



SWEARING IN THE NEW KING: THE ACCESSION AND CORONATION OATHS

Professor Robert Hazell and Dr Bob Morris



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Front cover image: Proclamation Of King Charles III by WPA Pool / Pool Getty Images Europe

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Preface

This study offers a review of some of the immediate constitutional issues that arise following the accession of the new sovereign. It focuses on the three statutory oaths which the new sovereign must swear at accession and coronation. Because these oaths are enshrined in statute, it would require amending legislation to revise and update them. We explain the history and background of each of the oaths, before discussing how they might be revised, if there is political will and parliamentary time to do so.

The study was conducted in 2016–18, and based upon extensive consultation with a wide range of experts, including two private seminars held at the British Academy, with observers from government, the church and the Palace. Our purpose at the time was to raise awareness of the accession and coronation oaths, and of the important decisions about the Accession Council and inaugural Privy Council which needed to be taken before demise. It was also to explain that if it was decided to revise and update the accession and coronation oaths, they needed to be dealt with as a package, because they were so closely inter-related. And if they were to be updated, that needed to be done before demise; to leave it until the accession of the new monarch was too late.

With the government having so many other legislative priorities post-Brexit, it is not surprising that it failed to rise to this challenge. But with the accession of King Charles questions will continue to be raised about the suitability in our more secular and multi-faith society of the new monarch taking a series of oaths which privilege Protestantism, the Church of England and the Church of Scotland. That is why we have decided to publish a second edition of our 2018 report, to explain the historical background of the oaths from over 300 years ago, when Catholicism was seen as an existential threat to our national security; and to set out the options for revising them, if during the new reign there is political will to do so. We recognise the need for a second edition of the report.

We have tried to build a consensus amongst the experts, but we should make clear that this is not an agreed or negotiated document. We alone are responsible for its content.

Professor Robert Hazell

Dr Bob Morris

October 2022

Executive Summary

On accession the new sovereign has to make three statutory oaths: the Scottish oath, to uphold the Presbyterian Church of Scotland; the Accession Declaration oath, to be a true and faithful Protestant; and the coronation oath, which includes promising to uphold the rights and privileges of the Church of England.

These oaths date originally from 1688–1707, when Catholic Europe was seen as an existential threat. In our more secular and pluralist society, the oaths need to be revised and updated; or

Chapter 2: Historical background

2.1 There are four public statements traditionally made by a new sovereign, three of which are statutory requirements. In the order in which they occur, they are

A non-statutory declaration made at the first meeting of the Privy Council which normally takes place a day or two following the death of the former sovereign. This is both a personal and a political statement approved by ministers.

A statutory oath to uphold the Church of Scotland. This was the product of the negotiations between the English and Scottish Parliaments that led to the Acts of Union of 1706/7. This oath's effect was to replicate for Scotland that part of the sovereign's coronation oath which committed the sovereign to uphold the Church of England.

The Accession Declaration oath – not to be confused with the non-statutory declaration above – required by the Bill of Rights Act 1689. The oath's wording was amended by the Accession Declaration Act 1910.

The Coronation Oath – the main elements have existed since the late 10th century and were made statutory in England and Wales by the Coronation Oath Act 1689.

2.2 The three statutory oaths date from a narrow period of British history during 1688–1707. The first two arose from the turmoil at the end of the reign of James II who had sought to expand the authority of the crown and favour Roman Catholics. In comparison with the oath used at the Restoration coronation in 1661, the Coronation Oath Act 1689 for James's successors, William and Mary, refocused the formula into a more contractual form depending not on the sovereign acting from grace but from a duty to uphold the laws and maintain the protestant religion.

2.3 The Accession Declaration Oath had not been included in the original Declaration of Rights in February 1689 but was added – together with the ban on sovereigns marrying Roman Catholics – when the Declaration was later given statutory form as the Bill of Rights Act in December 1689.

