



## ARMORIAL ASSUMPTION

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Talk given to the College of Arms Foundation and the NY Genealogical & Biographical Society

May 12, 2014

This article originally appeared in *The Armiger's News*, XXXVI, Summer 2014, Number 3

Later reprinted in [\*The Armiger's News Omnibus 2011-2020\*](#)

**WHEN THE COMMITTEE** first discussed topics for this year I proposed that we have an evening devoted to defining what it means to have an assumed coat of arms. I confess that I proposed this because it has long been a pet peeve of mine that, in the heraldic world, people seem to look down their noses at coats of arms that are assumed by the armiger rather than having been granted by a heraldic authority. Nevertheless, the assumption of arms is the method by which most Americans (or for that matter anyone living in a country where they are not subject to a heraldic authority) receive and/or begin to use a coat of arms. In those places where heraldic authorities exist it is, at the least, considered incorrect and presumptuous simply to assume arms and, at worst, may even be illegal to do so! In either case it renders the coat of arms inferior and suspect. However, in many parts of the world the assumption of a coat of arms is not only legal and legitimate but is, in fact, the only method. This does not make assumed arms less “real” or less “official” than arms that are granted by a heraldic authority. In my talk I wish to explore the following points and questions:

- 1. The difference between a coat of arms that is granted and one that is assumed.**
- 2. The American context where some US citizens are in a position to apply for a grant of arms while others are not.**
- 3. Does this create a caste system for heraldry?**
- 4. Are some arms real while others aren't?**
- 5. What about the so-called “bucket shops” and their role in this?**
- 6. Does receiving a grant of arms actually increase one's social status or even ennoble a person?**

I feel the need, at the outset, to offer a disclaimer or perhaps even an apology of sorts. In no way is this talk intended to belittle the work of heraldic authorities the world over. After all, one of the co-sponsoring organizations of this evening's event is the College of Arms Foundation, an organization which exists to support the work of the College of Arms in London.

For so many people the thing which announces to the world that they are, in fact, armigerous is a handsome document, often framed, with pendant seals attached called Letters Patent of a grant of arms. This is true, as I say, for many people but not for all. There are, I would hazard to guess, an even larger number of people currently armigerous in the world today who have no Letters Patent and whose arms are assumed. It is tempting to say, “merely assumed” because that's how so very many people would put it and, indeed, how they think of it. But, then again, there's that pet peeve of mine. You see I think that a large part of the problem lies in how the word “assume” is understood. Laying aside the old bromide about what it makes of you and me the word assume is understood by most to mean, “suppose without proof; presume or (no pun intended) take for granted.” With that definition then, to assume a coat of arms seems phony or pretentious thus buying into the misunderstanding of heraldry held by the great majority of people in contemporary, egalitarian, motherhood and apple pie-loving America.

I can easily call to mind two examples from my own life that partially illustrate this. Several years ago, while on sabbatical I spent several months living and studying in a large Benedictine monastery in the south of England. The guest master, a very fine older priest with many endearing qualities and a great deal of charm (and who happened also to be the grandson of Hillaire Belloc) was conversing with me one afternoon over a cup of tea. I told him how wonderful it was to be in a place where there was so much heraldry to be seen in the stained-glass windows, the architecture and the textiles all around the place. This led to a discussion of my life-long avocation of heraldry. I told this priest that I had even advanced to the point of designing coats of arms for several prelates and Church institutions in the USA. Looking confused he said, “Really? You have? And in America bishops just create their coats of

arms with no recourse to anyone?” I replied that that was precisely the case and that there was nothing wrong with it. I eventually got around to telling him about the design of my own coat of arms. At this point he looked at me with an expression that combined utter amusement with slight condescension (as if to say, “Oh, you poor stupid American; you don’t realize that real heralds have to research, design and catalogue such things”) and he actually said, “Oh YOU have a coat of arms as well, do you?” When I assured him that I did he chuckled and said, “How nice” as though I had just told him that I was the Emperor of Mexico or that my best friend was a seven-foot-tall rabbit named Harvey. In other words, to the mind of this Englishman I may have THOUGHT that I had a coat of arms but whatever it was I had wasn’t “real.”

