The Royal Elephant in the Room

A Moral Assessment of Democratic Parliamentary Monarchy

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Abstract

This thesis questions whether a fairly modest monarchical arrangement, Democratic Parliamentary Monarchy (DPM), is a morally acceptable form of state. First, I offer a case for DPM by outlining a justification of monarchical arrangements within the framework of liberal democracy. The justification especially demonstrates how contemporary DPM’s conforms to the idea of popular sovereignty, connoting a monarchy in the interest of the people. I also offer some suggestive structural advantages for retaining a DPM as compared to prevalent alternative arrangements. Consequently, the case for DPM suggests that retaining a hereditary monarch as the nation’s head of state may offer some desirable prerequisites for continuity and neutrality. Second, I offer a critique of DPM by challenging the justification of monarchy. The critique promotes objections to DPM and argues that the monarchical arrangement fails to comply with key democratic and liberal principles. The democratic objection argues that the justification of monarchy is subject to some ambiguities. I demonstrate that the citizens’ opportunities to reject the arrangement are limited. And, that the justification contains some ambiguous notion of monarchical powers. The liberal objections argue that the arrangements of DPM fail to treat people as equal moral agents. Interestingly, I find that this applies both to the citizens and the royals themselves. Finally, I assess the decisiveness of the objections. I demonstrate how we may enhance the justification of monarchy by removing the ambiguities. I show that this option offers some promise. Yet it merely serves to address the challenges as perceived for the citizens. However, the royals themselves face notable restrains on their basic rights and liberties by virtue of being born into the arrangement. Thus, I argue that we cannot accept the arrangement of DPM, as hereditary succession evidently fails to comply with salient universal principles of equality and liberty.
Acknowledgments

First and foremost, I would like to thank my supervisor, Robert Huseby, for excellent guidance, helpful comments and suggestions, and the immensely rewarding experience of having my assumptions and arguments challenged thoroughly. This has hopefully brought some clarity to the ideas and arguments of this thesis. Moreover, I should probably thank Robert for the oddly comforting feeling of not being the only one occupied by the topics of monarchy and royalty during this time.

I would also like to thank my fellow students in the 7\textsuperscript{th} and 9\textsuperscript{th} floor for two great years at the master’s programme in political science at Blindern. Christian and Katrine deserve a special mention, especially perhaps, for the virtues of long lunch breaks. Except their constant reminders of a certain table situation in The Premier League, their company has meant a great deal during these years. Besides making obscure The Office references, Katrine has also discussed the topics of this thesis vividly with me for the greater part of the last two years. For her comments, suggestions and objections, I owe a great debt.

Last, but not least, I would also like to thank family and friends; both those conveniently moving to Oslo during these years and those ‘back home’. Their occasional success in reminding me of there being a life outside political science, their support, and not giving completely up on me during the more hectic phases of writing this thesis means a lot. Stian, Susann and Karin deserve a special mention for reading and commenting on parts of this thesis. Whether I have managed to implement all of their helpful suggestions and corrections, however, is another question. Shortcomings and mistakes are my sole responsibility.

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1 Introduction

Contemporary democracies typically arrange democratic elections in order to assign the highly prestigious position as the nation’s head of state. Contrary to this general rule of thumb, a handful of the highest scoring democracies on democratic indexes and rankings (e.g. Freedom House, 2017, p. 20-4), to this day, assign theirs by hereditary succession within the framework of a monarchy. In the academic literature, the topic of contemporary monarchy receives little attention. Whilst closely related to the literature on democratic transition, by virtue of being the historical point of departure, the attention to the monarchical institution seems to fade at the point of reaching democracy. Our knowledge of monarchy then is largely based on the conditions of successful democratic transitions, and why some monarchies were overthrown whilst others remains (e.g. Huntington, 1968, p. 177-92; Tridimas, 2014; Tridimas, 2016). Normative inquiry of monarchy after conforming to modern democracies, on the other hand, remains a surprisingly understudied field of study. Thus, few have questioned whether contemporary democratic states ought to retain their monarchical arrangements.

The motivation of this thesis is to offer a contribution to the field of study by asking just that. The initial lack of academic attention per se may offer some attraction to engage in a normative discussion on the subject. Yet why should we pursue these types of questions; what (if anything) is wrong with retaining a contemporary monarchy insofar as it does not oppose the general prevalence of liberal principle and democracy? I certainly imply then, that there are some principled qualms about the idea of retaining a monarchical arrangement within a democratic state. Whilst receiving little attention in the academic literature, these debates occasionally arise in the political discourse within the remaining monarchies. Generally, these debates divide into three distinct yet related issues.

The first of these issues relates to the fairly obvious undemocratic feature of assigning the head of state by hereditary succession, as arbitrary circumstance and birth privilege seemingly prevails within a prominent office of contemporary democracies. The second issue concerns the general notion of equality within these arrangements, as the institution of

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1 Note that there are some thematic intersection between this thesis and my bachelor’s thesis (Bottenvik, 2016) written roughly two years ago. Both of these works offer normative discussions on the topic of monarchy in contemporary democratic societies. I nonetheless do not cite or use my previous work actively in this thesis.

