



*Gender and Constitutional
Monarchy in Comparative
Perspective*

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Abstract: Constitutional monarchies are understudied as institutions that may contribute to the maintenance of a system of constitutional government. Even less well studied, however, is the relationship between constitutional monarchies and norms of gender justice. This article surveys this potential relationship, and notes five broad potential connections: the connection between formal rules surrounding the operation of the monarchy and norms of gender equality; the dynamics surrounding change, or non-change, in these rules; the gendered role(s) played by monarchs in various countries, and how those roles may reflect or even promote broader social change in attitudes towards female leadership; how monarchs have exercised their powers so as to promote, or obstruct, broader campaigns for gender justice; and the relationship between feminist commitments and an interest in the style and/or family choices of monarchs. It further suggests the benefits of a comparative dialogue on these questions that directly connects Europe, Asia, and the Pacific, as well as more future scholarship on these and related questions of the relationship between gender-based change in the realms of the symbolic and practical.

Keywords: monarchy; constitutions; change; stability; democracy; hierarchy; gender; feminism

The relationship between democratic constitutionalism and monarchies is an important, yet under-explored, question in comparative constitutional scholarship. Monarchs clearly play an important formal legal role in many constitutional systems—similar to that played by democratically elected or appointed presidents. They also play a broader informal role: in deeply divided societies, for instance, the monarchy may serve as a symbol of national unity, or a public spokesperson for the demands of national unity.¹ In societies in transition, monarchs may help promote the stability of that transition, and in some cases, serve as an advocate for democratization and the rule of law.² In societies

¹ See, for example, the role played by the Belgian royal family generally, the role of the Danish Queen in maintaining connections between the Danish mainland and Greenland, and the Spanish King following the Catalan independence vote, as discussed in Brems, “Gender and the Monarchy in Belgium”; Krunke, “Monarchy and Gender in Denmark”; and Rubio, “Engendering the Spanish Monarchy,” respectively. For other examples of monarchs in this category, see also the Chakri dynasty in Thailand, and King Bhumibol’s cautious interventions during political instability in 2006: Duncan McCargo, “Competing Notions of Judicialization in Thailand,” *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 36, no.3 (2014): 417, 420–422.

² See, for instance, the role played by the Spanish King in the transition from Franco’s rule, as discussed in Rubio, “Engendering the Spanish Monarchy.” Interestingly, some monarchs, or their representatives, have even played an active role in advocating a transition away from monarchy itself: see Governor-General Quentin Bryce’s speech: Helen Davidson, “Governor-General Quentin Bryce Offers Support for Australian Republic,” *The*

facing the prospect of war, or recovering from a major national disaster or terrorist attack, monarchs may help a country mourn, and heal, in a way that promotes democratic stability.³ The role played by monarchs in this context may also help separate the political and symbolic domain in the minds of the public, so that a shared sense of national unity or identity is not used for partisan political ends. Monarchs may also serve as an important “informal” check on the power of elected legislators, and thus create a valuable additional check on the danger of arbitrary use of legislative power.

The key question, however, is how monarchies perform relative to other institutions in this context, and how they interact with these other institutions. Are monarchies better or worse than federal or consociational systems, for example, at holding together deeply divided societies?⁴ And are they better, or worse, than the military in preserving national stability and democratic legitimacy? Both are undoubtedly undemocratic institutions, but both have the potential to promote democratic ends:⁵ the question is which is likely to do better in various contexts, and how they are likely to interact.⁶ Similarly, one might ask whether a monarchical system is more or less effective than institutions such as federalism, legislative bicameralism, and judicial review in checking the arbitrary use of legislative power; and further, whether it serves to complement, or detract from, the operation of more democratic checks of this kind.⁷ These are all questions, however, on which there is little or no existing constitutional scholarship.

