

**THE MILITARY ORDER OF THE COLLAR
OF
ST. AGATHA OF PATERNÓ**



GRAND MAGISTRY

GENERAL STATUTES of 2007

Chapter One -The Character and Aims of the Order

Article 1

The Military Order of the Collar of Saint Agatha of Paternò (“the Order”), also called the Military Order of the Collar (M.O.C.) is an Order of Chivalry of the Cross, subject to international law, belonging to the Head of Name and Arms of the Royal House of Aragon, Majorca and Sicily, of the Dukes of Carcaci, of the Princes of Emmanuel.

Article 2

The Order, founded in the 12th Century by the Aragonese Sovereigns of Majorca and restored in 1851, is defined as non-national according to the Law of the 3rd March 1951 of the Italian State.

Article 3

The Protectress and Patron of the Order is Saint Agatha, Virgin and Martyr, whose Feast is celebrated as that of the Order on the 5th February.

Article 4

The principal aim of the Order is to propagate in the modern world the tradition of Chivalry as a way of life and the defence of Throne and Altar. It practices good works through its Hospitaller Service.

Chapter Two -The Members of the Order

Article 5

The members of the Order are divided into four Categories as follows:

1. Category of Justice and Devotion
2. Category of Grace and Devotion
3. Category of Justice for Merit
4. Category of Grace for Merit

Article 6

The classes of members within the Categories provided in Article 5 are as follows:

1. Knight Grand Cross with Collar
2. Knight Grand Cross
3. Dame Grand Cross
4. Knight
5. Dame

Article 7

The rank of Collar of the Categories of Devotion is conferred upon Knights Grand Cross who in the judgement of the Grand Master have merited it by long and exemplary service. The rank of Collar carries with it personal nobility and the predicate of honour « *Don* ». Its recipients are limited in number to twenty-five.

Article 8

The rank of Grand Cross of the Categories of Devotion is conferred upon the heads of jurisdiction of the Order or upon dignitaries of equal rank who have merited it by long and conspicuous service.

Article 9

The Grand Collar of the Order is conferred *motu proprio* of the Grand Master on the Heads of Sovereign Houses, Heads of State, eminent religious leaders and male members of the Royal Family. It is limited to twelve recipients and confers the rank and style of Cousin of the Grand Master.

Article 10

Knights of the Category of Justice and Devotion who profess a vow of obedience according to a prescribed formula are called Professed Knights of Justice (*Milites Justitiae*). They are subject to special regulations.

Chapter Three - Hereditary Commanderies

Article 11

The Grand Master may erect *motu proprio* Hereditary Commanderies and bestow them upon Knights of the Category of Justice and Devotion who, in their capacity as Hereditary Commanders, are equal in rank to the class of Knights Grand Cross of Justice and Devotion.

Article 12

Each Hereditary Commandery is styled with a predicate. They are subject to the Regulations of the Hereditary Commanderies.

Chapter Four - Admission into the Order

Article 13

The minimum age for admission into the Order is twenty-one years. At the discretion of the Grand Master the minimum age may be reduced to eighteen years, the latter being the normal age of reception of Esquires into the Order.

Article 14

Members of the Categories of Devotion must be Christians of exemplary life. Members of the Categories for Merit may belong to other religions. All must give evidence of a blameless life and must accept the aims and discipline of the Order.

Article 15

Admission into one of the Categories of Devotion follows a petition by the candidate to that effect and is determined according to the prescriptions contained in the Regulations of Admission.

Article 16

Admission into the Categories for Merit follows a decision of the Grand Master, on receipt of a proposal and recommendation by one of the organs of the Order or an official of the same.

Article 17

Heads of Sovereign Houses or of Orders of Chivalry, Presidents, Vice-Presidents, Grand Chancellors and similar dignitaries of chivalric associations are received into the Categories for Merit. Members of the Categories of Devotion, who are appointed to such offices, are

formally transferred to the said Categories.

Chapter Five - The Duties and Obligations of Knights and Dames

Article 18

Knights and Dames of the Categories of Devotion, as well as being obliged to observe the General Statutes and the annexed Regulations, also the General Instructions issued pursuant to the latter (together the Codex of the Order), are bound to equip themselves with the mantle and the insignia of the Order. In addition they are required to take part in the active life of the Order.

Article 19

Knights and Dames of the Categories for Merit have a general obligation with respect to observance of the aims and discipline of the Order.

Chapter Six - Classes and Promotions

Article 20

New members are admitted initially into the Class of Knight or Dame.

Article 21

Promotion to a higher rank is conferred by the Grand Master *motu proprio*.

Chapter Seven - Investiture and Profession

Article 22

Knights and Dames of the Categories of Devotion may not be appointed to offices or dignities nor obtain promotion until after their investiture according to the established form and order.

Article 23

Investitures take place twice per year, on the 5th February and the 6th June, unless the Grand Master decides otherwise. He presides at the ceremony of investiture which takes place in a Church or a seat of the Order.

Article 24

The profession of the vow of obedience and the installation of dignitaries takes place as a rule in the same place and on the same day as the ceremony of investiture.

Chapter Eight - The Chaplains of the Order

Article 25

Priests of recognised Christian denominations who are also members of the Order are by virtue of those facts chaplains of the Order.

Article 26

The style of Prelate is conferred *motu proprio* by the Grand Master upon clergy who are members of the Order.

Chapter Nine - The Grand Magistracy of the Order

Article 27

The Grand Magistracy of the Order consists of the Grand Master, the Government and the Supreme Council.

Article 28

The Government of the Order consists of the Grand Master, the Grand Chancellor and the Marshal, to whom may be added the Grand Hospitaller, the Grand Visitor, the Grand Commander and the Grand Constable.

Article 29

The Grand Master is the juridical and hereditary head of the Order, in the person of the Head of Name and Arms of the House of Paternò Castello e Guttadauro. He personally directs and administers the Order with the collaboration and assistance of the Grand Chancellor and the Marshal and also that of the Supreme Council. He appoints dignitaries, issues diplomas of admission and magistral decrees, either *motu proprio* or on the recommendation of the competent organ.

Article 30

The Grand Chancellor is the head of the Chancellery of the Order and the executor of the decisions of the Grand Master. He formulates administrative programmes and the activities of the Order and puts them into effect through the competent organs once they have been approved by the Grand Master. From the Grand Chancellor depend the Grand Magistracy, the House of the Professed, the Hereditary Commanderies, the Grand Priors and Commanderies in their own right and the Knights and Dames admitted *in gremio Ordinis*.

Article 31

The Marshal is the chief ceremonial officer of the Order and in addition is responsible for discipline and the administration of the Regulations of Dress, Uniforms and Insignia.

Article 32

The Supreme Council consists of the Grand Master, the members of the Government, the Grand Hospitaller, the Grand Visitor, the Grand Commander, the Grand Constable, Grand Priors, Priors, Hereditary Commanders, Commanders, Professed Knights and also those officials of the Grand Magistracy whom the Grand Master decides should be included. It is a consultative body, which is convened by the Grand Master as often as he deems necessary. Its meetings are valid by virtue of the decree which convenes it and do not depend upon a quorum.

Article 33

The Grand Hospitaller is the head of the Hospitaller Service of the Order in accordance with the relevant regulations.

Article 34

The Grand Visitor is the inspector-general of the Order. He performs the duties which are assigned to him by the Grand Master from time to time.

Article 35

The Grand Priors, Priors and Commanders represent the Grand Master within their respective jurisdictions. They govern the Order within their jurisdictions according to the directions of the Grand Master transmitted through the Grand Chancellor and in accordance with the Codex

of the Order.

Chapter Ten - Duties and Appointments

Article 36

All duties, offices and missions performed within or on behalf of the Order are voluntary and honorary and carry no right to any remuneration whatsoever.

Article 37

Every office or appointment within the Order is for the period that may please the Grand Master.

Chapter Eleven -The Lieutenancy and the Succession

Article 38

The Lieutenant of the Grand Master represents and replaces the Head of the Order, in the event of him being in any way impeded. The Lieutenant is appointed by the Grand Master, but in the case of sad necessity, he is always the Heir to the succession and in the event of being a minor the role is assumed by Governor, who receives the assistance of those Grand Collars who are also Counsellors of the Crown, chosen by the said Governor.