2 Whilst offering an interesting normative inquiry on the topic of contemporary monarchy, Detlef von Daniels’ (forthcoming) recent contribution differs from this approach. Rather than offering an answer to this question, von Daniels challenges the liberal framework in which this question is asked, suggesting that we might revise our understanding of liberalism as to acknowledge and leave room for historical realities and various traditions.
monarchy in some notable ways leads to a distinction between those holding royal status and ordinary citizens. And finally, the third issue concerns the royals’ sense of liberty, as being born into a public arrangement through no choice of one’s own leads to some notable restraints on their liberty and freedom of choice. These issues relates to the democratic form of government, which is largely founded upon these basic principles of equality and liberty. Accordingly, the democratic form of government ought to ensure equal respect and equal treatment for the people and their basic rights and liberties.

However, on a day-to-day basis we tend to threat the principled challenges of the royal institution as something of an elephant in the room. We generally acknowledge that there are some major principled challenges of retaining a monarchy within modern democracies. Yet the remaining monarchies typically enjoy a considerable level of support in the public – by virtue of its primarily symbolic and ceremonial functions within the democratic form of government. As long as the salient principles of democracy, equality and liberty generally prevail, we tend to look the other way. Thus, the question I seek to answer in this thesis is whether we ought to accept these royal arrangements.

1.1 Research Question

To answer whether democratic societies should accept a monarchical form of state, this thesis offers a moral assessment of the arrangement of monarchy. I seek to steer clear from the wide array of national and institutional variations by treating monarchy as an ideal-type. The ideal-type characterisation I consider most fruitful within the scope of this thesis, applies to the primarily symbolic and ceremonial monarchies within western liberal democracies. As I shall elaborate in some detail in the upcoming section, I apply the category Democratic Parliamentary Monarchy (DPM) for this purpose. The research question in this thesis is accordingly: Is a Democratic Parliamentary Monarchy a morally acceptable form of state?

In order to provide an answer to this question, I outline the case for DPM, a critique of DPM, and a final discussion in which I offer a moral assessment of the arguments’ decisiveness and force. Although I primarily stay within the framework of DPM’s in this thesis, I seek implications that should apply to monarchical arrangements in general. As I shall elaborate shortly, the arrangement of DPM (as compared to other monarchical arrangements) are roughly subject to the strictest level of compliance vis-à-vis democratic principle. This means that insofar as an objection asserts that the fairly modest monarchical arrangement fails to comply with – say, democratic principles, so too would monarchical
arrangements where royal institution exercise political powers. Similarly, if the modest arrangement fails to respect certain normative principles of equality and liberty, the normative principles ought to be generalizable to the more powerful arrangements as well.

By making the modest monarchical arrangement the point of departure, I seek to rule out objections that merely apply to specific variations of the monarchical arrangement. For instance, if I object to monarchy on the grounds of exercise of power, this might merely apply to handful powerful monarchies. Yet if I object to monarchy on the grounds of the arrangements applying hereditary succession, this would apply to the modest arrangement as well as the powerful arrangements – insofar as the arrangement assigns the monarch with hereditary succession. In other words, objections against monarchy in general might not be relevant vis-à-vis the arrangement of DPM. Yet if the objection applies to DPM as well, our objections and conclusion should hold some level of generality.

1.2 Democratic Parliamentary Monarchy

Answering the research question depends on the arguments and their decisiveness. Before turning to these matters more explicitly, I specify the outlines of the monarchical arrangement that will act as the point of departure in my moral assessment. In this thesis, I primarily address the remaining monarchies without real or political powers, often ascribed as holding a merely symbolic and ceremonial function within contemporary democratic society. Thus, my purpose in this section is to offer a brief presentation of these arrangements by outlining their characteristics and how they contrast classical monarchy. Whilst doing this, I will briefly advocate why we should consider expanding the widespread dichotomy of constitutional and absolute monarchies by applying a new trichotomy.

In the classical sense, the concept of monarchy merely establishes the number of rulers. In the classical writings of Politics, Aristotle accordingly described monarchy as the rule by one (Aristotle, 2009, book III, ch. 6-8). More recent definitions typically add the element of autocracy. As such, a monarchy is a form of state that is typically, ruled by a single absolute (i.e. autocratic) hereditary ruler (Bogdanor, 1995, p. 1; Tridimas, 2016, p. 41).

Most contemporary monarchies, however, hardly fits these characteristics. Besides the general prevalence of hereditary succession and the characteristic feature of holding office for life,³ hardly any monarchical arrangements place the sole authority in the hands of a

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³ A prominent contemporary example of a monarchical arrangement electing the head of state is found within the highly original arrangement of the Vatican. As the arrangements specify no separation of powers, the Vatican is, at least in the formal sense of the word, an elective absolute monarchy.
monarch in our day and age. In this thesis, my scope of interest primarily applies to the
remaining monarchies within western liberal democracies. These cases are most often
classified as constitutional monarchies, simply defined as an arrangement where a
monarch “rules according to the constitution” (Bogdanor, 1995, p. 1). The core idea of a
constitutional monarchy is tied to the notion of restraining traditional monarchical authority,
roughly put as the monarch’s opportunities of exercising power on a personal initiative.