The further question of how these institutions interact with questions of gender justice, is one that has received even less attention from constitutional and feminist scholars. In part this is undoubtedly because there are a range of far more pressing issues of gender justice that demand attention in many countries—issues of basic human rights, economic justice, and safety and security of the person. It may also reflect the tension between commitments to gender equality and the institution of monarchy. Gender equality and the institution of monarchy are in some important way deeply opposed norms or institutions: monarchies are inherently hierarchical, traditional institutions, and many feminists seek to challenge not just gender-based forms of hierarchy or subordination, but all forms of hierarchy. Many feminists are thus committed to republicanism over monarchy, as an inherently more democratic, less patriarchal institution. They are, accordingly, quite ambivalent about the idea of reform to the

Guardian, 22 November 2013, <https://www.theguardian.com/world/2013/nov/22/governor-general-quentin-bryce-australian-republic>, discussed in Gleeson and Breda, “The Governor General in Australia and Gender Equality.”

³ See, for example, the role played by Spanish King following the Madrid bombing, as discussed in Rubio.

⁴ Compare the literature on “holding-together federalism”: Michael G. Breen, “The Origins of Holding-Together Federalism: Nepal, Myanmar and Sri Lanka,” *Publius: The Journal of Federalism* 48, no.1 (2017): 26. See also: Sujit Choudhry, *Constitutional Design for Divided Societies: Integration or Accommodation?* (Oxford: Oxford University Press, 2008).

⁵ See: Ozan O. Varol, *The Democratic Coup d’État* (Oxford: Oxford University Press, 2017).

⁶ In Thailand, for example, the military and the palace have clearly interacted in diverse but critically important ways at various points in the country’s history. See: Eugénie Mériau, “Thailand’s Deep State, Royal Power and the Constitutional Court (1997-2015),” *Journal of Contemporary Asia* 46, no. 3 (2016): 445; and Paul Chambers and Napisa Waitoolkiat, “The Resilience of Monarchised Military in Thailand,” *Journal of Contemporary Asia* 46, no.3 (2016): 425.

⁷ Compare Mark Tushnet, *Taking the Constitution Away from the Courts* (Princeton: Princeton University Press, 1999), on the potential “debilitation” effects of certain constitutional design choices.

monarchy, which may help maintain its ongoing relevance or popularity.⁸

Monarchies, however, are extremely important institutions in many countries, which wield significant formal and informal power. How that power is exercised can thus have important consequences for gender justice. Further, monarchies are important sites of gender-based change, resistance, and contestation: formal constitutional change to allow female accession to the throne is often associated with, or a response to, broader social change around gender. In some cases, it may spur or encourage broader societal change. But equally, non-change in this area is quite common, and thus offers potential lessons about the sources of opposition—or barriers—to broader, gender-based change. Changing family norms and models within royal families are also arguably important sites for modelling, and contesting, different approaches to the family and gender roles. The salience of gender to monarchical systems is also increasing: as Ruth Rubio notes in her article, Europe is fast approaching the point of gender parity in its monarchies.⁹ The way in which monarchies are, or are not gendered, therefore, has potentially important consequences for the realization of gender equality in a range of societies worldwide.

This special issue starts from this premise, and invites leading constitutional scholars in Australia, Asia, and Europe to engage with the question of the relationship between constitutional monarchies and norms of gender justice in various countries. It does so with particular attention to constitutional experiences in Australia, Belgium, Denmark, Japan, and Spain. In this sense, the focus of the special issue is also quite unusual from a comparative perspective: many scholars in the Global South have criticized the field of comparative constitutional law for taking an overly North American and European focus.¹⁰ The response, on the part of many comparative scholars, has also been to broaden the scope of comparative enquiry to focus on a broader range of countries in Africa, Asia, and Latin America.¹¹ Even with this expanded focus, however, the US often looms large as either an explicit or implicit comparator. A focus on constitutional monarchy, in contrast, directly invites dialogue between scholars in Europe, Asia, Africa, and the Pacific—without the US as a model or archetype that structures or mediates this comparison. In this sense, it also expands the existing scope and direction of comparative constitutional inquiry, in ways that offer a model for similar forms of comparison in other areas.

This special issue explores the relationship between constitutional monarchy and gender justice at five levels: first, it examines the degree to which formal rules surrounding the operation of the monarchy (for instance, rules governing accession to the throne, lineage and

⁸ Compare, for example, the decision of Spain's Constitutional Court, drafted by a single Justice who was a former member of Spain's Communist Party, declining to declare unconstitutional male-preference nobility titles on the basis, as Rubio describes it, "assimilating them to a constitutional logic would ... amount to introducing anachronistic requirements into a practice moulded by history." See: Rubio, "Engendering the Spanish Monarchy."