Lest anyone think I’m simply hear bashing the English let me say that I can also recall a conversation with an American friend who had been armigerous for many years. On one occasion he was happy to tell me that he had become a Serving Brother in the Venerable Order of St. John. He then went on to say that since the Venerable Order was under HM Queen Elizabeth II as its sovereign that he was now entitled to petition the College of Arms for a grant of arms. When i expressed confusion as to why he’d want to do that after having borne his coat of arms for decades he replied, “Well, yes, but that’s just my assumed arms. Now I can have a REAL coat of arms!”

So in both of these instances we see the prevailing attitude: that a genuine coat of arms can only be one that is granted to you and an assumed coat of arms isn’t real. Why does this problem persist? Even in *An Heraldic Alphabet* by the late great John P. Brooke-Little, quondam Clarenceaux as well as Norroy and Ulster King of Arms, says that assumed arms are, “...arms borne without lawful authority.”<sup>1</sup> It is this matter of “authority” that causes the problem. I hope this doesn’t come as a rollicking shock to anyone but the English didn’t invent heraldry! Similarly, their system of heraldry isn’t the only one and isn’t necessarily the best one. Nevertheless, the simple fact remains that in the English-speaking world the majority of works on the subject of heraldry are written by those who come under the English College of Arms or the Court of Lord Lyon. In other words, these are authors writing about heraldry that is absolutely controlled by an heraldic authority. So, it is only natural that their perspective is one of there being such a thing as lawfully granted arms and unlawfully borne arms such as those that would be merely assumed without recourse to the appropriate authorities. It is this “British Perspective” on heraldry as a whole (again, in the English-speaking world, at least) that dominates the conventional wisdom and shapes the attitudes of those who attempt to learn more on the subject from the merest dilettante to the serious scholar. The sum total of information in English on heraldry is provided by either English, Welsh, Scottish, Irish, Canadian or Australian authors all of whom are subject to a heraldic authority. However, it must be said that the largest amount doesn’t always necessarily provide the best treatment of the subject. It puts me in mind of what the then Apostolic Pro-Nuncio to the United States, Archbishop Pio Laghi said at the ceremony installing the late Anthony Cardinal Bevilacqua as Archbishop of Philadelphia. In his remarks prior to reading the Papal Bull of appointment he was talking about how officials in Rome were always looking for the appropriate language to describe the diocese in question when preparing such papal documents. In addition, he wanted to poke a little fun at the outgoing archbishop, Cardinal Krol, who was known for being outspoken. Archbishop Laghi recalled that when he had installed Cardinal Bernardin as Archbishop of Chicago the papal document described Chicago (as it was back then in 1980) as “Maxima” meaning the greatest or the largest. At that point a voice conspicuously like that of Cardinal Krol was heard to say, “Maxima forsen sed non optima.” (The largest perhaps but not the best) So, you see the largest thing isn’t always the best thing.

Indeed, there are heraldic authorities in many parts of the world. Some date back to the XV<sup>th</sup> century and some were constituted as recently as 26 years ago. Heraldic Authorities exist in:

- England
- Scotland
- Ireland
- Canada
- South Africa
- Kenya
- Spain (somewhat)

These authorities provide grants issued by the Sovereign or the sovereign authority of the country thus providing legal protection for the coat of arms as a unique design and one that belongs exclusively to the bearer and his/her descendants. In those places where an heraldic authority exists they and they alone design, devise, research, grant, regulate the use of, and determine differences made to all coats of arms both private and corporate.

In other countries, like Germany, Switzerland and Belgium, heraldic societies exist to assist in recording coats of arms for citizens. In other places heraldic registries exist so that a coat of arms may be properly registered to protect it from usurpation. (Slovakia) Where there is no heraldic authority then citizens are free to design and adopt a coat of arms of their own as long as they do not usurp the existing coat of arms of another. I recently worked with a brother-priest on a design for his personal coat of arms. He had seen the coat of arms of the Prefect of the Pontifical Household, Archbishop Georg Gänswein, and liked the dragon and star on the coat of arms. He asked me to do a design for his arms that looked “just like that.” A long conversation ensued. Of course, the existence of an heraldic authority prevents any problems in this area. They see to it that no two designs are exactly alike and that if

someone does steal another's coat of arms there is legal recourse for such action. In places where there is no heraldic authority the individual must be especially careful when assuming a coat of arms and the onus is on them to research it well and/or come up with a design guaranteed to be unique. However, there are still those, like the elderly priest I spoke of earlier, who conclude that if you don't have a heraldic authority to grant you a coat of arms then you're simply out of luck and you may not have a coat of arms!