The addition of a second category may seem desirable as a means of distinguishing
between different types of arrangements, namely the classical (absolute) monarchy above,
and contemporary constitutional monarchies. The latter category may be criticized for being
overly ambiguous, however, as the characteristics of a limited monarchy falls short of
proposing the extent of these limitations. Cases that vary greatly with regards to authority and
the level of restraints (e.g. some Gulf monarchies and most contemporary western
monarchies) are consequently placed under the same analytical category. As I seek to address
the modest monarchical arrangement within contemporary democratic societies, the specific
concern for this thesis is that the category of a constitutional monarchy, in the strict sense of
the word, does not require a democratic form of government. Rather it merely requires that a
monarchs’ authority, to some extent at least, face restraints by a constitution. Stepan, Linz &
Minoves (2014) has recently shed some light on this ambiguity. Rather than rejecting the
classic absolute-constitutional dichotomy’ altogether, they suggest including a third category,
namely DPM. By assessing the monarchs’ authority vis-à-vis the government, i.e. the
monarchs’ role in forming and terminating the government itself, an ideal-type typology
consisting of three categories are presented. These categories are presented in table 1.2.

<table>
<thead>
<tr>
<th>Table 1.2. Typology of Contemporary Monarchical Arrangements</th>
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<tr>
<td><strong>Category</strong></td>
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<tr>
<td>Absolute Monarchy</td>
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<tr>
<td>Constitutional Monarchy</td>
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<td>Democratic Parliamentary Monarchy</td>
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Source: Stepan et al., 2014, p. 36.
The main feature of the remaining monarchies within my scope of interest is essentially that the real powers of the monarch are severely limited. That is, “the constitution does not allow the monarch to actually govern”, as Vernon Bogdanor (1995, p. 1) puts it.\(^4\) When discussing the morality of monarchy in this thesis, I will apply the category of DPM as this offers the strictest account of a monarchical arrangement that conform to primarily symbolic and ceremonial functions within a democratic form of government. I suggest that there are two sound motivations for this application.

My first motivation is that the category serves to emphasize the division of labour between the head of state and the head of government. In the literature, Walter Bagehot’s well-established terminology, in his seminal work, *The English Constitution*, is often used to distinguish the head of state’s symbolical authority and the government’s executive authority. Bagehot suggests that the constitution essentially consist of two parts, “[f]irst, those which excite and preserve the reverence of the population – the dignified parts if I may so call them; and … [second], the efficient parts, – those by which in fact, works and rules” (Bagehot, 2009/1867, p. 7, emphasis in original). In accordance with Bagehot’s distinction the characteristic feature of a DPM, is that the head of state’s role lies within the dignified elements of the constitution, that is, by performing symbolical and ceremonial functions.

The general case for the retainment of contemporary DPM’s is typically ascribed to the gains from this division of labour. As the royal institution primarily performs symbolic and ceremonial tasks on the citizens’ and nations’ behalf, it may, as some suggest, strengthen our democratic institutions by offering an apolitical and impartial symbol of unity (e.g. Lijphart, 2012, p. 127). The parliament and the government, on the other hand, perform the efficient or executive parts of the constitution, that is, the mechanisms of government and the day-to-day politics (Coakley, 2011, p. 269).

The second motivation of applying the DPM category, contrary to the widespread yet misleading category of constitutional monarchy, is that the new category serves to emphasize that the form of government must meet certain democratic criteria. This may, *de facto*, be the case within the traditional understanding of constitutional monarchy too; it is nevertheless not a structural requirement in the strict sense. The procedure of assigning the head of state within a DPM is hardly democratic in any sense of the word. Yet the form of government (otherwise) undoubtedly is. This assumption depends on whether the parliamentary form of

\(^4\) When discussing the concept of constitutional monarchy, both Vernon Bodanor (1995, p. 1) and Arend Lijphart (2012, p. 127-29) exclusively apply cases that would qualify as DPM’s in accordance with the new trichotomy.
government are built upon an extensive scheme of democratic rights and liberties (i.e. separation of powers) and moreover enables a democratic procedure to flourish by promoting free and fair elections, universal suffrage, political equality in the decisive stage (one person one vote) and so forth (see e.g. Dahl, 1989, p. 108-14).

Although the application of DPM enables a stricter analytical category as compared to the category of constitutional monarchy, some final notes on monarchical authority and constitutional limitations should be addressed further. The important point to note is that limitations on monarchical authority in the constitutions are not solely explicit. Whilst some restraints are made explicit, others are unwritten, or roughly put, subject to acknowledged expectations. This is particularly important to note when discussing the case of DPM, as monarchs in our day and age typically holds certain prerogative and powers, e.g. the right to dissolve parliaments, dismiss governments, veto laws and so forth The monarch is, however, expected not to exercise these powers in accordance with constitutional custom and practice (e.g. Coakley, 2011, p. 282; Smith, 2015, p. 13).

To offer a brief summarizing of this section then, I will understand DPM as an ideal-type arrangement of three characteristics. (i) As a public institution where the head of state, and the members of the royal family, by virtue of their royal status, serves symbolic and ceremonial functions. (ii) The office as head of state is, in accordance with concessions in the constitutions, assigned by hereditary succession and, typically, held for life. And (iii), in accordance with explicit and implicit constitutional constrains on monarchical authority, the monarch as the popular expression goes reigns, but does not rule.