⁹ With the likelihood being that, assuming "expected dynastic transfers" take place, "5 or 6 out of the 10 current European monarchies ... will be headed by women": Rubio, "Engendering the Spanish Monarchy."

¹⁰ See: Daniel Bonilla Maldonado, *Constitutionalism of the Global South: The Activist Tribunals of India, South Africa, and Colombia* (Cambridge: Cambridge University Press, 2013), 5–21.

¹¹ See: Ran Hirschl, *Comparative Matters: The Renaissance of Comparative Constitutional Law* (Oxford: Oxford University Press, 2014); Rosalind Dixon and Tom Ginsburg, eds., *Comparative Constitutional Law in Asia* (Cheltenham: Edward Elgar, 2014).

membership of royal families, and the conferral of noble titles) are formally discriminatory on the grounds of sex, or have changed over time. There are, for example, three broad patterns of rules governing accession to the throne in monarchical systems: male-only rules of succession, male-preference in succession, and gender-neutral provisions giving preference to the oldest living child of the monarch. There has also been clear variation in various countries' adoption of these rules historically, and over time.

Second, this special issue examines the dynamics underpinning the comparative patterns of change, or non-change, of this kind. Monarchies are often relatively conservative institutions, and thus one might expect them to adopt changes to their internal rules at a relatively late stage, compared to other parts of the society. The resistance to monarchic change and evolution can produce what Ann Black, in her article, labels a kind of "dissonance." In Brunei, she explains, the only country examined in this symposium that is governed by an absolute monarchy, women are excluded from the position of monarch and also from other political and religious leadership roles. Yet, women in Brunei own half of the small-medium sized enterprises, and account for 60 to 70% of university graduates, 80% of lawyers, and 70% of magistrates.¹² Monarchies are also institutions, however, that are in some way endangered in a constitutional democratic society: they depend on notions of hierarchy and hereditary entitlement, which make them inherently precarious. Hilary Mantel, who has perhaps done more than any fiction writer today to encourage us to inhabit the minds and lives of famous monarchs, makes the point beautifully: "pandas and royal persons alike are expensive to conserve, and ill-adapted to any modern environment."¹³ This itself may encourage some monarchies to attempt to adapt to changing social norms and understanding regarding gender and sexuality, and gender roles within the family.

Overlaid with this is the question of how constitutional change occurs in various countries: for instance, does it occur at the constitutional or sub-constitutional level?¹⁴ Can it occur through informal—such as conventional or common law-style judicial development—as well as formal means?¹⁵ Is it dependent on certain kinds of relatively flexible amendment procedure?¹⁶ Is it supported by, or quite independent of, transnational commitments to gender

¹² See: Black, "Marching to the Beat of a Different Drum."

¹³ Hilary Mantel, "Royal Bodies," *London Review of Books* 35, no. 4 (2013): 3.

¹⁴ On this question generally, see: Richard Albert, "Quasi-Constitutional Amendments," *Buffalo Law Review* 65, no. 4 (2017): 739; Rosalind Dixon, "Constitutional Amendment Rules: A Comparative Perspective," in *Comparative Constitutional Law*, ed. Rosalind Dixon and Tom Ginsburg (Cheltenham: Edward Elgar, 2011); and Yaniv Roznai, *Unconstitutional Constitutional Amendments: The Limits of Amendment Powers* (Oxford: Oxford University Press, 2017).

¹⁵ In Spain, for example, the Supreme Court initially struck down the gender-specific nature of traditional nobility titles as unconstitutional, though the Constitutional Court ultimately overturned this ruling. Subsequent legislation, however, rendered moot the Constitutional Court's ruling by "suppressing the male preference in the succession order of these titles." See: Rubio, "Engendering the Spanish Monarchy."