Current practices in other European monarchies

2.4 The UK is unusual in having a coronation, and in the extent of the accession oaths. A brief summary of practice elsewhere is as follows:

Coronations: no other European monarchy holds one. Belgium and the Netherlands have never had one; Denmark, Norway and Sweden discontinued theirs from 1849, 1908 and 1873

coronation) in addition to the parliamentary accession procedure in Norway since 1957. The royal regalia are on display but not worn in most ceremonies of accession, though in Denmark the crown

Chapter 3: Constitutional and legal status of UK accession declaration and oaths

3.1 The declaration made at the inaugural Privy Council clearly has a different status from the three statutory oaths. But it is equally a public and personal commitment to observing constitutional government. In essence, it comprises all the elements and more of what is actually required of other European sovereigns by their constitutions, summarised in paras 2.4–5 above. Although the formula's constituent parts are traditional, the language is not prescribed and there is no statutory restraint on what the new sovereign should say at what is a most solemn public moment. The wording of King Charles's declaration made at his inaugural Privy Council is at para 4.4.

3.2

Chapter 4: The formulae individually considered.

Accession Declaration

4.1 This is a personal non-statutory statement made by the new sovereign as first business at their first Privy Council. The text is approved by ministers for publication in the Gazette. Practice has varied over whether first drafts are composed within government or the Household. King Charles's declaration was longer than those of his predecessors, for example King Edward VII and Queen Elizabeth II, whose declarations are set out below. It was also preceded by his address to the nation given the previous evening, on 9 September.

4.2 (a) Edward VII 23 January 1901

Your Royal Highnesses, My Lords, and Gentlemen, This is the most painful occasion on which I shall ever be called upon to address you.

My first and melancholy duty is to announce to you the death of My beloved Mother the Queen, and I know how deeply you, the whole Nation, and I think I may say the whole world, sympathize with Me in the irreparable loss we have all sustained.

I need hardly say that My constant endeavour will be always to walk in Her footsteps. In undertaking the heavy load that now devolves upon Me. I am fully determined to be a Constitutional Sovereign in the strictest sense of the word, and as long as there is breath in My body to work for the good and amelioration of My people.

I have resolved to be known by the name of Edward, which has been borne by six of My ancestors. In doing so I do not undervalue the name of Albert, which I inherit from My ever to be lamented, great and wise Father, who by universal consent is I think deservedly known by the name of Albert the Good, and I desire that his name should stand alone.

In conclusion, I trust to Parliament and the Nation to support Me in the arduous duties which now devolve upon Me by inheritance, and to which I am determined to devote My whole strength during the remainder of My life.³

4.3 (b) Elizabeth II 8 February 1952

Your Royal Highnesses, My Lords, Ladies and Gentlemen:

By the sudden death of my dear Father, I am called to assume the duties and responsibilities of the Sovereignty.

At this time of deep sorrow, it is a profound consolation to me to be assured of the sympathy which you and all my Peoples feel towards me, to my Mother, and my Sister, and to the other members of my Family. My Father was our revered and beloved Head, as

³ London Gazette Extraordinary, 23 January 1901.

George III stressed his Englishness, Edward VII explained his choice of regnal title, and Elizabeth II voiced a very personal distress and her religious belief.

4.6 King Charles's personal declaration is the first to refer to the funding of the monarchy, in confirming his willingness to surrender the hereditary revenues of the monarchy in return for the sovereign grant. Together with the new King's address to the nation the evening before, it was also notable for three personal touches: his tribute to the support of Camilla as Queen Consort; his commitment to reign for the rest of his life; and the mention of his own faith, and of his particular relationship and responsibility towards the Church of England.⁵ The latter is not a necessary part of the new sovereign's declaration: Edward VII and George VI made no reference to God or religion.

4.7 No other European monarchy nowadays holds religious accession ceremonies like the British coronation service. All do, however, have a place for some kind of inaugural affirmation: as described above, it is to those that the texts of the British accession declarations – if voluntary rather than constitutionally required – more closely appr2222ona5o5.that tee teleo1 tapEdwheris

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for the Union of the two Kingdoms, together with the Government, Worship, Discipline, Rights and Privileges of the Church of Scotland: so help me God.⁸

Comment

4.11 The question here is what, in light of the Church of Scotland Act 1921, the oath now adds and whether it is needed at all.⁹ The 1921 Act, designed to pave the way for repairing the Church of Scotland schism of 1843, gave full parliamentary recognition to the Church's status as a national church. Moreover, both the European Convention on Human Rights and the Human Rights Act 199