Yet, it is VERY American to want to devise and adopt a personal symbol for oneself without having to appeal to any outside authority. In addition, it is VERY American to want a personal symbol that doesn't necessarily bring along with it any pretension to titles, honors, knighthoods, etc. but exists merely as a personal emblem of oneself and one's family. The idea of eschewing titles and honors as more clearly embodying the American ethos is what has, in part led to the majority of American society rejecting the idea of a coat of arms as pretentious, snobbish, elitist and un-American. We are Americans and if we want to see shields, helmets, mantles and crests we buy expensive plane tickets and go look at them in other countries but we don't want that stuff in our back yard! At the risk of repeating something quoted far too often, however, George Washington, the very father of our country (and an armigerous one to boot!), famously said, in a letter to William Barton on September 7, 1788, "it is far from my design to intimate an opinion that heraldry, coat-armour, &c., might not be rendered conducive to public and private uses with us; or that they can have any tendency unfriendly to the purest spirit of republicanism."<sup>2</sup>

The use of heraldry is, therefore, not solely dependent on there being a heraldic authority deputized by a Sovereign to grant coats of arms to that Sovereign's subjects. In a place like the United States, where sovereignty rests with the people themselves, they may assume a coat of arms appropriately and legally. Some citizens of the United States are in a position to apply for a grant of arms, an honorary grant of arms or, in the case of corporate bodies, for a devisal of arms by foreign heraldic authorities. For example, anyone in the United States who is of English ancestry in the direct male line or who is a member of one of the chivalric orders which has the Queen as its Sovereign may apply to the College of Arms. The Court of Lord Lyon will entertain petitions from anyone of Scottish ancestry anywhere in the world. If an American is descended from a family from Spain and/or lives in a part of the U.S. that was once territory under the possession of Spain (i.e. Florida) then you can apply to one of the Spanish Cronistas (although there is only one functioning at the moment). The Canadian Heraldic Authority will entertain petitions from Canadian citizens. In the case of arms that are granted by a heraldic authority such a grant is indeed considered an honor from the Crown (or from the government of the country in some cases). Those who apply for a coat of arms must be considered deserving and worthy of such an honor. Those who have served in the military, or in public office, in one of the professions or who at least possess a university degree are usually considered to be among those who are worthy. Certainly, those among noble families or who possess a knighthood would also qualify. In a sense, while a grant of arms doesn't ennoble a person or confer a title it does "gentrify" the individual. There have been cases where a petition was turned down because the petitioner was considered undeserving.

However, because some U.S. citizens may apply for a grant of arms from a foreign heraldic authority this does not mean that those citizens who may not have coats of arms that aren't real.

So, let's return to some of the questions I posed at the outset.

### **Since some US citizens are in a position to apply for a grant of arms while others are not does this create a caste system for heraldry?**

The short answer to this is, "It depends." What I mean is that it depends on the context within which the question is being asked. In practice, yes, there is a kind of caste system because the myth that granted arms that come from a king or queen are better, or more real, or in any number of ways superior to those simply assumed. However, such a position is borne mostly out of ignorance. In theory, there should be no such caste system because the laws, regulations, traditions and practices of heraldry differ from country to country. My assumed arms as an American are not inferior to an Englishman's arms granted by his Sovereign.

### **Are some arms real while others aren't?**

The short answer to this is, "It depends." In those places where a heraldic authority is charged with the devising and granting of coats of arms then yes, absolutely, assumed arms can be seen to be fake and, perhaps, illegal. Do people who live in England or Wales sometimes assume a coat of arms? Yes, they do. Are they free to do so? Absolutely not! I was once asked by a Canadian bishop to design his coat of arms. I told him that he wasn't free simply to assume arms. Prior to 1988 he would have been but now that the Canadian Heraldic Authority does exist, he was obliged to go through them. However, in places where there is no heraldic authority an individual is morally and legally free to assume a coat of arms and those arms are no less real than arms that are granted. To the individual who looks down his nose at my coat of arms, which is assumed, because his coat of arms was granted by Lord Lyon, for example, my reply is that that's merely interesting but actually has no bearing on the validity of my coat of arms. Since I am not a Scot Lord Lyon has no power whatsoever to grant me a coat of arms even if I wanted him to. Since I am an American citizen living in the United States, I chose the only avenue open to me for the obtaining of a coat of arms: Assumption.

