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Submitted by Mr. Baldwin
to the King 4/12/36

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Mr. Baldwin with his humble duty to Your Majesty.

With reference to the draft of a broadcast which
by Your Majesty's instructions was placed before the
Cabinet to-day, Mr. Baldwin submits the following
observations.

In the case of broadcasting (as in the case of any
other form of public address) there is a fundamental
distinction between the position of the King and the
position of a private person. As long as the King is
King he can only speak in public in that capacity. If a
Sovereign takes the formal action which is necessary to
renounce the Throne, and if he becomes a subject of the
reigning Sovereign, his claim to broadcast stands on quite
a different basis. But the suggestion that the King should
broadcast in the terms proposed is a suggestion that he
should broadcast as King and while occupying the Throne.

Such/

such a broadcast could only be given on the advice of his Ministers, who would be responsible for every sentence of it. In these circumstances Mr. Baldwin cannot advise that the King should broadcast as proposed.

In order to make the constitutional position quite plain Mr. Baldwin appends a note of certain propositions which are well established and universally accepted by constitutional authorities. He would call particular attention to the paragraph which points out that the King, in present circumstances, could not constitutionally make a broadcast on the topics proposed save on the advice of all his Governments.

(SD.) STANLEY BALDWIN.

4th December, 1936.

1. It is a fundamental constitutional principle that the King's Ministers must take responsibility for every public act of the King, for the King himself can do no wrong; and it follows as a necessary corollary that Ministers must have the right to tender advice before the act is done. This principle is the basis of constitutional monarchy and if the King disregarded it, the monarchy would cease to be constitutional.

2. Accordingly, it would be a grave breach of constitutional principle if the Sovereign were to make a public statement on any matter of public interest except on the advice of his Ministers. Whether the medium is the B.B.C. or any other form of address spoken or written makes no difference. This extends even to replies to loyal addresses presented by Municipal bodies - a fortiori to a world-wide discourse which manifestly might have constitutional consequences.

3. Apparent exceptions to the rule that the King's public utterances must be such as are approved by his Ministers ...

Ministers (such as King George's Christmas message) are not really exceptions at all. In such cases Ministers are willing to give an experienced Monarch who thoroughly understands and has always strictly observed constitutional limitations, a discretion as to what he would say, and are content to take full responsibility knowing well that the Monarch will say nothing of which His Ministers would not approve.

4. The King is bound to accept and act upon the advice of his Ministers in this connection. For the King to broadcast in disregard of that advice would be appealing over the heads of His constitutional advisers.

5. There is a further principle involved. The constitutional duty of the King is not to take sides in any matter of public controversy. If he does so on Ministers' advice, of course they alone are responsible; but if he does so without their advice, or in defiance of it, he ceases to act as a constitutional Monarch and his intervention is calculated to divide His subjects into opposing camps. It is manifest that the King's broadcast must have this result.

6. ...

6. Moreover, a Royal broadcast of the nature contemplated could only be given on the advice of all the King's Governments. Even if there were a change of government in this country, and new Ministers could be found prepared to authorise such a proceeding, this would avail nothing unless all the Dominion Governments also approved the project.