and high-nobiliary element among their domestic members, by comparison to orders of merit; some of these orders have a religious seat (chapel or church) with the coats of arms of the knights; they have certain officeholders (for instance, a king of arms named after the order) and a collar and in some cases a blue ribbon among the insignia. Furthermore, in some cases the literal sovereignty that is the legal separation of the order from the laws of the country has been argued.

### **Epilogue: the great orders today**

Considering the current position of the great orders, we face a number of problems. The sovereigns of some of the formerly great orders are no longer heads of state, which has self-evidently diminished the orders' real political importance. According to the formulation of the editors of *World Orders of Knighthood & Merit* (2006):

The surviving Collar orders no longer associated with sovereign states were either independent from the sovereignty of the country over which the ancestors of their sovereigns or grand masters last ruled, or they are so closely tied to the royal dynasty that their continued conferral has been recognised as legitimate in practice by reigning sovereigns or states.<sup>53</sup>

With regard to their membership, some of these orders, for instance, the Austrian branch of the Order of the Golden Fleece and the Order of the Annunciation conferred by the head of the House of Savoy, maintain even today their traditional royal, princely and high-nobiliary character.<sup>54</sup> Their practical recognition has happened through their acceptance by heads of state. For instance, Otto von Habsburg appointed the Grand Duke of Luxemburg a Knight of the Order of the Golden Fleece in 1972.

The Russian Imperial Order of St Andrew is awarded today by Maria Vladimirovna, styled Grand Duchess of Russia and Head of the Russian Imperial House. Another Order of St Andrew was established by the President of the Russian Federation in 1998. Despite its identical name and fairly similar insignia, it is clear that it is not a revival of the old imperial order but rather a modern republican order of merit, which cannot be regarded as one of the great orders. According to its statutes, the Order can be 'awarded to prominent statesmen and public figures, prominent representatives of science, culture, art and various industries for exceptional services, promoting prosperity, greatness and glory of Russia' as well as to foreign heads of states 'for outstanding services to the Russian Federation'. However, it must be noted that the order is one of the most exclusive in the whole world. Thus far it has been awarded only

<sup>52</sup> Stephanie Trigg, who has employed 'mythic capital' as a conceptual tool in her study of the 'vulgar history' of the Order of the Garter, has argued that the 'greater the mystery about an institution's origins, the greater its glamour'. Stephanie Trigg, *Shame and Honor: a vulgar history of the Order of the Garter* (Philadelphia 2012), p. 75.

<sup>53</sup> Saintry and Heydel-Mankoo, op. cit., vol. 1, p. xxxix.

<sup>54</sup> For the Order of the Golden Fleece, see Leopold Auer et al. (edd.), *Das Haus Österreich und der Orden vom Goldenen Vlies: Beiträge zum wissenschaftlichen Symposium am 30.11. und 1.12.2006 in Stift Heiligenkreuz* (Graz 2007).

fifteen times, and in 2012 there are only five living holders. These are a rather mixed bag, ranging from General Kalashnikov to Solzhenitsyn – who refused the appointment – and further down to rather populist appointments of authors and singers. The international role of the order has so far been limited to two former leaders of Soviet republics. Interestingly enough, Patriarch Alexy II received the Order of St Andrew both from President Yeltsin (1999) and Maria Vladimirovna (2004).

Besides constitutional changes affecting the stature of the orders, it can be asked whether any new great orders have been established since the eighteenth century. Without much thought, the French Legion of Honour has been included in some popular works among the ‘great orders’,<sup>55</sup> but given its multi-class nature as an order of merit, it cannot fitly be placed among their number. By contrast, the foundation of the Order of the Norwegian Lion in 1904 can be regarded as a late attempt to establish a ‘great order’. It was instituted in the United Kingdoms of Sweden and Norway in 1904, the year before the dissolution of the Union. It has been argued that it was meant to become ‘a sovereign Norwegian order’ (*en suverän norsk orden*).<sup>56</sup> Indeed, all four of its foreign recipients were heads of state who had already earlier received the Order of the Seraphim. All appointments to the Order were made in 1904, but it was not formally abolished until 1952.

All existing great orders – both those awarded by heads of state and heads of formerly ruling houses – have had to face the dilemmas: to what extent can they maintain their traditional formalities; and, on the other hand, to what extent they should conform to the political and social realities and expectations of the present era. Many of the traditional corporate activities of the orders have been much reduced. The once so important confraternal role of many of the great orders has in some cases been eliminated altogether.

The great orders have also taken different approaches to their membership structures, which can be illustrated by a brief comparison. Whereas the Austrian Golden Fleece has never been given to a non-Catholic, its Spanish equivalent was as early as the nineteenth century bestowed on non-Christians. However, it was not until the reign of King Juan Carlos I that the practice of awarding it to females began. The Spanish Order of the Golden Fleece is now mainly composed of foreign royalty, but the recent appointments of Javier Solana (2010) and Nicolas Sarkozy (2011) have strengthened the practical political role of the order. In contrast, no head of a republican state has ever been appointed a Knight of the Garter. The current foreign membership of the Order of the Garter is solely composed of foreign royalty.

The policy with regard to appointments of foreign heads of republics and junior members of royal houses has a great impact on the current exclusivity of the great orders conferred by heads of state. In 2012, there are only twenty knights in the Spanish Order of the Golden Fleece and thirty-nine Knights of the Garter (if Royal and Stranger Knights are included); but seventy-one Knights of the Elephant and eighty-

<sup>55</sup> Arnaud Chaffanjon, *Les Grands Ordres de Chevalerie* (Ivry 1977).

<sup>56</sup> Ernst E. Areen & Sten Lewenhaupt, *De nordiska ländernas riddarordnar* (3 vols., Eskilstuna 1942), vol. 2, p. 468.

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eight members in the Order of the Seraphim. Over half of the current membership of the Order of the Elephant consists of royals who were not reigning sovereigns at the time of their appointments, and over one third of its members were appointed as heads of republican states. As a final note, it can be pointed out that Grand Duke Jean of Luxemburg has at the moment the greatest personal 'collection' of great orders. He is a knight of both the Spanish and Austrian Orders of the Golden Fleece as well as of the orders of the Garter, the Annunciation, the Elephant and the Seraphim.<sup>57</sup>

<sup>57</sup> This article is based on a paper given at the symposium 'The Great Sovereign Orders of Knighthood: Origins, History and Development', organised by the Chapter of the Royal Danish Orders of Knighthood in Copenhagen 12–13 September 2012, and will also be published in the symposium proceedings.