Article 39

In the dire need to regulate the succession the Lieutenant summons, within one month of assuming office, the Government and the Supreme Council in session and proclaims the accession of the new Head of the Order.

Chapter Twelve - Grand Priories, Priories and Commanderies

Article 40

The Commandery is the basic local jurisdiction of the Order. The Grand Master may erect one wherever there are at least five Knights and Dames of the Categories of Devotion. Grand Priories and Priories originate from a mother Commandery which establishes further Commanderies, which in the case of a Grand Priory may be grouped in dependent Priories. The title of a Grand Priory, Priory or Commandery does not imply territorial jurisdiction. The jurisdiction of the Order and of its organs is exercised over its members and not over the territory which may be mentioned in the predicate of the title of a Grand Priory, Priory or Commandery.

Article 41

The Grand Master on the advice of the Supreme Council may dissolve a jurisdictional organ of the Order.

Chapter Thirteen -Members in Gremio Ordinis

Article 42

Members who cannot be admitted directly into a jurisdiction are received *in gremio Ordinis*.

Article 43

Knights and Dames *in gremio Ordinis* are to be admitted to a Commandery as soon as possible.

Chapter Fourteen - Discipline

Article 44

The dignitaries of the Order, to whichever statutory organ they may belong, make an oath of loyalty and fidelity to the Grand Masters in due form.

Article 45

The Grand Master may decide the expulsion of members of the Order who may fail in the duties and who have not remained faithful to their oath as in the preceding article.

Chapter Fifteen -The Court of Honour

Article 46

The Court of Honour is the tribunal of the Order with power to determine grave matters of discipline. It is convoked when necessary by a decree of the Grand Master addressed to the Marshal.

Article 47

The Court of Honour, which is not a permanent entity, consist of the President, who is always a King of Arms of the Royal House or a Substitute President, as well as an Inquisitor and a Defender, these latter appointed by the President or Substitute.

Article 48

In the event of a disciplinary charge the person accused is immediately suspended from all functions whatever his or her rank. Such suspension will continue in force until the reading of the final verdict.

Article 49

The verdict will be submitted to the final judgement of the Grand Master, who will communicate his personal decision to the President or Substitute. The Court of Honour will communicate same to the party concerned through the statutory organs of the pertinent jurisdiction.

Article 50

All acts and correspondence are secret and held under seal, any failure to observe which will be referred to the disciplinary organs of the Order and constitute grounds for expulsion.

Article 51

There is no appeal against the final decision of the Grand Master.

Chapter Sixteen – The Official Language of the Order

Article 52

The official language of the Order is Italian. Nevertheless the acts and proceedings of the Order may be carried out in another language if it is more convenient to do so. In all such cases the Italian language version shall constitute the definitive version.

Chapter Seventeen – Concluding Matters

Article 53

These Statutes repeal those of 1856, 1949, 1961, 1968, the amendments of 1966, 1967, 1970

and also the General Statutes 1971 and of 1983. Full power of dispensation is reserved to the Grand Master.

Article 54

The annexed Regulations repeal those of 1983.

Given at the Seat of the Grand Master this 5th day of February of the year 2007, X of the Grand Magistracy, the Feast of the Order.

Francesco Paternò Castello Ayerbe Aragona
Sovereign Grand Master

REGULATIONS ON UNIFORMS, DRESS AND INSIGNIA

Part 1 - Preliminary

Article 1

These present Regulations shall be known as the Regulations on Uniforms, Dress and Insignia.

Article 2

These Regulations shall come into effect on the day on which they receive the approval of His Royal Highness the Sovereign Grand Master.

Article 3

All previous Regulations relative to these matters are repealed.

Part 2 - Uniforms

Article 4

The uniform of the Order is as illustrated in the General Instructions.

Article 5

The gala uniform of a Knight of Justice and Devotion shall consist of

- a) a mess jacket of white gabardine;
- b) trousers of black cloth with a yellow-red-yellow stripe;
- c) gold epaulettes of an approved design bearing the Cross of the Order on a red eight-pointed star;
- d) white shirt, black neck tie, black boots and white gloves.

The lapels and cuffs of the mess jacket shall be faced with carmine red silk to an approved design and the cuff facings shall be edged with gold fillets.

Article 6

The gala uniform of a Knight of Grace and Devotion shall be similar to that of a Knight of Justice and Devotion save that the epaulettes shall be carmine red and there shall be no gold fillet on the sleeves.

Article 7

The alternative uniform shall consist of a white mess jacket to an approved design, black trousers and white waistcoat and tie. It shall be the same for all Categories.

Article 8

There is no uniform prescribed for Dames of the Order.

Article 9

As an alternative to the uniform, a Professed Knight may wear a white robe with wide sleeves turned up at the cuffs and a shirt-type collar, fastened at the neck with a cord passing through six eyelets, and with a girdle or sash of white linen passed twice round the waist. Alternatively a plain white clerical alb may be worn. The robe may carry the Cross of the Order embroidered upon the left breast.

Article 10

A Professed Knight shall wear under the robe in Summer knee breeches with white stockings and in Winter black trousers. Black shoes shall be worn in all seasons.

Part 3 – Dress

Article 11

Subject to these Regulations, the head of a jurisdiction of the Order which does not depend from a superior jurisdiction may determine the dress to be worn by members of the Order on particular occasions.

Article 12

On occasions when it is impractical to wear the uniform, a Knight shall wear :

- a) in daytime, either morning dress or a dark lounge suit at the discretion of the head of jurisdiction;
- b) in the evening, either evening dress or dinner jacket or a dark lounge suit at the discretion of the head of jurisdiction.

Article 13

Dames of the Order shall wear on all formal occasions a suitable dress preferably of black or some other dark colour with black shoes, white gloves and a black mantilla or some other head covering. The head of a jurisdiction may at his discretion approve minor variations from the dress prescribed.

Article 14

Serving members of the Hospitaller Service shall wear the same dress as Knights or Dames of the Order (3, 12, a)-b)).

Article 15

The Companions of the Hospitaller Service may wear a dark lounge suit in the daytime and either a dinner jacket or a dark lounge suit in the evening.

Article 16

Familiars of an Hereditary Commandery shall wear the dress prescribed in the Regulations of the Hereditary Commanderies.

Part 4 - Insignia

Article 17

The insignia of Knights and Dames of the Categories of Devotion is a Cross flory Or tierced Gules in the central tierce of its arms, charged with the inescutcheon of Paternò (Majorca) surmounted by a Royal Crown.

Article 18

The Cross of a Knight or Dame of Justice and Devotion hangs from a trophy of arms attached to the ribbon of the Order. The insignia is worn as a neck decoration by Knights and by Dames suspended from a bow of ribbon on the left corsage.

Article 19

A Knight Grand Cross of Justice and Devotion wears in addition to the neck decoration an eight-pointed silver star on the left breast. A Dame Grand Cross wears the same star on the left corsage below the insignia.

Article 20

A Knight Grand Cross with Collar of Justice and Devotion wears a collar forty-five centimetres long of an approved design and a gilt eight- pointed star.

Article 21

A Grand Collar wears a collar eighty-five centimetres long of an approved design and a gilt eight-pointed star.

Article 22

The design of the Collar consists of two Es affronté alternated with crosslets of the Order mounted on discs. The central medallion of the Grand Collar bears the Arms of the Order. The central medallion of a Collar is a trophy of arms. From the central medallion hangs the insignia of the Categories of Justice and Devotion.

Article 23

As an alternative to the Grand Collar or the Collar (4, 22) an embroidered Collar of an approved design may be worn.

Article 24

The insignia of Knights and Dames of the Categories of Merit are those prescribed (4, 17) but without the Crown. In all other respects the insignia of the Categories for Merit are the same as those of the Categories of Devotion, but the star is a silver four-pointed one.

Article 25

The sash with the Cross of the Categories of Devotion is an emblem of office worn by the dignitaries of the Grand Magistracy and the jurisdictional heads of the Order.

Article 26

The baton, the emblem of jurisdictional authority, is made of wood, thirty centimetres in length, and covered with carmine red velvet.