¹⁶ In Belgium, for example, there is a multi-tiered procedure for amendment, and the lower track is relatively flexible. There is also a quite strong tradition of amendment, which has sustained a culture of amendment. See: Tom Ginsburg and James Melton, "Does the Constitutional Amendment Rule Matter at All? Amendment Cultures and the Challenges of Measuring Amendment Difficulty," *International Journal of Constitutional Law* 13, no. 3 (2015): 686. This also made it relatively easy to adopt reforms to the gender-specific law. See: Brems, "Gender and the Monarchy in Belgium." By contrast is situation in Japan: see Constitution Art 96, and the assumption that the Imperial Law is entrenched by virtue of prior constitutional practice and thus subject to amendment only via this procedure. See: Kamiya, "Is Japanese Monarchy in Crisis Due to Its Gender Bias?" See also: Kenneth Mori McElwain and Christian G Winkler, "What's Unique about the Japanese Constitution?" *Journal of Japanese Studies*

equality—such as those enshrined in the Convention on the Elimination of Discrimination Against Women (CEDAW)? Is it aided by the immediate implementation of the relevant change, or a period of delay—the so-called “grandfathering” (or “grandmothering”) of certain forms of gender-based change?¹⁷ Does it depend on the identity, behaviour, and relationships, of those most immediately likely to benefit from a change in the law?¹⁸ And to what extent does it depend on social movements for success? One striking feature of the politics in this area is that there is no real feminist mobilisation in favour of updating the institution of the monarchy. This may also help explain the limits to gender-based change or reform in this area in many countries.

Another potential factor driving change, or non-change, in the rules governing the monarchy is the relative degree of power enjoyed by the monarchy: as Barbara Reskin and Patricia Roos have famously shown, women often gain greater access to institutions as the relative power and prestige of those institutions declines.¹⁹ Monarchies are also obvious potential candidates for this dynamic: as norms of equality and democracy have increased, they have lost power, and thus potentially become more open to being feminised.

Third, several articles in this issue analyse the gendered nature of the constitutional role played by monarchs in various contexts. Monarchs, as already noted, exercise two broad forms of power: first, “hard” forms of legal and political power that involve appointing or dismissing a government, opening, proroguing and recalling parliament, issuing writs for elections, signing bills into law, exerting formal control over the military, and resolving constitutional crises; and second, “softer” forms of power that involve counselling elected governments, and carrying out a range of ceremonial and symbolic duties. Powers of this kind also have a potentially different gender coding: hard forms of power may be considered more masculine, whereas roles such as a national “comforter” or “mourner” in chief might be considered more “feminine,” relational or caring in nature.²⁰ The extent to which these various powers are exercised by male- versus female-identifying individuals is thus itself an interesting window into broader gender norms in a society. In Brunei, for example, the image of the monarch in the “realm of the symbolic and ceremonial” is as the “caring Sultan”; this stands in sharp contrast to foreign media representations that—focusing on the Sultan’s behaviour as an absolute monarch wielding unchallenged political and social power—prefer such labels as the

41, no. 2 (2015): 249, for an analysis of why the Japanese Constitution has never been amended.

¹⁷ See: Rosalind Dixon and Samuel Issacharoff, “Living to Fight Another Day: Judicial Deferral in Defense of Democracy” (NYU School of Law, Public Law Research Paper No 16-01, 2016), on the strategic benefits of delay of this kind in a judicial context.

¹⁸ In Belgium, for example, a preference for a female over male child becoming monarch seems to have aided reform. In Denmark, a desire to avoid creating a conflict of interest between two different monarchical systems seems to have encouraged a delay in reform. And in Spain, two successive female heirs has rendered the practical consequences of any change less immediately necessary. See: Brems, “Gender and the Monarchy in Belgium,” Krunke, “Monarchy and Gender in Denmark,” and Rubio, “Engendering the Spanish Monarchy,” respectively.

¹⁹ Barbara F. Reskin and Patricia A. Roos, *Job Queues, Gender Queues: Explaining Women’s Inroads into Male Occupations* (Philadelphia: Temple University Press, 2009).

²⁰ See: Carol Gilligan, *In a Different Voice: Psychological Theory and Women’s Development*, 2nd ed. (Harvard: Harvard University Press, 1993); Robin West, *Caring for Justice* (New York: New York University Press, 1999); and discussion in Rosalind Dixon, “Feminist Disagreement (Comparatively) Recast,” *Harvard Journal of Law and Gender* 31, no. 2 (2008): 277.

