



I. THE ROLE OF THE GRAND DUKE

(All articles referenced on this page refer to the articles of the Constitution of the Grand Duchy of Luxembourg that came into force on 01/07/2023.)

Luxembourg is a parliamentary democracy in the form of a constitutional monarchy (Art. 2), and the Grand Duke is the Head of State (Art. 44). He represents the State under the official title 'Grand Duke of Luxembourg.' The Grand Duke holds only those powers granted to him by the Constitution and the laws.

The title 'Grand Duke', although only used in its masculine form in the Constitution, is intended to be gender neutral. It may also refer to a woman, who is usually addressed as 'Grand Duchess', as was the case with Marie-Adélaïde and Charlotte.

1. Accession

The Grand Duke becomes Head of State after taking the oath before the Chamber of Deputies (Art. 57): 'I swear to observe the Constitution and the laws and to faithfully fulfil my constitutional duties.' This oath has evolved over time: it has been shortened, secularised (the religious phrase 'So help me God!' was removed), and made more democratic.

2. The Grand Duke: Symbol of the nation

The Grand Duke plays an important role in the functioning of the Luxembourg state. In his official capacity, he represents the State both domestically and internationally. His role is defined in relation to the State, not directly to society or the people. His involvement in major legal acts, such as the promulgation of laws or his presence at official ceremonies, emphasises that these actions are carried out in the name of the State.

Where sovereignty resides in the nation and state authority derives from it (Art. 3), the Grand Duke embodies the independence and unity of the nation and thereby the continuity of the Luxembourg State. This cohesive function is reflected in the Grand Duke's involvement in all three branches of government:

- he promulgates laws (legislative power),
- he participates in their execution (executive power) and
- justice is rendered in his name (judicial power).

To fulfil this role, the Grand Duke must remain politically neutral. He does not take a position in public debates and does not involve himself in political controversies.

Every act of the Grand Duke in the exercise of his function as Head of State must be countersigned by a member of the Government (Art. 44), who assumes responsibility for it. This ministerial responsibility is a fundamental principle of parliamentary democracy, in which every act of public authority must be subject to discussion, scrutiny, and accountability. Most often, the countersignature is explicit and documented in writing, but it may also be tacit, for example, when a minister accompanies the Grand Duke at an official event.

Ministerial responsibility is counterbalanced by the Grand Duke's political irresponsibility and his inviolability (Art. 44). This immunity also guarantees his institutional independence. It means that he cannot be prosecuted or held accountable, whether criminally or politically, which allows him to carry out his duties above partisan divisions and in the interest of the continuity of the state.





Another pillar of his independence is the annual endowment paid to the Grand Duke (Art. 54), which enables him to carry out his duties under appropriate conditions. The amount and terms of this endowment are set by a law passed by the Chamber of Deputies.

The administrative and logistical support necessary for the exercise of the duties of Head of State is provided by the Maison du Grand-Duc (Art. 54), in line with the public interest. It was established by Grand Ducal decree dated 9 October 2020.

3. The Grand Duke's prerogatives and duties as Head of State

In a constitutional monarchy such as Luxembourg, the monarch is the Head of State - in this case, the Grand Duke. Articles 44 to 55 of the Constitution define his duties and powers:

- **The Grand Duke promulgates laws** (Art. 49) within three months of their adoption by the Chamber of Deputies. This confirms the completion of the legislative process and initiates the law's publication in the Official Journal. The official date of a law is the date of promulgation, not the date of the vote. Promulgation should not be confused with publication, which makes the law publicly accessible and legally binding, nor with its entry into force (unless otherwise stated, a law enters into force four days after publication).

Before the amendment of Article 34 of the Constitution in 2009, the Grand Duke had the power of 'sanction', which means that he was required to approve the adopted text. In a parliamentary democracy, legislative power rests exclusively with Parliament, and the sanctioning power was therefore abolished.

- **The Grand Duke issues the regulations and decrees necessary for the implementation of laws** (Art. 45), jointly with the Government. The 2023 constitutional reform introduced a new provision: the Grand Duke, together with the Government, may now issue regulations to implement European Union law, reflecting the voluntary transfer of certain powers from the Chamber of Deputies to EU institutions.

- **The Grand Duke concludes and terminates international treaties** (Art. 46). Ratification by the Grand Duke binds the State internationally but has no direct effect in domestic law. For a treaty to have legal effect in Luxembourg, the Chamber of Deputies must give its consent.

