



# The Royal House of Aragon, Militare Ordine del Collare Majorca and Sicily

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## ANSWERS TO FREQUENTLY ASKED QUESTIONS

### 1) What do we know about the earliest history of the MOC?

The Military Order of the Collar (MOC) was founded by King Alfonso III of Aragon on the 23rd January 1289 as a knightly institution with the purpose of defending Minorca. The member knights were obliged to live in the Fortress of Saint Agatha, situated in the region of Saint Agatha, and so became known as "the knights from Saint Agatha". They were each allocated a plot of land sufficient to maintain them in arms with a horse ("cavalleria"). The cavallerias were still active in the year 1600 and some are claimed to have survived into the 19th century. When don Ignazio, Prince of Biscari, travelled to the Balearics in the mid 18th century the remaining descendants told him of this ancient chivalric institution known as "the knights from Saint Agatha". His notes were found by the seventh Duke of Carcaci who published them in his book in 1849. Much of the historic research has been made possible by the findings of Professor Elena Lourie in her article "La colonización cristiana de Menorca durante el Reinado de Alfonso III 'El Liberal' , rey de Aragón" in "Crusade and Colonisation" (ISBN 0-86078-266-2).

The Balearics (Majorca, Minorca and Ibiza) was an independent kingdom 1276 - 1349 and, according to international law, the consequent dynastic rights, including those related to chivalric orders and knightly associations, continue through the hereditary office of the Head of the House even if no conferments in this regard are made for a period of time. It seems that over the centuries only sporadic conferments were made, until in the 18th century the association appears as the MOC and is more and more a dynastic Order, receiving formal Statutes in the middle of the 19th century, thereafter a hierarchical organisation with formal recognition from the reigning monarchs in the kingdom of the Two Sicilies.

The Military Order of the Collar is today a dynastic Order, that is to say that its office of Grand Master attaches to the sovereign prince who is the Head of the Royal House and is inherited by his successors. In addition to any charitable or spiritual aims, members of such Orders are bound by an oath of loyalty to the Grand Master of the Order.

Our main knowledge of the history of the Order comes from the book "L'Ordine del Collare" by Francesco Paternò Castello e Sammartino, Duke of Carcaci. The book was printed in Catania in 1851. The Duke describes how he many years earlier had made researches among the notes his ancestor, Don Ignatius Paternò Castello Scammaca, fifth Prince of Biscari, left to the Etnean Academy. Among those documents he found many notes by the Prince regarding a journey to the Balearics by the end of the 16th century. In Minorca, in a convent close to Fornells, he discovered an old parchment which said that a knight Guttadauro was one of the first Grand Inquisitors of the Order of the Collar. He also tells how he visited Alcudia in Mallorca and met the Baron Gancia de Xerima, stayed as a guest in the baron's castle and saw a length of cloth

depicting a knight kneeling in front of the King while a Master of Ceremonies handed over the collar of The Order of the Collar. In the notes made by the Prince it also said that although much of the family archives had been destroyed by an earthquake in Sicily and a fire at the Paternò castle in Huesca in Aragon, the count Fuente had told the baron Raddusa the story told to him by his grandfather about an armed militia. The army had been founded by the Royal Balearic family, in the same manner as the crusaders, to defend the land and put an end to the Muslim dominance over the Iberian peninsula

The connection between Saint Agatha, the Patron Saint of Sicily, and the Balearics is very old and goes back to the 5th century. The fortress of Saint Agatha in Minorca, <http://www.cerclearartistic.com/congres/castell2.html>, was used in medieval times as a sanctuary from forays. It is known that reinforcement work was made during the 13th century.

1834 it was stressed by Professor Francesco Tornabene, in his funeral eulogy of Francesco Paternò Castello Duke of Carcaci, that the Grand Mastership of MOC does belong to the family.

1851 the Attorney General of the Kingdom wrote a communication to the Mayor of Carcaci, where he stresses that MOC is a legitimate Order and conferrals of it are to be recorded in the Registry Office of the Kingdom.

1853 the Governor of the Catania province, in the name of the King, decided that apart from the Royal Sicilian Orders only three Orders were allowed to be worn within the Kingdom: the Papal Orders, the Order of Malta and the MOC.

1853 a family conclave was called, with representatives from all branches of the family present, and it was noted that the Royal succession and the Grand Mastership of the MOC rested with Don Giovanni (1803 - 1861) until Don Mario attained his majority. The Pact was signed by representatives of all branches, and they swore with their hand on "the most holy crucifix" and on their honour and their Catholic faith to always respect the Pact.

1859 the Royal Commission on Titles of Nobility decided to recommend the reigning King that MOC, which was bestowed to persons both in Sicily and on the Italian mainland, could be worn in public.

1860 the King of the Two Sicilies in his capacity as Head of State issued a decree where he recognised the position of the Order as a public honour and the Head of the Family as the legitimate Grand Master.

From 1860 to 1961 the Order was largely a family affair. Through new Statutes in 1961 the Order was reconstituted and great stress was laid on the works of charity.

Since then the Statutes have been revised on a number of occasions, and the charitable work is carried out in separate Foundations.

## 2) Is every generation in the dynastic succession verified?

Yes. E.g. the succession from James I to John the Elder is verified in old sources such as the famous book "Corpus historiæ genealogicæ Italiæ et Hispaniæ" from 1702 by Jakob Wilhelm Imhof (the book is

available in the Royal Library in Stockholm). A copy of the relevant pages may be found [here](#).