'Dominions').¹³ An attempt by the Archbishop of Canterbury in 1952 to condense the citation of individual Commonwealth realms into a generic formula was resisted by the then Commonwealth Relations Office.¹⁴ At that time six of the then seven existing independent Commonwealth countries – Canada, Australia, New Zealand, South Africa, Pakistan and Ceylon - were also realms, that is countries where the UK sovereign was head of state. Granted that there are now fourteen, the question of individual citation would need revisiting on the lines perhaps of the Archbishop's proposal. While it would be necessary to smooth the way with the realms, 'implied repeal' would not be stretched too far to cover the situation without legislating for at least these purposes.

4.21 Serious consideration was given in 1952/3 to the possibility of legislating the oath afresh, the Prime Minister's own son urging the change¹⁵ and the question being raised by the former Home Secretary Chuter Ede at the Coronation Committee.¹⁶ However, the Lord Chancellor in a twelve page memorandum reconfirmed the position taken by his predecessor in 1937:

There is a well-known and firmly established principle of law ... that, when the provisions of a later enactment are so inconsistent with or repugnant to the provisions of an earlier one that the two cannot stand together, the latter enactment, so far as necessary, repeals the former. This appears to be plain common sense. ... In such a conflict the Legislature is credited with having by the later Act impliedly repealed the former.¹⁷

4.22 Going carefully through all the changes made to the oath since 1689, he showed that each had followed from repeals implied by subsequent constitutional developments. Legislation would also, he maintained, have called into question the validity of previous changes and opened up the possibility of fresh religious controversy over the third part of the oath. On the basis of this advice, the Prime Minister made a statement to the Commons explaining the position and that the text of the oath had the support of the Commonwealth governments.¹⁸ Unspoken in the parliamentary exchanges was the reluctance of government to face the controversy that legislation would be bound to excite.¹⁹

4.23 And it is this third part referring to a formerly dominant position of the Church of England which many, including in the Church of England itself, would now think requires reconsideration. This is because the oath – together with the underlying statutory requirement for the sovereign to be in communion with the Church of England and, indeed, establishment itself – reflects a period

¹³ A recent commentator has argued that the omission then and subsequently of the formerly explicit reference to govern 'according to the statutes in Parliament agreed on' was contrary to the 1688 Act but stopped short of concluding that the legitimacy of the reigns was therefore fatally compromised. See Watt G. (2017) 'The Coronation Oath', *Ecclesiastical Law Journal*, 325-41.

¹⁴ HO 290/62 for correspondence initiated by the Archbishop's letter of 17 October 1952. His formula would have

Chapter 5: Ideal reformulation

5.1 What is the case for change in each case and how may it best be reflected in changed texts regardless of current political impediments to change? The final section considers these questions in each case, and offers a range of possible reformulations, depending on how strong is the appetite for reform. Modest revision would involve minimal revisions to the text, trying to avoid the need for legislation, though the scope for change without fresh legislation is quite limited. More radical changes – probably all beyond the reach of implied repeal and therefore requiring legislation – would require adapting the text to the context in which each oath is given and give each oath a different purpose, and new meaning. In what follows we set out options allowing for different degrees of change:

No change to the actual wording of the oaths, but adding some prefatory text to explain the history and to put the oaths in a modern context.

Minimal change to the oaths, just to take account of legislative and social changes since 1953, which might be possible without legislation under the doctrine of implied repeal, generously interpreted.

Medium change, maintaining but toning down the religious exclusivity of the oaths.

Maximum change, removing all references to Protestantism and the Church of England, and giving each oath a new purpose suited to its context.

5.2 To anticipate the argument to come, on a bold reformulation the intended audience for the Scottish oath given at the Accession Council might be widened to include all four nations in the Union, not just Scotland; and possibly widened further still, to include the 14 other realms. The audience for the 1910 Act Accession Declaration Oath, traditionally given before Parliament, could be taken to represent the political class and the institutions of government. And the audience for the coronation oath, given in Westminster Abbey but televised to millions, could be taken to represent an oath to the people. That differentiation between the three oaths, given respectively to the Union, to the government and Parliament, and to the people, provides a context and specific