1.3 Some Remarks on Normative Methodology

In the presentation of my research question above, I imply that the nature of the question I seek to answer is normative. Normative questions and analysis are closely related to the process of moral evaluation. As such normative analysis differs from empirical analysis in which descriptions and explanations plays a more influential role. However, this is not to say, that we may neglect the empirical descriptions and explanations from our normative inquiry altogether. Most, if not all, social and political discussions after all, typically rest on some key empirical premise of – say, of how the world really is (List & Valentini, 2016, p. 526).

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5 I should add to this that the unwritten mechanisms of constitutional custom and precedence are not exclusive matters of DPM’s, as these types of mechanisms, in various degree, prevails in most democratic forms of governments. This also includes democratic parliamentary republics where an (directly or indirectly) elected head of state typically has similar functions as a hereditary monarch within a DPM. See Bulmer (2017b).
This is especially important to note in this thesis, as I offer an assessment of the existing institutional arrangement of DPM.

With this in mind, the frameworks of normative political theory promotes certain tools to assess and evaluate the justifications of our social and political practices; and the design of our public institutions (e.g. Dryzek, Bonnie & Phillips, 2008, p. 4-7; Holtug, 2011; List & Valentini, 2016, p. 525-26; Sommer Hansen & Flinch Midtgaard, 2016, p. 13). The task I put forward is accordingly not to offer a mere description of how society is organized. Nor is it explanatory, as to identify the mechanisms of how and why this organization has taken place during the course of history. Rather, I question the moral aspects of a specific arrangement, DPM, and whether liberal democratic societies ought to accept this arrangement. In the remainder of this section, I offer a more specific outline of the approach I apply in this moral assessment, namely the method reflective equilibrium.

**The Method of Reflective Equilibrium**

As with scientific inquiry in general, normative approaches too must offer some transparency and verifiability of our reasoning and conclusions. In normative political theory this especially relates to how we justify and ground our conclusions. A widespread approach for doing this in contemporary normative political theory is provided by the method of Reflective Equilibrium (e.g. Holtug, 2011, p. 277; List & Valentini, 2016, p. 542).

The method is presented in its most widespread form and named by John Rawls (1999). The method sketches the framework we use to systematize the conditions that make up our moral reasoning. Namely, (i) our considered judgements (i.e. initial beliefs) about particular cases, (ii) the principles or rules that commend our beliefs, and (iii) the theoretical considerations or principles we apply to accept or reject them (Cath, 2016, p. 214-16). The process is, as the name suggests reflective. This means that our moral reasoning typically involves moving back and forth among the conditions. Whilst doing this, we make revision—or apply new judgements or principles to our reasoning—in order reach an acceptable level of coherence amongst them; that is, to reach a state of reflective equilibrium.\(^6\)

We generally operate with a distinction of wide and narrow reflective equilibrium, depending on how broadly we challenge our initial beliefs by adding alternative principles and theories. Rawls does not make this distinction in his original formulation of the method,\(^6\) However its prominence in contemporary debate, the method of reflective equilibrium faces some notable critiques, amongst other things, on the relevance of moral beliefs or intuitions (e.g. Singer, 2005). For a brief overview of these critiques see Daniels (2018, section 4.1-3).
but essentially acknowledges that he should have done, in his later writings (Rawls, 2003, §10.1-4). Whereas a narrow reflective equilibrium merely requires looking to cases and principles clearly related to these cases, a wide reflective equilibrium, by contrast, requires a broader inquiry and the consideration of alternative principles and theories. In order to reach a wide reflective equilibrium we should accordingly be willing to challenge our beliefs against alternative moral theories (e.g. utilitarianism, libertarianism etc.) and social theories in general (Daniels, 2018, p. 12-3). The aim of reaching a wide equilibrium, as compared to a narrow one, is to provide justifications that should be reasonable and acceptable to individuals holding a different set of initial beliefs and principles than our own.

Reaching a state of reflective equilibrium, however, does not necessarily yield a stable outcome. After all, the outcome may, and should in accordance with the very premise of the method itself, continuously be open to further examinations and inclusions of new principles and considered judgements. Whilst hardly achievable, as acknowledged by Rawls himself (1999, p. 18), an ideal equilibrium outcome would require reaching a state of coherence in which we are reluctant to make any further revisions. The general feature of the method then, is that it serves as a means of strengthening the justifications for our beliefs. And in the more specific case of doing normative political theory, it may offer some transparency as to how we arrive there.