### **Does receiving a grant of arms actually increase one's social status or even ennoble a person?**

The short answer to this is, "It depends" (are you beginning to notice a pattern? I stick to the old Jesuit maxim: seldom affirm; never deny; always distinguish). Once again, in those places where a coat of arms is conferred by a grant of arms it is, in a sense, a gift to

you from the Sovereign. Take, for example, the English College of Arms. This is an office of the Crown. The Sovereign has empowered the Earl Marshal, the Duke of Norfolk, who presides over the College, to grant coats of arms in the Sovereign's name, to deserving individuals and corporate entities who appropriately make petition for such grants. The Earl Marshal, in turn, empowers the Kings of Arms who work in conjunction with the Heralds and Pursuivants to sign and seal the Letters Patent granting a coat of arms once it has been thoroughly researched and/or devised. This is why the letters patent bear the coats of arms of the Sovereign, the College of Arms and... the Earl Marshal. Depending on the design and decoration of the Letters Patent (which often has much to do with what the petitioner can afford to have prepared by the calligrapher and heraldic artist) the Letters may also include the arms of the King or Kings of Arms who have signed the document. It is this heraldic authority which guarantees the individual is deserving and also that their coat of arms is a unique and/or properly differenced design not usurping anyone else's. These days that's done by a combination of compiling an extensive database that includes the blazons (which is why they are so important) as well as the more antiquated method of keeping a physical record of granted arms in the form of drawings. In the past, however, the Heralds used to undertake wandering journeys throughout the realm known as Visitations which served the purpose of determining what arms were being used by people in order to prevent duplication as well as to determine who was armigerous and whether or not they were deserving to be. The last of these Visitations took place at the end of the XVII<sup>th</sup> century.

However, in places where there is no authority granting a coat of arms the having of a coat of arms adds nothing other than a distinctive emblem of identification. It does not increase one's social status and certainly doesn't make one noble. Only the content of your character can do that!

### **What about the so-called “bucket shops” and their role in this?**

The short answer to this is, “It does NOT depend”! In almost every instance the bucket shops are selling you something fake. Many people believe that somewhere in the great heraldic cloud there is a coat of arms that belongs to their family name and, therefore, to them. This myth is the *raison d'être* of the many heraldic “bucket shops” that populate the internet as well as many malls and tourist destinations. These folk undertake to provide (for a fee) a beautifully rendered certificate bearing “the Arms of Selvester” even though no such thing exists. Arms are granted to individuals, not families, and are transmitted in the same way. There is therefore no heraldic achievement that can properly be called “the arms of Selvester.” That is not to say that the shield demonstrated in Ye Olde Heraldry Shoppe is entirely made up. It is probably a real one. Just as probably, however, it was granted in 1825 to a William Sylvester, with a “Y,” of Bristol, England and has since descended by legal inheritance via a long line to a Thomas Sylvester of Brisbane, Australia. The point is, it isn't 72207USAmine, and I do not have the right to use or display it.

In Polish and Scottish, and some Irish heraldry, there is a notion of clan arms to which all the members of the many branches of the same clan and bearing the same or similar surnames are entitled but such situations are the exception not the rule. This is not to say that there is never a coat of arms to which you have at least a partial ancestral claim. It does mean, however, that to claim that entitlement you have to establish descent from the original armiger. This is what genealogy is all about and every genealogist knows that hearing the same surname of a long-dead person does not imply descent from him. The bucket shops play on peoples' ignorance and their vanity. They are part of the reason that heraldry seems, in the mind of a good many people, like so much flummery.

In conclusion let me say simply that within the American context it is perfectly acceptable to assume a coat of arms. Such a coat of arms is real and legal. It is also possible under certain circumstances for some U.S. citizens to apply for a grant of arms from one of the foreign heraldic authorities but this does not make those particular coats of arms more real or better. For those living under a heraldic authority they must be subject to it and the assumption of arms violates that authority. In places where there is no authority for the regulation of coats of arms assumption of arms is safe, legal and should be far less rare.

### **NOTES**

1. Brooke-Little, John, *An Heraldic Alphabet* (London: Robson Books, 1996), 38.
2. Library of Congress. George Washington Papers at the Library of Congress, 1741-1799.

### **SOURCES**

- Library of Congress. George Washington Papers at the Library of Congress, 1741-1799.
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