Chapter 6: Revising the texts

The Scottish Oath

6.1 This is taken at the new monarch's inaugural meeting of the Privy Council. For the reasons explained at 4.11 above, it has been eclipsed by the Church of Scotland Act 1921. There is also now the additional guarantee under Article 9 of the European Convention on Human Rights, incorporated into UK law since 1998 by the Human Rights Act, s. 13 which contains a declaratory reinforcement of Article 9's protections.²²

6.2 While substantively there is no continuing requirement for the Scottish oath, it is likely that it has supporters who assert its continuing constitutional significance as a marker of the 1707 Union. There are also some perhaps who might maintain that preservation of the oath is arguably linked to the preservation of the Union itself, whereas the 1921 Act does not accord any exclusive position to the Church of Scotland: it describes it as 'a national church'. There is also the wider point that, just as church establishment continues to be challenged, so now are religions' privileges themselves being increasingly challenged by some political philosophers as incompatible with the liberal state.²³

6.3 Granted the difficulties of abolishing or amending the oath, there seems to be no impediment to *adding* to the oath without the need for amending legislation. King Charles prefaced his taking the oath by saying: 'I understand that the law requires that I should, at my accession to the Crown, take and subscribe the oath relating to the security of the Church of Scotland. I am ready to do so at this first opportunity'. In future the monarch could add an explanatory statement to the effect that the Scottish oath should nowadays be read in conjunction with subsequent legislation such as the Church of Scotland Act 1921, and as a precursor to the overall protections for religious freedom otherwise guaranteed by later laws and international obligations.

6.4 A possible form of words could be on the following lines:

In accordance with the Act of Union that created Great Britain in 1707, I understand that I am required to swear the oath concerned with preserving the Presbyterian form of church government in Scotland. I am advised that the oath should now be read with later enactments that guarantee freedom for all forms of religion and belief throughout the United Kingdom.

6.5 There would follow the same form of words as the oath taken by the new King in 2022, plus the addition of citing the 1921 and 1998 Acts. The latter could be done without legislation

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both because of the effect of the later acts and because the exact text, as opposed to the minimal content, of the oath was not specified in the original legislation. Thus -

Mini change [additional words in bold]

I, Charles the Third, by the Grace of God of Great Britain and Northern Ireland and of My other Realms and Territories King, Head of the Commonwealth, Defender of the Faith, do faithfully promise and swear that I shall maintain and preserve the Church of Scotland as established by the laws of Scotland in prosecution of the Claim of Right and particularly an Act intituled an Act for Securing the Protestant Religion and Presbyterian Church Government, and by the Acts passed in England and Scotland for the Union of the two Kingdoms, **and by the Church of Scotland Act 1921 and the Human Rights Act 1998.**

6.6 Further revision could make the oath more succinct, without changing its meaning or effect:

Midi change

I, Charles the Third, by the Grace of God of Great Britain and Northern Ireland and of other Realms and Territories King, Head of the Commonwealth, Defender of the Faith, do faithfully promise and swear that I shall support the Church of Scotland as established by the laws of Scotland in prosecution of the Claim of Right and by the Acts of Union, and as guaranteed also by subsequent legislation.

6.7 More radical revision could require legislation to transform an oath to support the Presbyterian Church of Scotland into a much wider, more ambitious oath embracing all four constituent parts of the Union, not just Scotland though without committing to the preservation of the Union:

Maxi change

I, Charles the Third, by the Grace of God of Great Britain and Northern Ireland and of other Realms and Territories King &c, do faithfully promise and swear that I shall seek within my power to preserve the separate customs and traditions of each part of the Kingdom and the rights of all people living there, in particular their separate laws, languages and culture, and in all my words and deeds shall show respect for their institutions and traditions.

The Accession Declaration Act 1910 oath

6.8 As Asquith argued over a century ago, this oath is the most dispensable of all. While there may be remaining attachment to it on the grounds that it is the only occasion when the sovereign is seen to declare for Protestantism, this could not please those of other religious persuasion or none and, moreover, not everyone in the current Church of England. In other words, the formula's merits in the eyes of some merely reinforces for others its divisive exclusivity.