“king of bling” and the “playboy Sultan.”²¹

It is also interesting to consider how these patterns have changed over time, and how some sources of power have been re-defined, and thus potentially recoded, by individual monarchs. In several European countries, for example, queens have enjoyed formal command over the military in ways that have clearly challenged traditional gender role- conceptions.²² In the UK, Queen Elizabeth II has exercised significant informal power—of a high political kind—in a way that has arguably blurred the line between hard and soft power, and masculine and feminine roles.²³ Yet, as Anne Twomey shows, in doing so she—and those around her—have consistently relied on highly gendered, traditional notions of the Queen as a feminine figure: that is, the degree to which governments (and primarily male heads of government) should take steps to avoid “embarrassing the Queen.” Similarly, as more women become the monarch around the world, we may well see quite traditional gender assumptions re-emerge about the queen as “the good mother” in ways that may well affect the ability of a male monarch successfully to play this comforting role.²⁴

In this sense, this special issue considers the way in which monarchical institutions—and the role of female monarchs in particular—may have helped promote broader gender change in certain contexts. Many countries have had a non-elected female head of state well before an elected female head of government.²⁵ This also suggests there are obstacles to women successfully seeking high-elected office, and gaining public confidence in their ability to exercise of broad forms of hard and soft power. But as several contributors note, in some countries the election of female leaders has also followed a period of female monarchical rule:²⁶ one explanation for this is that the female monarch herself helped recode public perceptions of male and female roles, or increase public confidence in female leadership. The apparent connection, of course, is far from proof of any causal relationship, but it suggests interesting possibilities about the symbolic power of creating gender equality within monarchical systems. Fourth, the issue explores how monarchs perform their symbolic role—and present themselves and their families—in the public domain. Queens and princesses are some of the most visible female public icons worldwide,²⁷ and thus how they dress and present themselves aesthetically is of broader significance for how we understand the relationship between beauty, “sexy dressing,” and contemporary notions of gender justice.²⁸ Even in many republican

²¹ See: Black, “Marching to the Beat of a Different Drum.”

²² See: Rubio, “Engendering the Spanish Monarchy.”

²³ See: Twomey, “The Exercise of Soft Power by Female Monarchs in the United Kingdom.”

²⁴ See: Gleeson and Breda, “The Governor General in Australia and Gender Equality.” See also: Julia Baird, *Victoria the Queen: An Intimate Biography of the Woman who Ruled an Empire* (Sydney: Harper Collins, 2016).

²⁵ The Netherlands, for example, has had three queens regnant: Queen Wilhelmina (1890–1948), Queen Juliana (1948–1980), and Queen Beatrix (1980–2013), but no female head of government. See: Joop W. Koopmans, *Historical Dictionary of the Netherlands*, 3rd ed. (Lanham: Rowman & Littlefield, 2016), 349.

²⁶ In Australia, for example, the first female Governor-General and the first female Prime Minister served concurrently, though the Governor-General took office first. See: Gleeson and Breda, “The Governor General in Australia and Gender Equality.”

²⁷ With the possible exception of Japan, where female members of the royal family have markedly less visibility and public engagement. See: Kamiya, “Is Japanese Monarchy in Crisis Due to Its Gender Bias?”

²⁸ See: Elaine Scarry, *On Beauty and Being Just* (Princeton: Princeton University Press, 1999); and Duncan Kennedy, *Sexy Dressing, etc: Essays on the Power and Politics of Cultural Identity* (Harvard: Harvard University Press, 1993). In some countries, it also has interesting implications for the relationship between notions of beauty and national

systems, as Ruth Rubio notes, there is also a striking tendency for the public and media to create a form of de facto female royalty by elevating the “first lady,” or even female members of the “first family,” to the role of public style icon.²⁹

Our own interest in their lives, including their clothes and family habits, is also worthy of deeper interrogation from a feminist perspective: feminists have long claimed that the private is political, but does a feminist commitment to equal dignity for all mean we should also be committed to respecting some domain of privacy for all public figures, including monarchs? From a comparative human rights perspective, it is certainly interesting to note that some of the most important advances in the law of privacy have come about through cases brought by female members of various royal families—for instance, the Princess Soraya Case in Germany, and the Princess Caroline cases in the European Court of Human Rights.³⁰ And from a broader perspective, a focus on how we engage with queens, princesses—and first ladies—may encourage us as feminists to reconsider what it means to challenge, versus respect, the public-private divide in an age of tabloids, social media, and potentially unbounded virtual voyeurism.

