

Religion Today
June 9-14, 2000

RE-SETTLING RELIGION IN ENGLAND AND SCOTLAND

Caroline McCracken-Flesher

Does the Queen of England or her family have as much freedom as an American citizen? In at least one way, not. The Queen, Prince Charles, Prince Andrew, Prince Edward, and Princess Anne **MUST** belong to Church of England or they are barred from the monarchy.

Why is this? As we know from countless TV dramas, the Church of England was invented by Henry VIII so he could get a divorce. As side benefits, the Crown disestablished the monasteries and appropriated their wealth, and the King effectively got to play Pope within his own domains. But what effect can that have on today's monarchy? After all, the money is long gone, and the Queen isn't taken seriously as Queen, never mind Pope!

In 1701, Queen Anne, sister to Mary of the very Protestant "William-and-Mary," looked set to die childless. In an effort to maintain the Protestant succession, the English Parliament enacted the Act of Settlement. By its terms, only a member of the Church of England, and specifically no Catholic, could become monarch. (If Anne had died without the Act of Settlement, one of Bonnie Prince Charlie's Scottish Catholic relatives might have inherited the English throne.) This Act still operates today, and has been invoked to exclude a number of royal cousins from the line of inheritance.

In the past year, the Act has become an issue in Scotland in a way that could undermine the British Protestant monarchy. In 1999, Scotland got its Parliament back. It had lost Parliamentary independence in 1707, under pressure from England--again to maintain the Protestant succession. Although the new Parliament's powers are limited to purely Scottish concerns and should not interfere with affairs of the Union Parliament established in 1707, the Act of Settlement predates that Parliament (commonly known as "Westminster"). And since the Act routinely has been applied to the monarch of England who is simultaneously monarch of Scotland, some Scots believe it has been illegally applied and should be contested.

The Scots are especially keen to contest the Act since their notion of who is a Scot is much different from that inscribed in Union law. As Britons, those living in England, Scotland, Wales and Northern Ireland are subjects of the monarch. But the Scots, like the Americans, consider themselves **CITIZENS**, not subjects.

With no strong commitment to any kind of monarchy, yet no hope of removing it, Scottish Parliamentarians point out that **THEIR** monarch has the same rights as all other citizens. So, they conclude, the monarch can embrace whatever religion he or she pleases. That is to say, Scots are using the Act of Settlement to point out their social difference from England--a difference founded in part on religious tolerance.

The Scottish Parliament certainly has stirred things up. The Church of Scotland (which is Presbyterian), and the Catholic Church together support abolition of the Act--with the consequent opening of monarchy to royals of all religions, not just their own. British Prime Minister Tony Blair opposes this disruption of the status quo despite his leftist politics and (ironically) Scottish origins. Most oddly, a couple of bluff Conservatives--all the more conservative for belonging to Britain's hereditary House of Lords--have tried to introduce a bill to get rid of the Act. Of course, since the House of Lords must first agree to ask the Queen whether they may discuss the bill, the intrepid pair have not yet succeeded.

Perhaps America could offer a helpful precedent--something to do with the separation of Church and State!