6.9 Granted that legislative time was found in 1910 at the King's request to alter the oath and could no doubt be found again, abolition need not be ruled out if that were the new sovereign's

preference. On the other hand, if abolition were rejected, an appropriate explanatory statement might be added by the sovereign or in a government release at the time and included in the Gazette.

liao (xi)-1 (l)-1 (m)ieam h(t)2 (m (e)on1 (i)-1 (l)c[(I)h(c[(I)4u(t)2 (w1 (a) (t)2 n).)13 .f30.00-10.0 1TJ-0.d0 T)-1 (I

of religion. These are not new questions and they extend to the underlying position which they

6.18 But if there is amending legislation for the accession oaths, then there is a strong case for the coronation oath being revised at the same time; the same arguments apply in all three cases against imposing obligations on the monarch which are beyond their capacity to fulfil, and which appear to endorse religious exclusivity. Below are three re-formulations of the coronation oath.

justiceheigatioongh ueT(f)undonatsiihitongh(a)-4 (-)1 (6e)-3 (sus)5 (t)2

All this I promise to do.

Maxi change

Will you solemnly promise and swear to ensure to the best of your ability that the Peoples of the United Kingdom of Great Britain and Northern Ireland, of the Commonwealth countries where you are monarch, and of your Possessions and other Territories are governed according to their respective laws and customs?

I solemnly promise so to do.

Will you in all your words and deeds uphold justice, mercy, fairness, equality, understanding and respect for all your Peoples, from all their different races, religions and cultures?

I will

Will you to your power maintain tolerance and freedom, including religious tolerance; and will you seek to uphold the rights of all your Peoples to observe their different religions and beliefs without fear of persecution?

All this I promise to do. It might just be possible to justify some such changes under the doctrine of implied powers, but risk and susceptible to legal challenge. Legislative powers are not unlimited.

**Who should make of- and when of- the proposed qualifying
each of the oath texts above has been preceded by a suggested preambular statement
explaining how the oaths should now be understood. This**

could be done by issuing contextual briefing in advance of each oath; or – following the precedent of 1953 – by means of a statement by the Prime Minister in the Commons.

6.22 For King Charles, the statement could be added to any statements announcing the arrangements for his coronation. It could reflect the sentiments expressed at his meeting with faith leaders on 16 September, when he said the sovereign has ‘the duty to protect the diversity of our country, including by protecting the space for Faith itself’.²⁶ Any statement should if possible be endorsed by a concurring statement from Lambeth Palace. A very full treatment is offered below, modelled on the style of 1953. But if this is deemed too lengthy, it could be replaced by an altogether brisker approach:

Our new King is obliged by law to swear three oaths following his accession. The first is an oath under the Act of Union 1707 to uphold Presbyterian church government in Scotland. This oath is traditionally sworn at the very first meeting of the new reign’s Privy Council which met on 10 September 2022. The second is an oath required under the Bill of Rights Act 1688 to support the Protestant succession and whose text was last amended under the Accession Declaration Oath Act 1910. This oath is to be sworn at the King’s first meeting with Parliament or at his coronation. The third oath is the coronation oath required under the Coronation Oath Act 1689.

All these oaths were laid down during that formative period in our constitutional history that saw the establishment of limited monarchy with parliamentary sovereignty and the creation of Great Britain by the union with Scotland.

The oaths’ texts have been criticised for being out of step with current constitutional understanding. It could be argued that there is no need for the Scottish oath following the Church of Scotland Act 1921 that guaranteed that Church’s independence in spiritual matters, and the protections afforded to religion under the European Convention on Human Rights and the Human Rights Act 1998. Similarly, features of the coronation oath that concentrate solely on protecting the interests of the Church of England can seem out of date. Nowadays, all religions enjoy the same level of protection under the law.

Despite their dated form, in the government’s view all the oaths represent important milestones in our constitutional development and we do not intend to bring forward proposals for their amendment. They are part of our heritage of constitutional government of which it is right to remind ourselves when we welcome a new sovereign.

At the same time, however, the government is clear that the oaths fall to be understood in a manner consistent with our commitment to welcoming and nurturing everyone in our society regardless of origin, race, gender or belief. I am able to say that the King himself willingly supports this view and it is on that basis, accordingly, that he will have sworn and will be swearing the oaths required of him.