Article 27

The baton is differenced as follows:

- a) The baton of His Royal Highness the Sovereign Grand Master is decorated with a fringe at one end and a stripe at the other;
- b) the batons of the Grand Chancellor and the Marshal are each decorated with a stripe at each end;
- c) the batons of the Grand Hospitaller and the Grand Visitor are each decorated with three fillets at each end;
- d) the batons of Grand Priors and Magisterial Visitors are decorated with two fillets at each end;
- e) the baton of Priors is decorated with one fillet at each end;
- f) the baton of Commanders is plain and undecorated.

Part 5 -The Mantle

Article 28

The mantle of the Order is white and made of terylene or wool with its hem twenty centimetres from the ground. The mantle of Knights and Dames of Justice and Devotion has a carmine red collar edged with gold; that of Knights and Dames of Grace and Devotion has the collar without the gold edging. The mantle of Knights is decorated on the left side with

the Cross of the Order made of cloth twenty-five centimetres in height. The mantle of a Dame is decorated with the Cross of the Order without the red tierce.

Part 6 -Clergy and Religious

Article 29

Chaplains of the Order wear a carmine red mozzetta of silk decorated on the left side with the Cross of the Order, embroidered and fifteen centimetres in height. They may also wear a stole with the Cross of the Order.

Article 30

Clergy and Religious who are not chaplains wear the mozzetta but not the stole.

Part 7 -The Wearing of Insignia

Article 31

A Knight may wear his insignia with the uniform or with full evening dress. Only a neck decoration may be worn with a dark lounge suit without miniatures or stars.

Article 32

If a dinner jacket is worn, a neck decoration, rosette and miniatures are permitted. Nevertheless, a jurisdictional head may give permission as he deems fit for other articles of insignia to be worn with a dinner jacket. In ceremonies of the Grand Magistracy permission shall be obtained from the Marshal.

Article 33

Dames of the Order shall wear their insignia in accordance with the principles prescribed in Articles 31 and 32.

Article 34

It is not permitted to wear insignia on the mantle.

Article 35

Except in cases where the robe of a Professed Knight is worn, the sash of the Order should be worn under the jacket.

Article 36

In ceremonies of the Order and in ceremonies in which the Order takes part as a body, the insignia of the Order must be worn in the place of honour. On such occasions the only other insignia which may be worn are: a) the insignia of other Aragonese orders; and b) the insignia of one Order of Chivalry of the country in which the ceremony takes place. Stars are limited to four in number with full evening dress.

Part 8 - The Banner

Article 37

The banner of the Order is a square of white silk, sixty by sixty centimetres in dimension, bearing in the centre the Cross of the Order, twenty-five centimetres high. The banner of the Grand Master is marshalled with the arms of Paternò. The name of the jurisdiction which raises the banner is embroidered on a carmine red ribbon hanging from the lance.

Article 38

Members of the Supreme Council (except Professed Knights without official jurisdiction) have authority to raise the banner of the Order.

Part 9 - General

Article 39

Members of the Government, Hereditary Commanders and Professed Knights may bear on their arms the Chief of Saint Agatha, which is: Argent a Cross Gules fimbriated Or.

Article 40

Other members of the Supreme Council bear the Cross of the Order behind their shields.

Article 41

Members of the Order are entitled to show the insignia of their rank below the point of the shield

Article 42

Pages are permitted to wear the arms of the Order on the left breast. The same applies to Esquires.

Article 43

A Professed Knight may display his personal banner over his stall in the church of the Order or in some other suitable place.

Article 44

The Government may issue general instructions and procedures in order to give effect to these Regulations. Such instructions may contain illustrations of the various items which are the subject of these Regulations. They are to be taken as the official interpretation of the matters with which they deal and are therefore to be observed strictly.

At the Seat of the Grand Master, the 5th February 2007

Francesco Paternò Castello Guttadauro Ayerbe Aragona
Grand Master

GENERAL INSTRUCTIONS CONCERNING UNIFORMS, DRESS AND INSIGNIA

Introduction

Article 1

These General Instructions are issued pursuant to Article 44 of the Regulations on Uniforms, Dress and Insignia. They are subordinate to the Regulations and are intended to explain them where necessary and also to define procedures for giving effect to the Regulations.

Article 2

The illustrations and diagrams attached are to be taken as integral parts of these Instructions.

Article 3

Correspondence relating to the Regulations or to these Instructions should be addressed to the Marshal of the Order through the appropriate jurisdictional authority.

Part 1 – Uniforms

Article 4

While it is no longer obligatory for Knights to provide themselves with the gala uniform of the Order, which remains in use for those who possess it, they are requested to equip themselves within a reasonable period of time with the alternative uniform prescribed in Article 7 of the Regulations.

Article 5

Officers of Arms of the Royal College of Aragonese Arms have their own Statutes and Regulations regarding *inter alia* the dress to be worn by them when in attendance on the Order.

Article 6

Professed Knights, when living in community or participating as a body at official ceremonies, should wear the white robe or alb as prescribed in Article 9 of the Regulations. On other occasions they may wear the uniform or such other dress as may have been approved for the occasion.

Part 2 - The Authority of Grand Priors, Priors and Commanders

Article 7

The authority vested in Grand Priors, Priors and Commanders who depend directly from the Grand Chancellor is to be used sparingly and with discretion. It is desired that heads of jurisdictions shall consider carefully any proposal for a departure from the norms prescribed in the Regulations. The principal reason for such a departure should be the need to conform to the accepted social customs of the country in which the ceremony or other function is being held. The term "accepted social customs" means those customs which are normally followed on similar occasions in the country concerned. Apart from these considerations it may be found necessary occasionally to make a concession to an individual in particular circumstances.

Part 3 - Purchase of Insignia and Mantles

Article 8

Orders for insignia are to be placed by the jurisdictional head or officer delegated by him through the Grand Chancellor and must be accompanied by a remittance for the full value of the items being ordered according to up to date price lists for insignia sent to heads of jurisdictions. Moreover as the manufacturers insist on bulk orders, it may be necessary to allow at least three months for delivery from the time of placing the order.

Article 9

It is permitted to make local arrangements for the making of mantles. All such arrangements must have the approval of the jurisdictional head, who must satisfy himself that the proposed arrangements conform in all respects with the requirements of the Regulations and to the approved design. It is advisable for a senior officer to inspect completed mantles before delivery to ensure that they comply with the specifications.

Part 4 – The Manner of Wearing of Insignia

Article 10

The following instructions are in amplification of the prescriptions of the Regulations, which are to be strictly observed. It is of the utmost importance that the insignia, the visible emblem of the Order, be worn correctly at all times. No deviation from the prescriptions of Part 7 of the Regulations is permitted.

Article 11

Where the insignia of other Orders are worn together with that of the Order of the Collar, no more than four stars in all are permitted. In addition Professed Knights may wear the Cross of the Professed. Only one neck decoration may be worn.

Article 12

The wearing of the rosette is permitted at all times.

Article 13

Heads of jurisdiction should not permit the wearing of Orders other than those prescribed in Article 36 of the Regulations.

Article 14

The Professed Cross represents the total devotion of the Order with the single and distinguished exception of that of St. George and the Double Crown. It matters not that it has no star, but it should be distinct and on its own. The Professed Cross, as a profession in its own right, by its very importance should be worn not on the left of the breast among the other various decorations, but alone and in isolation on the right.

Article 15

The insignia of the Order are to be worn as high as possible on the left side and above other decorations. If two stars are worn, they should be placed one above the other with the star of the Order uppermost. If three stars are worn, they should be arranged to form an equilateral triangle with the Cross of the Order uppermost. If a fourth star is added, it should be between the two stars that form the base of the triangle so that the whole forms a lozenge.

Part 5 - General

Article 16

If a Grand Prior or Prior or Commander considers the circumstances in a particular case warrant a dispensation from any Regulation, he should submit the full facts together with his recommendation to the Marshal who will communicate to him the decision of the appropriate authority.

**Given at the Seat of the Grand Magistry in Catania
The 5th February 2007**

**The Sovereign Grand Master
H.R.H. Don Francesco Paternò Castello
Di Carcaci Aragona Majorca e Sicily
Prince of Emmanuel, Duke of Perpignan**
(signed)

**The Grand Chancellor
H.H. Don Stephen Screech
Prince of Monte Sant'Angelo**
(signed)

**The Governor of the Royal House
H.H. Don Marcello Cocuccio
Prince of Blangiardo**
(signed)

REGULATIONS OF THE HEREDITARY COMMANDERIES

Article 1

Hereditary Commanderies are created by Magistral Decree in order to secure the continued existence of the Order, should there be no other possible way of its survival on account of dynastic vicissitudes or political eventualities.