1.4 Outlook and Structure

This thesis proceeds as follows. In chapter 2, I offer a case for DPM by presenting three arguments that asserts why we should consider accepting the arrangement of DPM. The first of these, The Popular Support Argument, is particularly important as it outlines the framework for what I throughout this thesis refer to as the justification of monarchy. This justification emphasise that the arrangement of DPM respects the notion of popular sovereignty, as the retainment of DPM are contingent on the citizens’ popular support. Insofar as the citizens are capable of rejecting the monarchical arrangement themselves, and moreover that the institution complies with the expectations of serving a symbolic and ceremonial purpose, the argument suggests that we might tolerate the arrangement – if in accordance with the citizen’s desires. The subsequent Continuity Argument and The Neutrality Argument, conforms to the framework of the justification of monarchy, and offers ambitious advantages of keeping the arrangement of DPM.
Chapter 3 offers a critique of DPM by presenting three arguments that asserts that the arrangements of DPM are unacceptable within contemporary democracies. Initially, *The Inadequate Justification Argument* challenges the key assumptions of the justification of monarchy. The second argument, *The Inequality Argument* offers a twofold critique of DPM. First, objecting to the procedure of hereditary succession and its incompatibility with the notion of careers open for talent. And secondly, objecting to the consequent substantive division of ordinary citizens and those holding royal status. Finally, *The Individual Liberty Argument*, objects to DPM on the grounds of the arrangement leading to notable restraints on the royals’ individual liberties and freedom of choice.

Chapter 4 offers the main discussion by assessing the arguments decisiveness and force. Initially, I outline how (fairly modest) revisions of the current arrangement might offer a stronger justification of monarchy. Next, I assess whether alternative arrangements of assigning the head of state may enhance the notion of careers open for talents and demonstrate that alternative arrangements too faces similar challenges as hereditary succession. I also assess how severe the resulting substantive inequalities of applying hereditary succession seems to be. I then proceed to the challenge of individual liberty. Initially, I assess the arrangements restrains on the royals’ liberties and freedom of choice. And subsequently, I question whether the members of the royal institution are free to break free from the initial restraints on their basic rights and liberties.

Chapter 5 concludes the thesis. Here I briefly outline the main discussions and the implications that lead to my findings. I assert that we cannot accept the arrangement of DPM, as hereditary succession evidently fails to comply with the salient universal principles of equality and liberty. It does so most remarkably by putting severe restraints on the royals’ basic rights and liberties; restrains that are essentially imposed upon them by the arrangement of DPM.
2 The Case for DPM

2.1 The Popular Support Argument

The first argument in the case of DPM asserts that we might accept the arrangements by meeting the criteria of a modern justification of monarchy. The Popular Support Argument, as I shall call it, emphasises the key characteristic of this justification; namely the rejection of absolutism followed by embracing the idea of popular sovereignty.

To outline the criteria of this justification the structure of the Popular Support Argument is twofold. In the first part, I demonstrate how contemporary DPM’s conforms to the idea of popular sovereignty. Here I emphasise some implications of the transition from absolute monarchy towards the fairly modest arrangements of DPM. The second part offers a brief response to a common hold objection against the monarchical arrangement. Namely that the arrangements offer no incentives to develop certain skills and attributes, as the position are assigned by hereditary succession.

The Transition from Monarchical to Popular Sovereignty

In order to accept the monarchical arrangements in contemporary democratic societies, the arrangement must comply with certain contemporary ideas and principles. Unlike contingencies such as the doctrine of divine right of kings (e.g. Malnes, 2015, p. 121), a contemporary case for monarchy requires a more pragmatical justification. This especially applies to the role of the people in contemporary monarchical arrangements. The main point is that the arrangement of DPM ensures that the people rather than the monarch him- or herself serve as the ultimate source of authority.

In order to accept contemporary DPM’s the arrangements must conform to the idea of popular sovereignty. In the literature, John Locke (1980/1690) offers an influential account of the principle. In his classical writing, Locke famously advocates restraining absolute monarchical authority (i.e. separation of powers) by authorizing the people. These ideas are important to note when discussing contemporary DPM’s, as it emphasises the historical transition of authority. The fundamental transition from the classical (absolute) monarchy to the current arrangements of DPM, after all, implies that current DPM’s must ensure a considerable level of approval from the citizens. As such, the retainment of contemporary DPM’s is contingent on the citizens’ popular support of the monarchical arrangement.
What I refer to by popular support in this sense is not so much the measurable level of support for the royal institution in contemporary DPM’s. The important point to be made is rather the option this yields. This after all enables the people to control the means to alter the institutional arrangement, i.e. decide for themselves how society ought to be organized. And possibly, if in accordance with their desires, the people may abolish the monarchical institution altogether. These opportunities are ensured by means of democratic and institutional mechanisms (although usually through their representatives). The survival of a DPM is, in other words, contingent on the people’s desire to retain the arrangement.

Note that the royal institution is subject to some special characteristics, as it differs significantly from other public arrangements. Public positions and offices generally, after all, require applying for these types of positions. Unlike hereditary succession, the applicants are (or ought to be) judged on their ability and merits (e.g. positions in the judicial branch, positions in the public administration more generally and so forth). This applies within the, albeit restricted, positions in the legislative and executive branch of government as well. Yet these are typically subject to additional requirement, such as the citizens’ active support and authorisation through democratic elections.

The core characteristic of the institution of monarchy is that it requires neither of these. The prestigious office as the nation’s head of state within the arrangements of DPM then is not subject to active consent through democratic elections. Nor is it subject to an application process in which the applicant’s abilities and skills are evaluated. However, whilst sketching a justification and a framework for the further discussion, it suffices to stress that the people may amend the constitutional arrangements. Put differently, contrary to the arrangements of classical monarchy, the arrangement of DPM enables this option. Whether alteration of the form of state occurs is essentially a matter of the people’s will and their desires to enact constitutional amendments.