Chapter 7: Conclusions and recommendations

7.1 This paper has explained the historical background to the Accession and Coronation oaths, and the reasons why they would benefit from updating for modern times. The final part of the paper sets out a range of different options for how they might be revised and updated, depending on how radical a change is contemplated. These options include:

No change to the oaths, but adding some (non-statutory) preambular text to put them in a modern context.

Minimal updating of the oaths, which might to some extent be feasible without legislation under the doctrine of implied repeal.

More radical revision and updating of the oaths, which would require legislation.

Abolition of one or more of the oaths, which would also require legislation.

7.2 For the option of more radical revision and updating, each of the oaths could be adapted to make more sense for its specific audience and context. The Scottish oath would then become an oath to uphold the Union; the Accession Declaration oath could become an oath to work with government and Parliament in upholding all our laws; and the coronation oath could be widened to uphold a wider set of values than justice and mercy, including religious tolerance and freedom, not just the rights and privileges of the Church of England. Which of these options is chosen depends critically on the degree of political will, and whether the government is willing to contemplate legislation.

7.3 For ease of reference, all these options are brought together in Annex A. Annex B sets out

announcement about coronation arrangements. Whatever the case, it should be accompanied by extensive and carefully prepared background briefing for the media, and the 'Approved Souvenir Programme' for the coronation should include reference to the substance of the Prime Minister's statement.

Should the new King decide in favour of adopting preambular statements – either for all the oaths or selectively, the government's backing for such a strategy should be announced by Parliamentary statement supported ideally by Lambeth.

Annex A: Summary of options for the Accession Declaration and updating the Oaths

What follows lists the range of options for revising and updating the texts. Three possible courses of amendment for the statutory oaths are considered on the following lines:

Incorporating implicit repeals, to the extent allowed by the doctrine of implied repeal;

Adding to the texts with a non-statutory preamble, or resorting instead to a Prime Ministerial explanatory statement with background briefing; and

Considering options for more radical change should opportunity for statutory revision arise.

Scottish Oath

1. If the current text is to be used without amendment, a preambular statement could be added:

In accordance with the Act of Union that created Great Britain in 1707, I willingly swear the oath concerned with preserving the Presbyterian form of church government in Scotland. I am advised that the oath should now be read with later enactments that guarantee freedom for all forms of religion and belief throughout the United Kingdom.

Text used in 2022

I, Charles the Third by the Grace of God of the United Kingdom of Great Britain and of Northern Ireland, and of My other Realms and Territories, King, Defender of the Faith, do faithfully promise and swear that I shall inviolably maintain and preserve the Settlement of the True Protestant Religion as established by the laws of Scotland in prosecution of the Claim of Right and particularly an Act intituled an 'Act for Securing the Protestant Religion and Presbyterian Church Government' and by the Acts passed in both Kingdoms for the Union of the two Kingdoms, together with the Government, Worship, Discipline, Rights and Privileges of the Church of Scotland: so help me God.

Mini change – This and the Midi draft alternatives would not require legislation but the Maxi alternative would...

I, Charles the Third, by the Grace of God of Great Britain and Northern Ireland and of other Realms and Territories King, Head of the Commonwealth, Defender of the Faith, do faithfully promise and swear that I shall maintain and preserve the Church of Scotland as established by the laws of Scotland in prosecution of the Claim of Right and particularly an Act entitled an Act for Securing the Protestant Religion and Presbyterian Church Government, and by the Acts passed in England

I, Charles the Third, by the Grace of God King of Great Britain and Northern Ireland &c, do solemnly and sincerely declare that I will do my utmost within my power to uphold the constitution, and the laws for the time being in force.

Maxi change

I, Charles the Third, by the Grace of God King of Great Britain and Northern
Ireland &c, do solemnly and sincerely declare that I will do my utmost within my
power to uphold the constitution, and the laws for the time being in force.

Possible amendments

8. A range is offered below. Except for the shortened, generic reference to Commonwealth realms which could be regarded as within the scope of implied repeal – and was contemplated even in 1952/3 to refer to the then much smaller number of realms - all the versions would otherwise require primary legislation.

Mini change

Will you solemnly promise and swear to ensure to the best of your ability that the Peoples of the United Kingdom of Great Britain and Northern Ireland, of the Commonwealth countries where you are monarch, and of your Possessions and other Territories are governed according to their respective laws and customs?