Article 2

The members of an Hereditary Commandery comprise the Commander, his brothers and sisters, their descendants by lawful marriage as well as their spouses *jure maritali*.

Article 3

The succession to the title of Hereditary Commander is by male primogeniture and, in default, through the nearest male in a female line.

Article 4

The Commander has the rank of a Knight Grand Cross of Justice and Devotion of the Order. The members of the Commandery are members of the Order as Familiares of the Hereditary Commandery, provided that they have reached the age of twenty-one years. Male minors under the age of fourteen are designated Pages and from fourteen to twenty-one are Esquires. Female minors from fourteen to twenty-one are called Demoiselles.

Article 5

Members of an Hereditary Commandery who have attained the age of twenty-one years may request admission to the Order in the Category of Justice and Devotion. As such they will be received in *gremio Ordinis* unless they ask to be members of a local jurisdiction of the Order.

Article 6

An Hereditary Commander is required to send to the Grand Chancellor copies of Certificates of Admittance whenever he admits new members to the Hereditary Commandery. Without a Certificate of Admittance a new member of the Commandery cannot be recognised as a Member of the Order.

Article 7

An Hereditary Commander wears the insignia of a Commander of Justice and Devotion. Familiares are authorised to wear the insignia of Knights or Dames, as appropriate, of the Category of Justice for Merit.

Article 8

Pages, Esquires and Demoiselles of an Hereditary Commandery wear the arms of the Order on the left side of the chest.

Article 9

Familiares, Pages, Esquires and Demoiselles of an Hereditary Commandery do not wear the mantle of the Order nor the coat of arms of the Hereditary Commandery.

Article 10 The coats of arms of the Hereditary Commander are augmented by the Chief of Saint Agatha which is : Argent a Cross Gules fimbriated Or.

REGULATIONS OF THE HOSPITALLER SERVICE

Article 1

The Hospitaller Service is directed by the Grand Hospitaller under the general direction of the Grand Master and the Grand Chancellor.

Article 2

The members of the Hospitaller Service comprise the Knights, Dames, Companions and Serving Members.

Article 3

The Companions are volunteers who do not form part of the Order. They give their services voluntarily and without remuneration for an indeterminate period of time.

Article 4

Serving Members are candidates for admission into the Order, who give their services voluntarily and freely for a novitiate of three months.

Article 5

The Grand Hospitaller shall appoint on the nomination of the Grand Prior, Prior or Commander a Hospitaller for each local jurisdiction of the Order. He shall also appoint any assistants.

Article 6

Each Hospitaller is a member of the Council of the jurisdiction to which he is appointed and has the same precedence as the Chancellor of the jurisdiction.

Article 7

The Hospitaller is responsible to the Grand Hospitaller in matters of general policy and to the head of the jurisdiction in matters concerning local activities.

Article 8

Each Hospitaller shall send each year on the 1st of July a report on the activities in his area addressed to the Grand Hospitaller and sent through the normal hierarchical channels.

Article 9

Serving Members and Companions do not have a special uniform and do not wear the mantle of the Order. They may wear on the left side a badge consisting of the Cross of the Order surrounded by the words « Hospitaller Service M.O.C. » embroidered in silk.

ADMISSION TO THE CATEGORIES OF JUSTICE

Article 1

A directive was issued by the President of the Royal College of Aragonese Arms dated the 5th June 1986 (which arose from a command of H.R.H. the Sovereign Grand Master) assigned to the Royal College of Aragonese Arms the task of supervising the procedure for the proving of nobility in cases of admission to the Categories of Justice within the Order.

Article 2

As a result of this directive the following procedure is prescribed:

a) A person who desires to establish his right to a title or titles of nobility to which he lays claim should provide, together with the documents prescribed for admission to the Order, the documentary proofs of his nobiliary status and an application for a certificate of his rights thereto by a King of Arms of the Royal College of Aragonese Arms, accompanied by a remittance of the appropriate fee for such a certificate.

b) A person who is able to produce a certificate of nobility from the authorities of the Sovereign Military Order of Malta, the Sacred Military Constantinian Order of Saint George or the Venerable Order of Saint John of Jerusalem or who is recognised as being noble, titled or armigerous in the official records of a State ruled by a reigning sovereign or in a State which keeps such records is exempted from the application for a certificate by the Royal College.

c) An armigerous person should establish that in fact his family has been armigerous for at least two generations in order to qualify for admission to one of the Categories of Justice. He should produce either a certificate to that effect from the Royal College of Aragonese Arms as per sub-paragraph a) or a copy of the grant issued by an authority officially recognised (a Spanish King of Arms, the English, Scottish, Irish, Canadian or South African College of Arms or similar).

d) A copy of a Decree of concession, recognition or confirmation signed by the Head of Name and Arms of the Royal House of Aragon shall constitute proof for the purposes of these Regulations.

REGULATIONS OF THE PROFESSED KNIGHTS

Article 1

Professed Knights (or the Professed) are Knights of the Category of Justice who have sworn obedience to the Grand Master according to the approved formula.

Article 2

Normally only Professed Knights are appointed to offices within the Order. If they are not appointed to higher offices, they must be appointed Counsellors of the jurisdiction of which they are members.

Article 3

The Professed, when they live in community, according to the tradition of Orders of the Cross, depend directly from the Grand Chancellor and dwell in the Casa Magistrale in the Commandery of Valdemone.

Article 4

Professed Knights may not be high dignitaries or heads of jurisdiction in other Orders except those of the Royal House of Aragon Majorca and Sicily.

Article 5

The Grand Master with the Grand Chancellor (and the Marshal if the case is a disciplinary one) may release a Professed Knight from his vow of obedience.

REGULATIONS ON HONOURS AND AWARDS

Article 1

H.R.H. The Grand Master will customarily bestow nobiliary honours and chivalric awards on the Feast of Saint Agatha (5th February) of each year. Heads of jurisdiction of the Military Order of the Collar are requested to submit recommendations for consideration in respect of persons within their jurisdiction worthy of recognition to the Grand Chancellor within the month of December preceding, to arrive no later than the 31st December.

Article 2

H.R.H. The Grand Master will also bestow nobiliary honours and chivalric awards during Grand Magistral visits to jurisdictions of the Order. The host head of jurisdiction is requested to submit recommendations for consideration in respect of persons who will be present during the said visit and worthy of recognition to the Grand Chancellor to arrive not later than one month preceding the commencement of the visit.

Article 3

H.R.H. The Grand Master may bestow nobiliary honours and chivalric awards *motu proprio* at any time at his sole pleasure.

Article 4

The President of the Royal College of Aragonese Arms is requested to submit recommendations for consideration in respect of persons having provided services worthy of recognition to the said College to the Governor of the Royal House within the terms of Regulations 1. & 2. (supra).

Article 5

Heads or acting heads of other institutions of the Royal House are requested to submit recommendations in respect of persons who have provided services worthy of recognition within the terms of Regulations 1. & 2. (supra).

Article 6

Recommendations may be made in respect of specific honours or awards as appropriate. The adjudicating body will give full weight to such proposals but not be bound by them. Recommendations for awards within the Military Order of the Collar will be deliberated by the Government of that Order whose advice will be passed to the Grand Master for consideration. Recommendations for nobiliary honours and for awards in Orders other than the Military Order of the Collar will be deliberated by the Curia Regis whose advice will be passed to H.R.H. the Duke of Perpignan for his consideration whose decision is at all times final.

Article 7

Any expenses incurred in the acceptance of honours and awards such as in the purchase of insignia or the execution of Letters Patent are to be born by the grantee unless it is exceptionally decided otherwise.

**THE ROYAL COMMANDERY OF CARCACI
THE GUARD OF HONOUR**

Article 1

The Guard of Honour of the Sovereign Grand Master is composed of Knights of Justice and Devotion who have made their Vow of Profession.

Article 2

The Governor of the Royal House and the Grand Chancellor are by right members of the Guard of Honour.