The purpose of the paragraphs above is essentially to places DPM within a democratic framework. The royal arrangement per se, however, is hardly democratic by contemporary standards. The popular support argument’s approach is thus negative, as the primer purpose is to moderate the apparent undemocratic quandary by highlighting the institution’s – albeit implicit – democratic anchoring. What I refer to by negative in this sense is essentially that

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7 I might add that occasional surveys and polls on the matter tend to indicate a strong level of support in the remaining (western) monarchies. This is not to say, of course, that proposals of rejecting the monarchical arrangements do not occur in the public discourse. Yet these debates are typically fairly modest.
8 I discuss some implications of this in section 4.2.
9 However, these procedures tend to be rather difficult and comprehensive. I address this topic in section 3.1.
the royal institution does not require the citizens’ active support. The retainment of the institution is rather contingent on the citizens not actively opposing it. The popular support argument’s purpose is thus to offer a justification for the retainment of the royal institution in a contemporary democratic society. This bears some resemblance to the idea of a tacit consent, insofar as the people accept the arrangements by virtue of simply moving along – or not actively opposing; implying that the royal institution must be perceived as legitimate.

In line with the negative character of the argument, this sense of legitimacy primarily conforms to a descriptive account of legitimacy. According to Fabienne Peter (2009, p. 56) descriptive legitimacy “[p]revails as long as people support – or at least do not challenge – democratic institutions and decisions”. It is accordingly important for the royal institution to comply with the citizens’ expectations of the institution and its functions. For instance, respecting the division of labour between the branches of government and the ceremonial functions of the hereditary head of state.

Generally, a descriptive account of legitimacy offers a weak requirement, as the concept makes no reference to external criteria. As such it might be liable to mere beliefs about the legitimacy of the institution or policy in question. Yet democratic institutions and democratic decisions, i.e. the framework in which the people controls the retainment of DPM, on the other hand, are subject to stricter requirements in line with a normative account of legitimacy. These requirements roughly serve to provide binding reasons to support (or at least not actively oppose) democratic institutions or democratic decisions (Peter, 2009, p. 56). For instance, by authorising the decision makers through democratic elections. The parliamentary form of government then, requires expressed democratic legitimacy in order to qualify political authority (i.e. the right to rule). The royal institution, on the other hand, is not subject to expressed democratic legitimacy per se, although it operates within the framework of a democratic form of government that is. The main point is that the royal institution’s symbolic authority (i.e. reign) requires a less strict, if I may so call it, justification, as the function of the royal institution does not require political authority.

This distinction hardly offers a conclusive answer to the principled challenges of retaining a monarchical institution in a contemporary democratic society. Yet the sections above serve to emphasize how the royal institution constitutes an undemocratic element within the framework of an otherwise democratic form of government. This is generally

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10 It is generally true that the retainment of the institution is contingent on not being severely opposed by the public. However, I should add that DPM’s are not without some level of dispute in the public discourse; or even occasional amendment proposals. This has become somewhat of a parliamentary tradition in Norway, where the Socialist Left-Party regularly promotes amendment proposals of abolishing the monarchical arrangement.
stressed by referring to the institution as a survival (Bogdanor, 1995, p. 298). This, after all, underlines that the royal institution outdates the ideas and principles that led to the transition from the classical – absolute – monarchy towards contemporary democratic arrangements. Whilst making this transition, the arrangements have been subject to structural alterations and revisions ex post. Republican arrangement on the other hand is generally founded upon these very principles, in which they represent a more explicit and prominent role in the institutional design ex ante. Referring to the institution as a survival thus emphasise the desire of retaining a monarchical arrangement within a democratic form of government. As such the case for DPM hardly advocates the monarchical arrangement by reference to the underlying principles of monarchy and hereditary succession per se. This view, I should add, is widely shared amongst contemporary writers highlighting the virtues retaining a monarchical arrangement might yield (e.g. Bogdanor, 1995, ch. 11; Lijphart, 2012, p. 127-29; but see, Hoppe, 1995; Kuhnelt-Leddihn, 1952; Yeager, 2011).

**Structural Incentives to Maintain Popular Support**

In the final paragraphs of this section I briefly emphasize a central characteristic of the position of head of state being assigned by hereditary succession. In the paragraphs above I assert that the retainment of the royal institution is contingent on popular support. A common hold objection against hereditary succession, however, states that the arrangement of DPM hardly offers the means to ensure the prevalence of popular support.

Consider the head of state’s incentives to maintain popular support by comparing a hereditary arrangement and a democratically elected arrangement. Whilst a democratically elected officeholder requires initial support, the main concern for a hereditary head of state is to maintain a sufficient level of support. Whilst the position as head of state within an elective arrangement is the candidate’s to gain, a hereditary office by contrast are the head of states’ to loose. One might ascribe this to a structural flaw of the institutional arrangement of monarchy. The officeholder of a hereditary arrangement may accordingly, as some suggest, lack the incentives to develop the skillset for the office. The position is, after all, essentially his or hers anyway (Tridimas, 2016, p. 44-5).