I solemnly promise so to do.

Will you to your power cause Law and Justice, in Mercy, to be executed in all your judgements?

I will

Will you to your power maintain in Great Britain the forms of the Protestant Reformed Religion established by law and maintain throughout the United Kingdom the protections and freedoms afforded in law to all types of religion and belief?

All this I promise to do.

Midi change

Will you solemnly promise and swear to ensure to the best of your ability that the Peoples of the United Kingdom of Great Britain and Northern Ireland, of the Commonwealth countries where you are monarch, and of your Possessions and other Territories are governed according to their respective laws and customs?

I solemnly promise so to do.

Will you in all your words and deeds uphold the values of justice, mercy, fairness, equality, understanding and respect for all your Peoples, from all their different backgrounds?

I will

Will you to your power respect the forms of the settlement of the Protestant religion as established by law in England and as established in Scotland by laws made in Scotland? Will you maintain tolerance and freedom, including religious tolerance, for all your Peoples regardless of their different races, religions, beliefs and cultures?

All this I promise to do.

Maxi change

Will you solemnly promise and swear to ensure to the best of your ability that the Peoples of the United Kingdom of Great Britain and Northern Ireland, of the Commonwealth countries where you are monarch, and of your Possessions and other Territories are governed according to their respective laws and customs?

I solemnly promise so to do.

Will you in all your words and deeds uphold justice, mercy, fairness, equality, understanding and respect for all your Peoples, from all their different races, religions and cultures?

I will

Will you to your power maintain tolerance and freedom, including religious tolerance, and will you seek to uphold the rights of all your Peoples to observe their different religions and beliefs, without fear of persecution?

All this I promise to do.

Annex B: Text of the relevant statutes, and Oaths they prescribe²⁷

In the order in which they are sworn, the relevant statutes and texts are as follows.

The Scottish Oath

This is required, but the text as opposed to the content is not specified, by the Union with Scotland Act 1706 (1706 c. 11 6_Ann).

Side notes

II Acts of Scotland herein mentioned, confirmed; Universities and colleges of Saint Andrew, Glasgow, Aberdeen and Edinburgh, to continue; Subjects not liable to Oath, Test, or Subscription, inconsistent with the Presbyterian Church Government; Successor to swear to maintain the said

1. Alteration of form of accession declaration.

The declaration to be made, subscribed, and audibly repeated by the Sovereign under section one of the Bill of Rights and section two of the Act of Settlement shall be that set out in the Schedule to this Act instead of that referred to in the said sections.

2. Short title.

This Act may be cited as the Accession Declaration Act 1910.

SCHEDULE

I [*here insert the name of the Sovereign*] do solemnly and sincerely in the presence of God profess, testify, and declare that I am a faithful Protestant, and that I will, according to the true intent of the enactments which secure the Protestant succession to the Throne of my Realm, uphold and maintain the said enactments to the best of my powers according to law.

Coronation Oath Act 1688 (1688 c. 6 1 Will and Mar)

An Act for Establishing the Coronation Oath.

Oath heretofore framed in doubtful Words.

Whereas by the Law and Ancient Usage of this Realme the Kings and Queens thereof have taken a Solemne Oath upon the Evangelists at Their respective Coronations to maintaine the Statutes Laws and Customs of the said Realme and all the People and Inhabitants thereof in their Spirituall and Civill Rights and Properties But forasmuch as the Oath itselpe on such Occasion Adminstred hath heretofore beene framed in doubtfull Words and Expressions with relation to ancient Laws and Constitutions at this time unknowne To the end therefore that One Uniforme Oath may be in all Times to come taken by the Kings and Queens of this Realme and to Them respectively Adminstred at the times of Their and every of Their Coronation.

II Oath hereafter mentioned to be adminstred, by the Archbishop of Canterbury, &c.

May it please Your Majesties That the Oath herein Mentioned and hereafter Expressed shall and may be Adminstred to their most Excellent Majestyes King William and Queene Mary (whome God long preserve) at the time of Their Coronation in the presence of all Persons that shall be then and there present at the Solemnizeing thereof by the Archbishop of Canterbury or the Archbishop of Yorke or either of them or any other Bishop of this Realme whome the King's Majesty shall thereunto appoint and who shall be hereby thereunto respectively Authorized which Oath followeth and shall be Adminstred in this Manner That is to say,

III Form of Oath and Administration thereof.