Article 3

The insignia consists of an eight pointed cross Sable fimbriated Or charged with the Cross of the Military Order of the Collar. It is surmounted by the Crown and the trophy of arms and hangs from a neck ribbon of carmine colour.

Article 4

The Guard of Honour wears the decoration as a badge on the corners of the collar of the mantle.

Article 5

The Guard of Honour constitutes the Royal Commandery of Carcaci and has its seat at the Grand Magistracy of the Order.

NOTITIA HONORUM

As the legitimate heir of Don Roberto II, the present Head of Name and Arms of the Royal House, Don Francesco is *Nobile* of the Dukes of Carcaci (cf. Libro d'Oro della Nobiltà Italiana, Rome) and *de jure* Prince of Emmanuel.

In his capacity as Head of Name and Arms of the Royal House of Aragon Majorca and Sicily the titles of H.R.H. Don Francesco Paternò Castello Ayerbe-Aragona are as follows: Pretender to the Crowns of Aragon and Catalonia, of Valencia, of Majorca, of Sicily and of Sardinia; Prince of Catalonia; Count of the Cerdagne, of Urgell and of Rousillon; Lord of Montpellier; Viscount of Carlades; Baron of Ayerbe. He took as his title of pretension that of Duke of Perpignan, reserving that of Duke of Gerona for his first-born son and heir presumptive Don Roberto, Infante of Aragon.

Within the Royal House all members of the Royal Family bear the style « Royal Highness » and the predicate of honour « Don » or « Donna ».

The children of the Head of Name and Arms are designated « Infante » or « Infanta » of Aragon and each bears a title of pretension in accordance with their order in the line of succession : thus the first-born son is Duke of Gerona; the second Duke of Ayerbe; the third Duke of Valencia.

The Salic Law does not apply to the succession, which thus descends in both male and female lines, the latter in the event of extinction of every male line.

The Family Arms of the Royal Family are: Per pale on the dexter per fess 1) Or four pallets Gules a bendlet Azure (Paternò); 2) Azure a castle triple towered Or, the door, windows and masonry Sable (Castello); 3) on the sinister Azure three bars Or between the 1st and the 2nd three bezants, between the 2nd and the 3rd two bezants and in base one bezant (Guttadauro). The shield is surmounted by a Royal Crown of eight arches and surrounded by the Grand Collar of the Military Order of the Collar of St. Agatha of Paternò.

The Arms of Pretension are: Or four pallets Gules a bendlet Azure. The shield is surmounted by the Crown of Martin I which is preserved in the Treasury of Barcelona Cathedral. The supporters are two lions rampant guardant Or.

The Small Arms of Dominion, or Territorial Arms, are: Per pale on the dexter per fess 1) Argent a Cross Gules between four saracen kings' heads Sable wreathed Argent (Aragon ancient); 2) Argent a Cross Gules (Catalonia); 3) Or four pallets Gules a bendlet Azure (Kingdom of Majorca). The shield is surmounted by the Crown of Martin I.

The Great Arms of Dominion are: Quarterly of eight 1) Argent a Cross Gules between four saracen kings' heads Sable wreathed Argent (Aragon ancient); 2) Argent a Cross Gules (Catalonia); 3) Or four pallets Gules a bendlet Azure (Kingdom of Majorca); 4) quartered per saltire 1) & 3) Argent an eagle displayed Sable, 2) & 4) Or four pallets Gules (Kingdom of Sicily); 5) quartered per saltire 1) & 3) Argent a Cross Gules. 2) & 4) Or four pallets Gules (Cerdagne); 6) Or four pallets Gules (Rousillon); 7) Azure the Virgin and Child proper seated on a gothic throne Or (Montpellier); 8) Or four pallets Gules (Valencia); overall on a shield of pretence the Arms of Paternò Castello e Guttadauro.

The Royal Arms are displayed in front of a red tent lined with ermine with gold cords and fringes; the supporters are two lions rampant guardant Or; the crest is a dragon Vert; the mottoes are « *Impavidus Pavidum Firmo* » for Paternò and « *Que sera sera* » for Aragon.

The Infantes surmount the Arms of Pretension and the family Arms with the four arched Crown of a Prince of the Blood (three arches visible).

THE LEGAL CLAIMS OF THE HEAD OF NAME AND ARMS OF THE ROYAL HOUSE OF ARAGON BEFORE THE LAW

The rights of Don Francesco Mario II as *fons honorum* were recognised in two separate decisions of the Italian Courts, namely those of the District Court of Bari (13th March 1952, n. 40/51 RG.) and of the Tribunal of Pistoia (Single Section, 5th June 1964).

The following extract from the judgement of the District Court of Bari is particularly significant:

« The House of Paternò, the surname of which was originally Aragona of Ayerbe and of Paternoy, has retained many rights *jure sanguinis*. Among those rights is that designated *fons honorum* or the nobiliary faculty of granting and confirming coats of arms and of bestowing predicates based upon places over which its ancestors formerly exercised sovereign rights, as well as the right to found, revive, reform and exercise the Grand Magistracy of its own dynastic Orders of chivalry, which right descends from father to son as an inalienable heritage. »

The decision quoted above is in line with the constant orientation of the attitude of the Italian Courts in such matters, from the District Courts up to the Supreme Court of Appeal (Rome, District Court, Sect. VII of 10th September 1948; Catania, District Court, 11th April 1960; Rome, Court of Appeal, III Penal Sect., 11th July 1958; Rome, Court of Appeal III Penal Sect., 23rd June 1959 and many others in the District Courts of Rome, Milan, Bari, Sant' Agata di Puglia, etc.)

Professor Emilio Furno, an advocate in the Supreme Court of Appeal, writes as follows «The Legitimacy of Non-National Orders », *Rivista Penale*, No.1, January 1961, pp. 46-70):

« There are not a few judgements, civil and criminal, albeit some very recent, all of which tend as a rule to the acceptance of traditional principles re-enunciated not long since. The issue is that of innate nobility - *Jure sanguinis* - which looks into the prerogatives known as *jus majestatis* and *jus honorum* and which argues that the holder of such prerogatives is a subject of international law with all the logical consequences of that situation. That is to say, a deposed Sovereign may legitimately confer titles of nobility, with or without predicates, and the honorifics which pertain to his heraldic patrimony as head of his dynasty.

The qualities which render a deposed Sovereign a subject of international law are undeniable and in fact constitute an absolute personal right of which the subject may never divest himself and which needs no ratification or recognition on the part of any other authority whatsoever. A reigning Sovereign or Head of State may use the term recognition in order to demonstrate the existence of such a right, but the term would be a mere declaration and not a constitutive act. » (Furno, *op.cit.*). A notable example of this principle is that of the People's Republic of China which for a considerable time was not recognised and therefore not admitted to the United Nations, but which nonetheless continued to exercise its functions as a sovereign state through both its internal and external organs.

The prerogatives which we are examining « may be denied and a sovereign state within the limits of its own sphere of influence may prevent the exercise by a deposed Sovereign of his rights in the same way as it may paralyse the use of any right not provided in its own legislation. However such negating action does not go to the existence of such a right and

bears only on its exercise » (*op.cit.*)

The eminent author concludes: « To sum up, therefore, the Italian judiciary, in those cases submitted to its jurisdiction, has confirmed the prerogatives *jure sanguinis* of a dethroned Sovereign without any vitiation of its effects, whereby in consequence it has explicitly recognised the right to confer titles of nobility and other honorifics relative to his dynastic heraldic patrimony. In particular it has defined the above-mentioned honorifics, among which are those non-national Orders mentioned in Article 7 of the (Italian) Law of the 3rd. March 1951 which prohibits private persons from conferring honours. As to titles of nobility, while their bestowal is legitimate, it must be observed that they receive no protection whatsoever from Italian law, which no longer recognises statutory nobility, in accordance with the principles enshrined in the Constitution of the Republic. Thus, the concept of the usurpation of a nobiliary title fall outside of Italian legislation» (*op.cit.*)

However, the conferring of a title of nobility may be legitimised and validated by a decision of the judiciary (*op.cit.*) as has been done in the instance of the above-mentioned judgement of the District Court of Bari of 13th March 1952 in the case of the State vs. Umberto Zambrini. The study by Professor Furno may be complemented by researching the material in the pertinent study by Advocate G. Pensavalle de Cristoforo : « Questions on the deliberations of the Magistracy » (*Secolo d'Italia*, 28th February 1959) and in that by Professor Renato de Francesco: « The legitimacy and validity in Italy of non-national chivalric Orders » (Rome. 1959).