Fifth, and finally, the special issue considers ways that monarchies in various countries have exercised formal or informal sources of power in ways that advance, or detract, from the enjoyment of gender justice—rights such as access to abortion or contraception, and marriage equality.³¹ Monarchs have acted in ways that both advance, and restrict, rights of this kind in ways that highlight both the practical, and potentially deeper structural, gendered nature of monarchical systems of power. The case-studies examined—and especially the role played by King Baudouin of Belgium during the reform of abortion law in Belgium—is also of independent interest for what it reveals about the relationship between commitments to equality, religious freedom, and the rule of law in a pluralist society.³²

The articles in this special issue address these five themes from a rich variety of different perspectives, and I cannot do justice to them in this short introduction. I simply note several interesting commonalities among the various countries canvassed: the UK, Denmark, and Japan have all had historically powerful female monarchs, or regents. Modern queens in the UK (and Australia) and Denmark have also both exercised extensive—and politically significant—forms of soft power in ways that have arguably blurred the boundary between

identity.

²⁹ Rubio, “Engendering the Spanish Monarchy,” discussing the US and France. For interest in the daughters as well as wives of recent US presidents in this context, see: Julee Kaplan, “Malia and Sasha: Trendsetters in Training,” *WWD* 196 (2008): 12; Vanessa Friedman, “In India, Ivanka Trump Tried on Some Fashion Diplomacy: Was it a Good Look?” *New York Times*, 30 November 2017, <https://www.nytimes.com/2017/11/30/fashion/ivanka-trump-india.html>; and Cathy Horyn, “Clinton’s Gown Spoke Beyond the Silence,” *New York Times*, 1 August 2010, <https://www.nytimes.com/2010/08/02/fashion/02dress.html>.

³⁰ *Princess Soraya*, Federal Constitutional Court, 34 BVerfGE 269, 14 February 1973; *von Hannover v Germany* [No 1], European Court of Human Rights, Grand Chamber, Application No 69320/00, 24 June 2004; *von Hannover v Germany* [No 2], European Court of Human Rights, Grand Chamber, Applications Nos 40660/08 and 60641/08, 7 February 2012.

³¹ See: Gleeson and Breda, “The Governor General in Australia and Gender Equality”; Brems, “Gender and the Monarchy in Belgium.”

³² See: Hobby Lobby I and II, and the broader questions of religious exemptions to general legal requirements that it raises: *Burwell v Hobby Lobby* 134 S.Ct 2751 (2014).

masculine and feminine roles. In all three countries, a female monarch has also served concurrently with—and arguably paved the way for—the role of a female prime minister. But equally, while being feminist icons, female monarchs in Denmark and the UK have not necessarily embraced the language of feminism itself: as Helle Krunke notes, for example, the Danish queen is widely admired by Danish women, but in a famous interview in 1973 she said she did not support feminism, or full gender equality rights under the 1953 Act of Succession.

Both Denmark and Japan have seen a conservative approach to “reforming” the monarchy, seemingly out of a fear that to open up the question of reform is to invite abolition of the monarchy as an institution, and in ways that have had quite clear gender consequences.³³ Even Spain arguably falls into this category,³⁴ though it has made greater changes to its laws. Conversely, Belgium has seen more extensive reforms to the monarchy, making its internal rules less discriminatory on the grounds of sex.³⁵ But in both cases, one might ask whether those reforms have been a result of (or were driven by) a commitment to gender equality, or were more reflective of the relative decline in the formal and informal power of the monarchy as an institution, and thus examples of the “job queues, gender queues” phenomenon identified by Reskin and Roos. There are also interesting parallels, as well as differences, between Belgium and Japan, especially in the way CEDAW has figured in debates over reform of the monarchy’s gender-based norms.