- **The Grand Duke may call early elections** (Art. 73), but only if the majority of deputies withdraw their confidence in the Government or pass a motion of censure against it. In the event of the Government's resignation, the consent of the Chamber of Deputies, by absolute majority, is required to call early elections. Such elections must take place within three months.

- **The Grand Duke may take exceptional measures in times of crisis** (Art. 48), whether in the event of an international crisis, a real threat to the vital interests of the population, or an imminent danger to public security. If the Chamber of Deputies is unable to legislate within the necessary timeframe, the Grand Duke, together with the Government, may take regulatory measures in all areas. These special powers are limited in both duration and scope.

- **The Grand Duke appoints the Prime Minister and the other members of the Government** (Art. 88) and also relieves them of their duties. This is done in agreement with the Government.

- **The Grand Duke appoints civil servants** (Art. 50), except in cases of exception provided by law. In practice, he appoints only the highest-ranking officials; all other appointments are made by the competent minister. To ensure judicial independence, a National Council of Justice entrusts the Grand Duke with appointing its members, but only from candidates selected through an electoral process, it is therefore not a matter of free choice.

- **The Grand Duke holds the title of Commander of the Army** (Art. 53), with command exercised under the responsibility of the Government. He bestows civil and military honors, always with the countersignature of a member of the Government.



• **Court rulings and judgments are executed in the name of the Grand Duke** (Art. 97), but the administration of justice remains the responsibility of the courts. The Grand Duke does not interfere with judicial independence. Justice is rendered by the courts. The Grand Duke may **grant pardons or commute sentences imposed by the courts** (Art. 51). This right applies solely to criminal penalties pronounced in Luxembourg and excludes disciplinary, administrative, or civil sanctions. The pardon decision follows the opinion of the Clemency Commission and must be countersigned by a government member. Thereby, the Grand Duke does not act arbitrarily, but within a legally regulated and supervised framework.

II. THE CONSTITUTIONAL MONARCHY

In a hereditary monarchy, the monarch does not exist alone: he is part of a family, known as a dynasty. This family plays an important role in ensuring the continuity of the monarchy and in performing certain functions of public interest.

Besides the Grand Duke himself, other members of the family may also serve the State, even if only in a symbolic or occasional capacity. The Constitution (Art. 54) provides a state allowance solely for the Grand Duke, and, where applicable, for:

- the former Head of State,
- the Hereditary Grand Duke,
- the Regent, and
- the *Lieutenant-Représentant*.

1. The Order of Succession

The position of Head of State is hereditary (Art. 56). It passes to the direct descendants of the first Grand Duke of the Nassau-Weilburg line, Adolphe I, according to the principle of primogeniture (the firstborn child, regardless of gender) and by representation (within the line of succession). Only children born in wedlock have the right to succeed.

Currently, the succession to the throne is secured by His Royal Highness Prince Charles. His brother, His Royal Highness Prince François, is second in line of succession.

Tradition in Luxembourg holds that the reigning Grand Duke chooses the appropriate moment to abdicate in favour of his heir.

A brief history of the order of succession:

1783. The Nassau Family Pact establishes the order of succession: in the direct male line according to the principle of primogeniture. In the absence of male descendants, the crown passes to the eldest daughter of the ruling dynasty.

1815. At the Congress of Vienna, the Duchy of Luxembourg enters into a personal union with the newly created United Kingdom of the Netherlands under William I, Prince of Orange-Nassau, and is elevated to a Grand Duchy.

1867. The Treaty of London ends the Prussian-French crisis over Luxembourg. The Grand Duchy is declared perpetually neutral, and the rights of the House of Nassau's descendants are confirmed.

1907. Grand Duke William IV has six daughters. He issues a new family statute allowing his daughters to inherit the throne in the absence of male heirs. Princess Marie-Adélaïde is declared heir presumptive.

2011. Grand Duke Henri introduces an absolute primogeniture, ensuring equality between men and women in the line of succession to the throne.



2. The Hereditary Grand Duke

Once the heir presumptive reaches the age of 18, they receive the title 'Hereditary Grand Duke of Luxembourg' (Art. 52). The term 'heir' refers to a status acquired at birth, essential for one day ascending to the throne. Neither this status nor the title of heir makes the person a constitutional organ of the state. They are considered the future Head of State, probable, but not guaranteed.

Only upon being appointed as *Lieutenant-Représentant* does the heir officially hold a state office, namely that of the Grand Duke.