The ordinary judiciary, which in Italy is the usual magistracy including in respect of nobiliary and chivalric matters, has identified thus in Don Francesco Mario II (grandfather of the present Head of Name and Arms of the House of Aragon, Don Francesco) the characteristics of a *Subject of International Law* and as such has declared him not to be punishable for a breach of Article 7 of the Law of 3rd March 1951 in the light of ample documentation which turns upon :

Certificates of the civil authorities;

- Genealogical tables from Oriol, Count of Aragon (809) to the then Pretender and Head of Name and Arms of the House of Aragon;
- Letter from the Procura del Re, Catania 18th May 1851;
- Letter from Giovanni Paternò Castello di Carcaci, Catania, 20th May 1851;
- Circular from the Intendant of the Province of Catania, 30th March 1853;
- The Family Pact of 14th June 1853;
- Certificate of the Royal Commission on Titles of Nobility, Naples, 2nd February 1860;
- Decree of Francesco II King of the Two Sicilies, Gaeta 16th September 1860;
- Decision of the District Court of Bari, 3rd March 1952;
- Decision of the Court of Justice of Pistoia 5th June 1964;

Also upon authoritative publications of unbiased origin:

- Francesco Paternò Castello: "The Order of the Collar, Patrimony of the Most Serene Royal House of Paternò", Catania 1851.
- Francesco Tornabene: "Funeral Oration of Francesco Paternò Castello, Duke of Carcaci", Catania 1854.
- Rivista Araldica : "The Royal and Aragonese origins of the Paternò of Sicily", Rome, 1913, pp.330-335.
- Rivista Araldica: "Former sovereign houses of the Italian states and national families

derived from them or from foreign dynasties", Rome 1992 (pp. 295-346)

- V. Spreti : "Historical Encyclopaedia of the Italian Nobility", volume V, Milan 1932.
- Libro d'Oro della Nobiltà Italiana, 1920-1932, Rome.
- Claudio Santippolito : "From Aragon to Paternò", in "il Ghibellino", nos. IV-V, December 1960.
- Labarre de Raillicourt : "Kings and Queens of Spain", Les Cahiers de l'Histoire, no. 6, January 1961 (pp. 134-138).

The attentive reader will ask himself how is it that, among all the branches of the House of Paternò, a cadet branch and particularly that of Paternò Castello e Guttadauro, the Princes of Emmanuel, was chosen as the bearer of the family's royal rights.

Let us recollect that the choice was made by means of an *actio familiae* in Palermo on the 14th June 1853, at which all the heads of the various branches of the House of Paternò attended and the gathering examined the precedents by which a princely or royal family is authorised to determine its own principles of succession.

In the Family Pact, transcribed as deed by the notary Gioacchino Accardi, it is stated that Don Mario I was chosen as representative of the family to carry its royal rights «because he alone has in his veins the royal blood of Aragon from two sources» as a Paternò and as a Guttadauro. To the superficial objection that the transmission of the Aragonese claims, as also that of the title of Prince of Emmanuel, it is to be specified that the Salic Law does not run in Aragon, since this is effected through the female line, and the same holds true for Sicily (G. Galuppi, "The present state of the Nobility of Messina", Milan, 1881, pp.1-23) as is demonstrated moreover by the Constitutions *In Aliquibus* of King Federico II of Sicily which admitted succession in the female line (*Constitutiones Regni Siciliae, liber 3, tit.26*). It is undeniable that the Salic Law applied generally in the Kingdom of the Two Sicilies, but as far as Sicily was concerned its application was subject to the traditional limitations, even under the Bourbon dynasty. Further evidence of this is given in the express recommendations of the Royal Commission on Titles of Nobility (2nd February 1860) and in the Decree of King Francesco II of the Two Sicilies (16th September 1860) both of which support the transmission in the female line of the title of Prince of Emmanuel.

The pretensions of the Head of Name and Arms of the House of Aragon, at present Don Francesco Paternò Castello e Guttadauro, Duke of Perpignan by right, are made manifest in the exercise of his sovereign powers.

It is a general principle of nobiliary law that the head of a dynasty which formerly reigned retains *jure sanguinis*, that is by hereditary right, the faculty of conferring chivalric and nobiliary honours, known as the *jus honorum* (in the act of so conferring them he is called *fons honorum*, fount of honours) and retains his sovereign rights irrespective of political changes or territorial considerations. These rights are called rights of pretension from which arises the term Pretender, which indicates that he maintains and / or exercises those rights and enjoys them in perpetuity (cf. Renato de Francesco: *The Legitimacy and Validity in Italy of Non-National Chivalric Orders*, Ed. Ferrari, Rome, p.10).

According to Salvioli (*History of Italian Law*, Utet, 1930, p.272) sovereignty as an element of state power sprang from the struggle of the kings against the great feudatories and owes its character of necessity to the resulting concentration of the powers of the state in the hands of the monarch. « Born of feudal origins, this power continued to bear the imprint of the personal property of the Prince, whence derives its transmissibility by hereditary right in

perpetuity ». By this doctrine the Prince logically retains his sovereignty always even when he is no longer reigning (Furno, *op.cit.*).

Since all power is thus centred in the sovereign, he possesses the political authority, *jus imperii*, the civil and military power, *jus gladii*, the right to respect and to the honours of his rank, *jus majestatis*, and finally the right to confer honours and privileges, *jus honorum* (G.B. Ugo, Bascapè, Gorino-Causa, Nasalli Rocca, Zeininger and De Francesco).

A sovereign, whether actually reigning or a Pretender, may not only confer in particular his dynastic Orders, but may also create new ones and revive those which were founded by his ancestors (this principle has been determined by the Italian Supreme Court of Appeal) without taking into consideration the fact that by the vicissitudes of succession or of politics some of those Orders may have passed in to the hands of another dynasty.

The House of Paternò Ayerbe Aragona, having established its right of pretension to the Aragonese Crowns, has not only restored, as is its right, the Order of the Collar, which according to tradition was founded in the Thirteenth Century by the Kings of Majorca, but has also restored the Order of San Salvador of Aragon (1859) founded by Alfonso I in 1118 but has also founded *de novo* Orders such as that of the Royal Balearic Crown (1861), the Royal Order of James I of Aragon (1970) and the Order of Saint George and the Double Crown.

The question of the validity of non-statutory Orders of chivalry such as those which are not State Orders (of either a monarchy or a republic, as the case may be) or of equal standing (such as the Sovereign Military Order of Malta) is closely bound up with the question of sovereignty.

IN confirmation of the foregoing the Ordinary Tribunal of Ragusa on the 17th February 2003 pronounced its judgement (see document in annexe) published in the Official Gazetter of the Region of Sicily no. 19 of the 9th May 2003, part III.

The Italian Law of 1953 admits the existence of non-national Orders and distinguishes them from State Orders, as being conferred by other than private societies or associations. With the exception of the Sovereign Military Order of Malta, we may broadly speaking identify two types and say that non-statutory Orders are none other than non-national Orders. Among the latter we may disregard the capitulatory Orders which elect their own Grand Masters and we may concentrate upon those which have been founded by dynasties, which may not in fact be now reigning.

According to the above-mentioned Law, such Orders are legitimately conferred and as such valid.

Although the so-called International Commission for Orders of Chivalry in its Report (Edinburgh, 1978), while recognising in principle the legitimacy and the quality of *fons honorum* of a non-reigning sovereign house sought to limit this principle defining as "Sovereign House" one « whose sovereign rank was internationally recognised at the time of the Congress of Vienna in 1814 or later » and thus one of those whose sovereign rank was internationally recognised at the time of the Congress of Vienna or later. The above mentioned Commission is nothing more than a private association made up of persons who possess a common ideology and common interests, none of which is, as we shall see, compatible with nobiliary and chivalric law.