There are interesting parallels between Denmark and other Nordic countries, such as Sweden, in the degree to which the monarchy has adapted to, and been seen to promote, modern, egalitarian norms of marriage and parenting in line with the broader Nordic model of shared responsibility for care.³⁶ In Denmark, for example, Crown Prince Frederik married an Australian lawyer and has endorsed quite modern notions of marriage and relationship. He has also spoken publicly about his desire to play an active role as a father in caring for his children. He has declined a range of public duties in order to look after his small children, and been seen to drop them off and pick them up from public school. In Sweden, Crown Princess Victoria has married a fitness professional, and has talked publicly and candidly about marriage and family, as well as class: she and her husband send their children to a public day-care centre, and take an active role in their care.³⁷ In the UK, media reports also suggest a similar attitude on the part of younger members of the royal family to questions of marriage and parenting.³⁸

³³ In Denmark, for example, the Act of Succession was amended in 1953 and 2008, and the Constitution was revised in 1953. See: Krunke, “Monarchy and Gender in Denmark.” In Sweden, change was introduced in 1979.

³⁴ See: Rubio, “Engendering the Spanish Monarchy”: “The belated gender reform of the monarchy seems to be the price that is being paid to rescue the monarchy ... sex equality is being sacrificed in order to preserve the monarchy against the republican threat.”

³⁵ In Belgium’s case, the right of women to inherit the throne has been established since 1991. See: Brems, “Gender and the Monarchy in Belgium.”

³⁶ See: Ruth Rubio Marín, “The (Dis)establishment of Gender: Care and Gender Roles in the Family as a Constitutional Matter,” *International Journal of Constitutional Law* 13, no. 4 (2015): 787.

³⁷ “Swedish Crown Princess Victoria Weds Fitness Trainer,” *BBC News*, 19 June 2010, <https://www.bbc.com/news/10357860>; “Princess Estelle Attends First Day at Pre-school,” *The Local*, 25 August 2014, <https://www.thelocal.se/20140825/princess-estelle-attends-first-day-at-pre-school>.

³⁸ Katy Winter, “Why Kate and William Won’t Have a Royal Nanny Waiting for them When They Take Baby Cambridge Home from Hospital,” *Daily Mail*, 23 July 2013, <http://www.dailymail.co.uk/femail/article-2373721/Royal-baby-Why-Kate-Middleton-Prince-William-WONT-Royal-nanny.html>: The “pair plan to be as hands on as possible with both taking on day-to-day care.”

In Belgium, by contrast, the monarchy appears to have suffered a loss in popularity due to an unwillingness to acknowledge modern, pluralist notions of the family, and parenting: as Eva Brems notes, there remains significant controversy in Belgium over the refusal of the father of the current King to recognize an extra-marital child. He litigated the question in Belgian courts, thereby affirming the supremacy of the rule of law, and ultimately lost the case and acknowledged paternity of his extra-marital daughter following a DNA test. But the litigation has also undermined the broader legitimacy of the institution: the public has regarded his behaviour in rejecting his parental responsibility as morally blameworthy, and the perception of the monarchy has declined accordingly.

I am especially proud that these outstanding pieces from global scholars appear together in this special issue of the *Royal Studies Journal*. The issue features only a relatively select number of jurisdictions worldwide that are constitutional monarchies.³⁹ The contributions here would also undoubtedly be enriched by ongoing work by scholars in Europe, Asia, Africa, and the Pacific about the role of constitutional monarchy—and gender—in their respective societies. At the same time, we do not necessarily aim through an issue of this kind to generate a whole new sub-field of feminist monarchical scholarship. Rather, our key interest is encouraging constitutional and feminist scholars to think more deeply—and continue writing—on a range of questions about the relationship between real and symbolic power for women, the significance of the distribution of certain kinds of roles and power for the achievement of gender equality, and the role of the public-private divide in feminist thought.

³⁹ In total, forty-four sovereign nations have a monarch as their Head of State: the sixteen Commonwealth Realms, plus Andorra, Bahrain, Belgium, Bhutan, Brunei, Cambodia, Denmark, Japan, Jordan, Kuwait, Lesotho, Liechtenstein, Luxembourg, Malaysia, Monaco, Morocco, The Netherlands, Norway, Oman, Qatar, Saudi Arabia, Spain, Swaziland, Sweden, Thailand, Tonga, the United Arab Emirates, and Vatican City. Together, they account for over 540 million people, or 8% of the global population.