The Arch-Bishop or Bishop shall say,

Will You solemnly Promise and Swear to Governe the People of this Kingdome of England and the Dominions thereto belonging according to the Statutes in Parlyament Agreed on and the Laws and Customs of the same?

The King and Queene shall say,

I solemnly Promise soe to doe.

Arch Bishop or Bishop,

Will You to Your power cause Law and Justice in Mercy to be Executed in all Your Judgements?

King and Queene,

I will.

Arch Bishop or Bishop.

Will You to the utmost of Your power Maintaine the Laws of God the true Profession of the Gospell and the Protestant Reformed Religion Established by Law? And will You Preserve unto the Bishops and Clergy of this Realme and to the Churches committed to their Charge all such Rights and Priviledges as by Law doe or shall appertaine unto them or any of them.

King and Queene.

All this I Promise to doe.

After this the King and Queene laying His and Her Hand upon the Holy Gospells, shall say,

King and Queene

there unta Kite byll

Annex C: Statement 25 February 1953, Hansard vol 511 cols 2091-3.

The Prime Minister

I should now like to make my statement in reply to Question No. 45.

The terms of the Coronation Oath were first prescribed by the Act 1 William and Mary, chapter 6. Since then its terms have been changed at least five times. On one occasion only has the change had legislative sanction, namely the change which was introduced as a result of the Act of Union with Scotland. The Treaty of Union had provided that in Scotland the religion professed by the people of Scotland should be preserved to them and confirmed by every King on his accession, and it was thought proper that similar provision should be made for the protection of the English Church in England. The Coronation Oath was altered and enlarged accordingly.

For the many subsequent changes, large or small, which have been made in the terms of the Oath there was no legislative sanction. They were made at various times, and, in particular, after the Act of Union with Ireland, after the Disestablishment of the Irish Church, and also after the passing of the Statute of Westminster. On the last occasion the question whether the changes that were necessary to meet the new constitutional position could be made without an Act of Parliament was carefully considered and the Lord Chancellor and the Law Officers of the day advised that they could.

I am advised by my noble Friend the Lord Chancellor that this opinion was clearly correct, and that the changes now proposed, which are, perhaps, less substantial than those made in 1937, but are required to meet the new constitutional position created by the [Indian Independence Act, 1947](#), and other statutes, can also be made without legislative sanction.

Her Majesty's Government propose to follow this long line of precedents. To accept the view that changes in the terms of the Oath which are necessary to reconcile it with a changed constitutional [col 2092]

Mr. Attlee

May I say, having had some experience of these difficulties, that I think it is extremely satisfactory that agreement has been obtained throughout the Commonwealth on this Oath, and that we should be well advised to allow this to proceed without legislation?

Mr. E. Fletcher

May I, with respect, put this to the Prime Minister? While no one would wish to throw doubt on the validity of the Coronation Oaths in the past, in view of the fact that the Coronation Oath is a Parliamentary creation, and is intended as a limitation on the Prerogative, is it not desirable, though it may be inconvenient, that any changes that are proposed this year should have legislative sanction, for which, I am sure, there would be no difficulty in making the appropriate arrangements on a non-controversial basis? It is a matter which affects the rights of Parliament, and not merely the rights of the Executive.

Annex D: Regent's Oath under the Regency Act 1937

I swear that I will be faithful and bear true allegiance to [*here insert the name of the Sovereign*] his heirs and successors according to law. So help me God.

2. I swear that I will truly and faithfully execute the office of Regent, and that I will govern according to law, and will, in all things, to the utmost of my power and ability, consult and maintain the safety, honour, and dignity of [*here insert the name of the Sovereign*] and the welfare of his people. So help me God.

3. I swear that I will inviolably maintain and preserve in England and in Scotland the Settlement of the true Protestant religion as established by law in England and as established in Scotland

Scheaws maacar7vp n Scotcw (t)00-2. C(m)1 SrcaR(m)1 (e)-3 (l)-1ht hond tpr