In fact Prof. V. Powell-Smith writes (« The Criteria for Assessing the Validity of Orders of Chivalry » in « Nobiltas », Malta, 1970): “... there is no valid reason, legal or other, to limit Sovereign status in such a way by reference to 1814 or any date at all. The Congress of Vienna merely effected the settlement of Europe after the Napoleonic Wars, and nothing more. There have been changes in the political structure of Europe have occurred since 1814 (as well as before) as, for example, the establishment of the Balkan kingdoms and the unification of Italy. The sovereigns of those kingdoms which ceased to exist before the Congress of Vienna acted as *fontes honorum* during their reigns and will continue to exercise sovereign rights thereafter. The purpose of the Congress of Vienna was to reorganise the territorial boundaries of European states. Certain states, the existence of which had been effectively terminated the by Napoleonic settlement were not re-established but were integrated into larger units, the sovereign princes willingly accepting such an arrangement which retained their rights as princes but removed their former territorial rights. The rights of *fontes honorum* not represented or discussed at the Congress (because they had no interest in its decisions which related to *de facto* territorial adjustments) could not have been affected by what was decided at the Congress or later arguments *ex silentio* on the question.”

The legal rights of the House of Paternò Ayerbe Aragona precede the Congress of Vienna by many centuries and the matter of the sovereign status of the House implies an examination of its legal status, which has already been carried out in the light of the judgements of the Italian Courts on the matter and we are aware that those judgements are authoritative. The said author continues that “Nobiliary jurisprudence assigns to a *princeps natus* a nobility by birth” and such a quality attaches to the Head of a Sovereign House no longer reigning and to his successors forever (P. Arnone, Diritto Nobiliare Italiano, Milan, 1935, p.189). Also where an absolute monarchy has changed into a constitutional one, as is the case of the United Kingdom, the Sovereign is *fons honorum* as far as dynastic and familial Orders are concerned and maintains his prerogative as far as the bestowal of nobiliary titles. This is the case of mere personal rights and consequently it is necessary to discriminate between the Sovereign in his personal quality and the Crown (Sir Ivan de la Bere, «The Queen's Orders of Chivalry», London, 1964). Therefore a dethroned sovereign and his successors maintain the right to bestow Orders and to continue to exercise the *jus honorum* and the *jus majestatis*. In other words, if there has not been any *debellatio* (an expressed renunciation of royal rights) a Prince and his successors maintain all their dynastic rights and privileges.

A fairly recent historical example, reported by the author(The Armorial, Vol. III, p.129) is that of Don Jaime de Borbòn y Battenberg, Duke of Anjou and Segovia, deceased a few years ago, who defined his position in a letter addressed to the head of a branch of the House of Bourbon: « Dear Cousin, I wish to make known to Your Royal Highness that my renunciation of the Throne of Spain does not in any way affect the rights and privileges which belong to me in the capacity of the Head of the House of Bourbon. These are transmitted according to the hereditary law of my family to my sons Luìs Alfonso and Carlos Gonzalo, born of my legitimate marriage with Emanuelle de Dampierre of the Dukes of San Lorenzo ». ¹Don Jaime in his quality of *ainé salique* was Grand Master of the Order

¹ Au siège de l'Ordre de la Rose d'Or, 13 Square Henry Paté, Paris.

22 novembre 1962

A S.A. Don Francesco-Mario, Prince Paternò, Palermo,

Mon Cousin,

Je vous remercie de la bonne lettre que m'a remise, de votre part, l'aimable Marquise de la Maddalena.

J'ai été très heureux de vous lire et suis touché des sentiments que vous avez bien voulu m'exprimer. Je vous prie, Cher Cousin, de recevoir en retour l'expression de mes bons et affectueux sentiments.

Votre Cousin, JAIME, Infante de España, Duque de Segovia y Anjou

of the Golden Fleece, which he in fact conferred, as it transpires from a document in our possession. In a letter to Don Francesco Mario II, Prince of Emmanuel, he addressed him as « Dear Cousin » and ascribed to him the style of Royal Highness.

It is clear that the concept of sovereignty may have different applications in reference to the sovereignty of a modern state as distinct from that of a Pretender. Generally speaking the sovereignty of a state is exercised within the ambit of a definite territory, upon a population (either the subjects of an absolute monarchy or the citizens of a republic) in an international context. In the case of a Pretender his sovereignty is exercised neither within the ambit of a territory nor upon a population nor in an international context.

The absence of a territory is not a determining factor; its possession is in fact subject to political vicissitudes, which have no bearing on the rights and the legitimacy of the pretension of a Pretender. In his case the concept of a population of subjects is replaced by that of the supporters who, by one means or another, uphold his cause. The international context is subject to political assessments and to the relative policies of governments, which in a changed view of the state (the will of the people has replaced the divine right of sovereigns) do not recognise the pretensions of once reigning Sovereign Houses unless they enter into the perspectives of the pursuit of the well defined ends of international politics¹.

It is clear that henceforth, as it has been for some time, modern states will not recognise either Pretenders or non-national Orders of chivalry.

That does not mean to say in the case of many Orders or of formerly reigning Sovereign Houses that they are condemned to a limbo of parchment and tinsel. Titles and Orders conferred by the Head of Name and Arms of the Royal House of Aragon Majorca and Sicily have been bestowed to honour high personages in the fields of religion, diplomacy, politics, culture and the arts in every part of the world.

Institutions such as the Royal Majorcan Academy, a cultural and artistic centre of learning with representation in many countries, as well as Orders such as the Military Order of the Collar of Saint Agatha of Paternò with its Hospitaller Service are engaged in constant activity *pro utilitate hominum* and in sustaining the high ideals which are rooted in our Western civilisation.

Impavidus pavidum firmo

Mon affectionné ami, Maître Emile Seitz, d'Arcois Saint André, est chargé de vous faire parvenir cette lettre.

¹ Noi Alfonso di Borbone, Conte di Caserta, per successione nei legittimi diritti del Nostro Augusto Fratello il Re Francesco II delle Due Sicilie, Gran Maestro del Real Ordine di Francesco I, Volendo dare una pubblica testimonianza della Nostra stima e benevolenza al Signor Don Francesco Mario Paternò Castello dei Duchi di Carcaci e Principe d'Emmanuel, Sovrano Gran Maestro dell'Ordine del Collare dei Paternò, erede legittimo del Principe Don Mario Paternò Castello e Guttadauro che tanta benevola distinzione ebbe dal Nostro Augusto Fratello il Re Francesco II e per mostrargli il conto in cui teniamo i suoi sentimenti di attaccamento alla Nostra Reale Persona, abbiamo determinato di nominarlo, come col presente lo nominiamo Commendatore del Nostro Real Ordine di Francesco I. In fede di che abbiamo sottoscritto da Nostra Mano il presente Diploma munito del Sigillo delle Nostre Armi.

Dato a Cannes, il dì 15 maggio 1933

(fto.) ALFONSO G.M.

HISTORICAL NOTES

From the heraldry of the earliest times of the Military Order of the Collar – around the beginning of the 13th Century – we have very little information and what little we have comes from the book entitled “The Order of the Collar, Patrimony of the Moste Serene Royal House of Paternò” published in 1851 by Don Francesco Paternò Castello 7th Duke of Carcaci, who quoted lengthy extracts from a manuscript account by Don Ignazio Biscari, called the Great, (1719-1786) of the voyage undertaken by him in great style to the Balearic Islands and Catalonia to research the roots of his family. Thus Don Ignazio, 5th Prince of Biscari, wrote that in palaces and religious buildings he had noticed the arms of Paternò (or rather the arms of the Kingdom of Majorca) and in painting belonging to the family of Xeriva the scene of an investiture of a knight into “the Company of Saint Agatha”, instituted as a knightly militia to chase the Moors from the Archipelago.

The knight was vested in a red mantle embroidered with gold and on its shoulders were represented two angels raising the Holy Virgin Agatha to Heaven.

Only in 1851 was the Order revived as part of the patrimony of the Royal House of Paternò, then by the Family Pact of 1853 it was entrusted to the Regency of Don Giovanni Paternò Castello of the Dukes of Carcaci, brother of the 7th Duke, in expectation of the majority of Don Mario (I), his son by Donna Eleanora Guttadauro Princess of Emmanue and the last of her line.