Yet there may be a strong structural incentive to perform well in order for the monarch to remain in office. However, this incentive, so it would seem, depends on whether the

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11 The most prominent example of this is perhaps found in the American declaration of independence, stating: “We the people of the United State” (Coakley, 2011, p. 267, emphasis added).

12 Leland Yeager, for instance, offers a more ambitious account, suggesting that one might consider the re-instalments of monarchical arrangements (Yeager, 2011, p. 376).
monarch values the retainment of his or her position. Insofar as the monarch indeed value his or hers position, the retainment of the monarchical arrangement is contingent on whether the institution is perceived as legitimate by the citizens and their elected representatives. Yet this arguably requires a greater effort from the royal institution and its members in contemporary arrangements than before. As Vernon Bodanor notes: “[w]hile in the past, monarchy could content itself with being seen, today it need not only to be seen, it has also to do” (Bogdanor, 1995, p. 307, emphasis in original). The idea of the royal institution being subject to this notion of public review, however, is quite recent. Yet it conforms to the pragmatically justification of a primarily symbolic monarchy and its ceremonial and representative functions. Traditionally, however, the royal institution were typically advised to keep some distance to the ordinary people in order to preserve its magic, as Walter Bagehot (2009/1867, p. 54) famously suggested little more than a century ago. Yet contemporary monarchies, so it would seem, have strong incentive to ensure that the monarchy is perceived as a relevant asset and a contributor to democratic societies.

2.2 The Continuity Argument

In line with the initial justification of monarchy, The Continuity Argument suggests that retaining a monarchy offers a promising prerequisite for continuity. Note that I will distinguish between two types of continuity in this section. In the first I emphasise the royal institution’s compatibility with the evolution towards stable democracies of today’s day and day. This is closely related to stability of course. Yet I emphasise continuity as the case for retaining a monarchical arrangement typically emphasises the long-standing tradition of having and retaining a monarchy. In the second, I demonstrate how hereditary succession and the characteristic features of the royal institution’s life terms may promote continuity.

The outline of the argument is threefold. In the first part I demonstrate how the remaining royal institutions traditionally have corresponded with the evolutionary progress towards stable democracies. In the second part I demonstrate the traditional virtues of hereditary succession, and assess how these apply in contemporary DPM’s. In the final part I offer some brief final comments on the apparent risk and randomness of the outcomes of hereditary succession.

13 I challenge this premise in section 4.3
Monarchy and the Evolution towards Stable Democracy

In the classical writings of *Political Man*, Seymour Martin Lipset (1968, p. 75) remarked with some amazement that ten out of twelve of the stable European and English-speaking democracies were monarchies. However its peculiarity, Lipset asserted that retaining the monarchical form of state could ensure society with the much-needed loyalty from important sectors of the society; namely from the aristocracy, the traditionalists and the clericals. These sectors of the society were typically reluctant towards mainstream democratisation and the notion of equality, as Lipset put it. Yet maintaining the monarchical form of state could ensure their support. And in due course, according to Lipset, lead to stable and more secure democracies. As Richard Rose and Dennis Kavanagh (1976) later noted, there seems to be a fundamental flaw with Lipset’s proposed link between the (monarchical) form of state and stable democracies. As a monarchical form of state typically is the historical point of departure (Tullock, 2001), contemporary monarchies in stable democracies is by necessity remaining monarchies. The troublesome point to be made, however, is that by the same token one might suggest that particularly unstable and authoritarian regimes typically has its origin in a previous monarchical arrangement (Rose & Kavanagh 1976, p. 568).

This is not to say, of course, that a monarchical form of state cannot be compatible with a stable democracy. This is after all undoubtedly the case in the remaining DPM’s. Vernon Bogdanor accordingly offers a more modest suggestion by refraining from any causal relationship between stability and the form of state. Bogdanor (1995, p. 298) rather suggests that the stable and continuous evolution towards parliamentary democracy essentially has deemed an alteration of the form of state unnecessary in the remaining monarchies. As long as the monarchical arrangement refrained from hampering or opposing the progressive evolution towards a democratic form of government, the real incentive to abolish the institution is effectively lost. Leaving it as a question of mere principle rather than realpolitik.

However, arranging democratic elections is arguably the more democratic way of assigning the office as head of state as compared to hereditary succession. Insofar as the form of state per se hardly ensures a stable democracy then, is there really a justification for why contemporary democracies should retain a monarchical arrangement? The continuity argument’s suggestive answer to his question, is not that alternative arrangements may not

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14 This is not to say that contemporary monarchies cannot affect matters of stability altogether. King Juan Carlos of Spain famously averting a military *coup d'état* in 1981, essentially by speaking out against it, may serve as a fairly recent historical example. See Bjørnskov & Kurrild-Klitgaard (2014, p. 474).
preserve stability altogether. But rather, that the action of alteration itself may jeopardize this stability. As Vernon Bogdanor (1995, p. 300) puts it:

To sacrifice a monarchy for a republic is not merely to substitute one person for another as representative of the nation, but to embark upon a change whose outcome, if history is a guide, is likely to prove highly uncertain.