The claims to the thrones have been inherited in male primogeniture within the House of Ayerbe Paternò. When the last Prince of Cassano died without children the then Duke of Carcaci summoned a family conclave in 1853 which decided that the claims now rested with the young Don Mario. The decision of the conclave was signed by representatives from all branches of the dynasty, and was ratified by the ruling King of the Two Sicilies. In the family pact all branches confirm their knowledge of the succession, e.g. Mario Paternò representing his brother the Marquis of Raddusa and Marianopoli writes that up till now (that is when the last prince of Cassano died) the Raddusa branch was recognised as carrying the claims to the thrones in succession from John the Elder. Don Mario died in 1906 and had in his will made provisions that in the case of lack of male heirs the succession would go to his daughter Donna Eleonora and to her heirs in male primogeniture. Because Don Mario in his capacity as Head of the Royal House was a subject of international law (that the Head of the Royal House has this quality has been established most recently by the Tribunal in Ragusa seated as an International Court of Arbitration), his will was a constitutional order of succession and not a document of private law. History has many examples of such documents being a document of constitutional and not private law, e.g. the document signed by Prince Carlo of Bourbon-Two Sicilies on the 14th December 1900 which changed their order of succession. Professor Stephen Kerr, Professor of Law at Antioch University in Washington DC, USA, verifies this in an excellent [article](#).

That the family pact is valid not only under civil law but also according to nobiliary law is in perfect harmony with the fact that all similar pacts made in other sovereign dynasties have always been respected. It is considered part of the sovereignty of the dynasty to independently decide internal matters. See the family pact of the House of [Nassau](#), the House of [Hohenlohe-Langenburg](#), the House of [Hesse](#) and their pact, the House of [Habsburg](#) and their pact from 12/9 1703 and the family pact of the House of [Lippe](#) from 14/11 1958 (where also the Grand Mastership of their dynastic Order followed the succession changed in the pact).

The title of Prince of Emmanuel, which follows the House of Guttadauro in false cognatic succession, that is if sons exist the eldest son will inherit, and lacking sons the eldest daughter will inherit. In a report from the Royal Commission for Titles of Nobility from 17th June 1859 it does say that the title of Prince of Emmanuel is inherited in "male primogeniture", but in a later document from the same commission dated 2nd February 1860 after the Commission had taken part of the historical evidence, it is verified that the title may be inherited on the distaff side ("per materna heredità"). Based on this report the reigning monarch H.M. Francesco II on the 18th September 1860 issued his recognition of Don Mario as, among other things, Head of the House of Guttadauro and legitimate Grand Master of the MOC.

### 3) Are the documents from the 19th century authentic?

The authenticity of the documents has been established by different experts who have given expert opinions to Courts of Law (one such opinion may be found on the [Archive page](#)), and by three different Courts of Law (the Tribunal of Bari, the Court of Appeal in Pistoia and the International Court of Arbitration in Ragusa). Facsimile

copies, transcriptions and translations are on the [Archive](#) page.

4) How relevant is the judgement of arbitration from Ragusa in other countries than Italy?

The judgement follows a procedure of civil law, which means that it is primarily binding on the disputing parties. In the parts where the judgement is an adjudicative judgement, e.g. establishes a certain status, it has legal force also in relation to a third party, authorities and other official bodies. This is why the Court invokes the [New York Convention](#) from 1958 which has been signed by almost all the membership states of the United Nations - if the judgement had not been relevant outside Italy it would have been pointless to invoke an international Convention.

The status of the Head of the Royal House established by the judgement is:

- a) the quality of Royal Highness and Royal Prince of the Royal House of Aragon, Majorca and Sicily;
- b) the right to designate himself Sovereign and Head of Name and Arms of the Royal House of Aragon, Majorca and Sicily, never renounced, with the right for himself and his successors for an unlimited period whether male or female, to all the qualities prerogatives, attributes and styles of that rank and with the ability to use coats of arms, titles and designations which belong to him by hereditary right,
- c) the nobiliary style of Nobleman of the Dukes of Carcaci, Prince of Emanuel, Duke of Perpignan and by the Grace of God and hereditary right, as legitimate Pretender to the Thrones of Aragon, Majorca and Sicily, the titles of Prince of Catalonia, Count of Cerdagne, Count of Rousillon, Patrician of Catania, Lord of Valencia, Lord of Montpellier, Count of Urgell, Viscount of Carlades, etc, etc, Sovereign Grand Master of the Military Order of Saint Agatha of Paternò, Grand Master of the Royal Balearic Crown, Grand Master of the Royal Order of James I of Aragon, Grand Master of the Order of San Salvador of Aragon and of the Royal Aragonese Order of the Knights of Saint George and the Double Crown.
- d) the sovereign prerogatives known as jus majestatis and jus honorum, with the ability to confer nobiliary titles, with or without predicates, noble arms, honorific titles and chivalric distinctions relating to the hereditary dynastic Orders,
- e) the quality of a subject of international law and of Grand Master of non-National Orders within the terms of the Law of the 3rd March 1951, No. 178.

For information regarding the significance of a subject of international law, see Professor Stephen P. Kerr's [article](#), especially the section "Subjects and objects of public international law".

The judgement from Ragusa has not been appealed against, neither by representatives of other branches of the dynasty or outsiders, and has gained [legal force](#). In the parts where the judgement is an adjudicative judgement as per above it has legal force in the countries which have signed the New York Convention on arbitration from 1958, that is almost all membership countries of the United Nations.



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