When it fell to choosing the insignia of the Order, the arms of Paternò were selected, being none other than the arms of the Kingdom of Majorca, its royal source and its pretensions.

Thus the Grand Collar is formed of the arms of Paternò and the Trinacria, each one enclosed in a laurel wreath, in all 18 pieces, of gold and enamel, with as its centre a medallion of gold and enamel which depicts Saint Agatha. From this is suspended the decoration with the arms of Paternò (Or four pallets Gules, a bendlet Azure; supporters two lions rampant regardant on two ears of corn) surmounted by the Royal Crown and over two swords Or in saltire with their points in base.

It is evident that the Trinacria alternating with the arms were adopted to indicate the Sicilian destiny of the dynasty, while the two lions and the ears of corn derived from the external ornaments of the Arms of the House.

Let us remember that ears of corn, five in number, were taken as the crest of the Paternò, to commemorate the vessels laden with grain by which the famine of the population of Catania was relieved at a time of great shortage which had afflicted the city.

In order to exemplify the great devotion of the House of Paternò to Saint Agatha the Protectress of Catania, the Order of the Coléar was dedicated to her, but with the proud specification “of Paternò” which refers to the Order of the Collar and not to the Saint.

Over time the designation of the Order has varied from Military Order of the Collar to the Dynastic Order of Saint Agatha of Paternò. Today it is correctly styled the Military Order of the Collar of Saint Agatha of Paternò.

Returning to its heraldry, in 1966 the Grand Collar was redesigned and composed as 12 pairs of the letter E (affronté) alternating with 12 shields of the arms of Paternò, of gold and enamel, with its centre a wreath around an image in relief of Saint Agatha. From the laurel wreath hangs the decoration dating from 1853.

In 1971 a study was made of the Cross of the Order and new insignia.

THE CROSS OF THE MILITARY ORDER OF THE COLLAR

The General Statutes of the Order of 1968, the year of the demise of H.R.H. Don Francesco Mario II and of the accession to the Grand Magistracy of H.R.H. Don Roberto II, constituted a clear step towards a clearer definition of the Order itself as an order of the Cross according to Sansovino's definition.

The Grand Chancellor, Don Salvatore Ruta Crevy Marquis of Santa Margherita, undertaking such an ambitious programme, began with the most famous heraldist on the international scene Carl Alex von Volborth, who at that time lived in the United States, to study the Cross for the knights' mantles and thence the cross of the basic insignia.

The study was not always based on iconographic documents (the artist was characterised by a certain artistic originality) led to a selection of crosses, eight in all, depicted on two sheets, reproduced here.

Inspired by the altarpiece of St. Geirge by the Catalan painter Bernat Martorell (1427-1452) and the cross flory wonderfully depicted by him on the Saint's surcoat the Grand Chancellor opted for the first cross on the second sheet modified in so far as to be charged with the escutcheon of Paternò-Majorca in place of the monogram SA.

Once the choice had been made, the Regulations on Uniforms and Insignia were issued which while allowing the continued use of insignia in the more ancient form introduced the use of the mantle with on its left shoulder the Cross (25cm wide).

In the years 1967 to 1971 changes were made to the ranks within the Order which reduced from six to three, with the Grand Collar at the apex.

It remained to abolish the previous insignia and establish the new. This was done in two phases : the new insignia were adopted in 1972, the older versions remained in use as the insignia for the Categories of Merit until 1974.

The basic insignia is that of a Knight of Justice and Devotion which consist of "a cross flory Or tierced Gules in the central tierce charged with the inescutcheon of Paternò", surmounted by the royal crown and suspended from a military trophy. The ribbon is of moiré silk, red bordered with gold. The decoration is worn around the neck by means of a ribbon in the form of a collar. Dames wear it hanging from a bow of the ribbon on the left breast. The Categories of Grace do not make use of the military trophy; the Categories of Merit (*pro meritis*) do not make use of the crown. Knights Grand Cross wear a star on the lower left side of the breast. The star of the Grand Collar and of the Collar are gold, eight pointed, 7cm in diameter, charged with the Cross of the Order; the Grand Cross of Devotion differs being of silver rather than gold. The star of the Grand Cross for Merit is silver and four pointed, always charged with the Cross of the Order.

Knights who make their Profession in the hands of the Grand Master wear the Cross on the breast.

The realisation of the cross flory entailed the creation of a new Grand Collar, formed of letters E affronté alternating with 8 disks charged with the Cross of the Order and in the centre the arms of Paternò from which hangs the insignia.

The Collar has a military trophy instead of the arms of Paternò. It is of gold and enamel.

THE COMPOSITION OF THE ARMS

Only the Grand Master may quarter his arms with those of the Order.

In point of fact, since the arms of Paternò and those of the Order are identical, the arms of the Grand Master are quartered I and IV Paternò Castello Guttadauro. Thus the arms of the Sovereign Grand Master are blazoned as follows : Quarterly, I & IV per pale and in the dexter per fess : 1 Or four pallets Gules a bendlet Azure, 2 Azure a castle triple towered Or windows and masonry Sable, 3 Azure three bars Or, between the 1st and 2nd three bezants, between the two bezants and in base one bezant; II & III Or four pallets Gules a bendlet Azure.

Members of the Government, Hereditary Commanders and Professed Knights may augment their arms with the Chief of Saint Agatha, which is : Argent a Cross Gules fimbriated Or.

The other members of the Supreme Council support their shield on the Cross of the Order.

Other members use the insignia of their rank as an external ornament of their arms.

Grand Collars and Grand Crosses with Collar may put this insignia around their shield.

Esquires, Pages and Demoiselles may display the arms of the Order at the base of the shield.

Professed Knights have the right to raise their personal standard above their stall in a chapel of the Order and to erect their stallplate in the same place.

In order not to overload their personal arms, a member of the Order of whatsoever rank may use the simple Cross as a badge by placing it outside the shield in the place that is most aesthetically suitable. The Cross should not have a diameter that exceeds one quarter of the height of the shield.

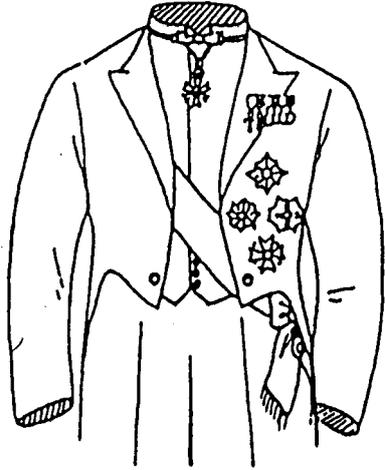
BANNERS AND EMBLEMS

The high officers of the Order are namely the Sovereign Grand Master, the Grand Chancellor, the Governor, the Marshal, the Grand Hospitaller, the Grand Visitor, not to mention heads of jurisdiction, namely, Grand Priors, Priors and Commanders raise the standard which is a rectangle 60cm wide of white silk with a fringe of gold and embroidered in the centre with the Cross of the Order.

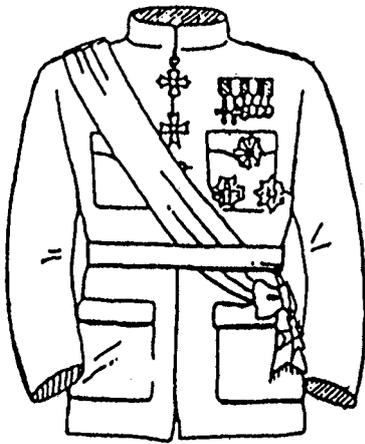
Whosoever raises the standard indicates the designation of his own office on the carmine ribbon hanging from the arrow at the head of the stave.

The Hospitaller Service of the Military Order of the Colar uses as its emblem the Cross flory within the text "Hospitaller Service – M.O.C."

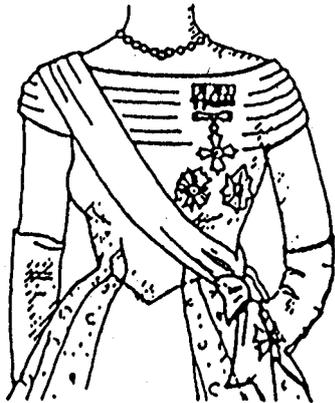
THE MANNER OF WEARING DECORATIONS



With evening dress



With military uniform



For Dames