In practice, starting after completing his studies, the Hereditary Grand Duke plays an active role in supporting the Grand Duke in official duties. In recent decades, it has become customary for the heir to be involved in promoting Luxembourg's economy abroad and in other areas of societal importance. Upon appointment as Hereditary Grand Duke, he may be appointed by the Grand Duke as a member of the Council of State, allowing him to deepen his understanding of the legislative workings of the State.

3. The role of the spouse

Regardless of gender, the role of the spouse of the Grand Duke remains the same: they participate in the upbringing of the children and in official and ceremonial duties. Additionally, the spouse may become involved in charitable, social, and artistic causes.

Although often discreet, this role plays an important part in maintaining the symbolic and institutional continuity of the monarchy.

4. The former Head of State

The parents of the reigning Grand Duke continue, in practice, to hold their titles. For example, former Grand Duke Jean retained his title after his abdication. This is a ceremonial and symbolic custom without any institutional role.

The former Head of State may still participate in public life and engage in charitable or civic initiatives, in coordination with the reigning Grand Duke.

5. Representation of the Grand Duke

There may be times when the Head of State needs to be represented, for various reasons. Several mechanisms ensure the continuity of the office, even in cases of temporary or permanent impediment of the Grand Duke:

The *Lieutenance*

As the position of Head of State in the Grand Duchy of Luxembourg is hereditary, the Grand Duke may choose to be represented by another adult family member (Art. 58), who is in the line of succession (Art. 56). This person is given the title 'Lieutenant-Représentant of the Grand Duke' and assumes office after taking the oath before the Chamber of Deputies.

Today, the Lieutenancy is considered the final stage of preparation for the Hereditary Grand Duke before assuming the role of Head of State.

A brief history of *Lieutenances*:

1850 (29 years). Prince Henry of the Netherlands is appointed by his brother, King Grand Duke William III, on 5 February 1850. The Lieutenancy lasts until Prince Henry's death in 1879.



1902 (3 years, 7 months). Prince William of Nassau is appointed by his father, Grand Duke Adolphe, then aged 85. When Adolphe dies in November 1905, Prince William becomes Grand Duke William IV.

1908 (8 months). Due to poor health, Grand Duke William IV appoints his wife, Grand Duchess Maria Anna, as *Lieutenant-Représentant* in March 1908. In November, the *Lieutenance* is replaced by a Regency.

1961 (3 years, 6 months). Grand Duchess Charlotte appoints Prince Jean as *Lieutenant-Représentant* in April. She abdicates in November 1964 in favour of Grand Duke Jean.

1998 (2 years, 7 months). Hereditary Grand Duke Henri is appointed by Grand Duke Jean in March 1998. Jean abdicates in October 2000, and Henri becomes Grand Duke.

2024 (1 year). Hereditary Grand Duke Guillaume takes the oath before the Chamber of Deputies and becomes *Lieutenant-Représentant* of Grand Duke Henri. It is the first time the oath is taken in the Chamber, as required by the revised Constitution of July 2023. Grand Duke Henri hands over the throne to Grand Duke Guillaume on 3 October 2025.

The Regency

A Regent assumes the role of Grand Duke when the latter is unable to fulfil his duties (Art. 59). The Grand Duke retains his title but no longer exercises his functions. Another adult family member, who is in the line of succession (Art. 56), then takes over temporarily. The Regent must take the oath before the Chamber of Deputies.

A regency is required:

- when the successor is a minor at the time of the Grand Duke's death or abdication, the regency lasts until the successor reaches adulthood; or
- if the Grand Duke is temporarily unable to fulfil his constitutional duties, for example due to health reasons.

A brief history of Regencies:

There have been two Regents (and four Regencies) in Luxembourg's history:

1889 (22 days) and 1890 (17 days). Two regencies by Duke Adolphe of Nassau, later Grand Duke of Luxembourg, at the end of William III's reign.

1908 (3.5 years) and 1912 (3 months). Two regencies by Grand Duchess Maria Anna, wife of Grand Duke William IV. The first during his illness until 1912, the second between his death on 25 February 1912 and the majority of Marie-Adélaïde on 14 June 1912.

Conclusion

The role of the Grand Duke is firmly rooted in the Constitution of the Grand Duchy and reflects a balance between tradition and modern democracy. As Head of State, the Grand Duke embodies national unity, state continuity, and independence. His duties are defined and always embedded within a system of parliamentary oversight.

Luxembourg's constitutional monarchy demonstrates how a monarchical head of state can function within a democratic framework, respecting the separation of powers, political neutrality, and a strong institutional foundation.

(Author: Maison du Grand-Duc)