Generally, however, these transitions tend to be triggered by circumstances in which stability may already be at stake. Following the findings of George Tridimas’ study (2016), simply altering form of state rarely leads to stable democracies immediately. Thus, a transition from a monarchical to a republican form of state, at least if history is a guide, tend to be a last resort solution against failing monarchies (Bogdanor, 1995, p. 299). This is not to say that the transition may not be performed in a peaceful and democratic manner. Yet, in the instances in where fairly recent and successful transitions have taken place (e.g. Italy and Greece), the monarchies were already subject to significant disputes. The remaining DPM's, however, hardly fits the characteristic of failed monarchies.

The continuity argument accordingly emphasises that there may be some advantages of retaining status quo. In the following paragraphs I turn more explicitly to how the arrangement promotes the prerequisite for continuity – by applying hereditary succession.

**The Virtues of Hereditary Succession**

A monarchical arrangement per se may not ensure stability, nor may it offer a flawless institutional design by modern liberal democratic standards. Yet the royal arrangement nevertheless seems compatible with the evolution towards stable democracies. In this section I turn more explicitly to how the arrangements of DPM may ensure continuity. The main source of this continuity is provided by the characteristic procedure of applying hereditary succession to assign the position as head of state.

Hereditary succession is, of course, principled troublesome as a means of assigning a head of state in contemporary liberal democracies. I shall discuss this to a great extent in subsequent chapters. Traditionally, however, hereditary succession is frequently noted for the procedure’s desirable function in the matter of internal conflict resolution – in royal and non-royal autocratic arrangements (e.g. Brownlee, 2007; Kokkonen & Sundell, 2014; Tridimas 2016, p. 43-5). More specifically, the political economy literature suggests that having a transparent and predictable line of succession, based on the principles of hereditary
succession or primogeniture,\textsuperscript{15} solves a coordination problem. Insofar as an heir to the throne is provided, the risk of internal power struggle is less likely to occur when the incumbent monarch dies, as the regime is assured continuity (Kokkonen & Sundell, 2014, p. 439-40).

However, it is less clear how hereditary succession serves to facilitate stability and continuity in the remaining DPM’s, as the peaceful transition of political authority is already vested in the parliaments and in the mechanisms of the democratic institutions. Accordingly, in a DPM political authority is not placed in the hands of an executive monarch. The continuity argument’s suggestion is that DPM’s primarily promotes continuity. By applying hereditary succession, the arrangement offers a greater time horizon than democratic elections, as elections typically entails fixed periods and (re)-elections.\textsuperscript{16} The contemporary case for hereditary succession in the remaining DPM’s is accordingly a matter of continuity rather than stability and conflict resolution.

According to Vernon Bogdanor (1995, p. 302), this is the crucial function – or the imminent rationale – of a contemporary monarchy in a democratic state. In his words, the institution serves as a means to sustain the legitimacy of the state and hence the democratic form of government itself. As the key role of a DPM’s is de facto symbolic and ceremonial, hereditary succession offers an efficient mechanism for sustaining the state’s legitimacy for a considerable amount of time – without being disrupted by the elements of day-to-day politics. Elected representative by contrast are typically not able to enjoy a similar uninterrupted continuity as they face re-elections.

Hereditary succession moreover enables the present and the future head of state (crown prince or princess) a long timeframe for ensuring the function as a symbol of national unity (Lijphart, 2012, p. 127). This, after all, offers a remarkable learning opportunity, hardly achievable within an elective arrangement. By assigning the head of state by hereditary succession then, the successor are prepared for his or hers future life task, presumably from an early age (Tridimas, 2016, p. 44). Thus, hereditary succession offers some structural advantages for the function as head of state. As I will turn to in the final part of this section, however, the outcome of this procedure is by necessity encumbered by uncertainty, following the methods somewhat arbitrary character.

\textsuperscript{15} i.e. an arrangement where the monarch’s (or autocrat’s) oldest son inherits the throne.
\textsuperscript{16} The suggested advantages of hereditary succession vis-à-vis democratic elections are treated more thoroughly in section 2.3. The main point is roughly to emphasize that extending the time horizon of the fixed periods of holding office cannot solve the problem conclusively, as democratic elections leads to a more fundamental concern for the officeholder’s initial neutrality.
The Randomness of Hereditary Succession

Whilst hereditary succession plays an influential in promoting the royal arrangements continuity, the method is by definition arbitrary. The concern for this arbitrariness is not new, however. As Jean Jacques Rousseau noted in *The Social Contract* more than two centuries ago: “Men have preferred the risk of having children monstrosities, or imbecile as rulers to have disputes over the choice of good kings” (Rousseau, 2011/1762, p. 64-5). Hereditary succession indeed offers a predictable and transparent line of succession. Yet the procedure cannot ensure the outcome of this procedure. As such hereditary succession might not promote the legitimacy of the state nor preserve the unifying nature of the institution.

The procedure of hereditary succession is liable in two respects according to George Tridimas (2016, p. 44-5). The first challenge suggests that there is a potential lack of incentive to develop the necessary expertise or skill for filling the position as head of state. As the position is typically held for life, the position is not subject to renewed support either. The survival of contemporary DPM’s however is dependent on the citizens’ popular support. Accordingly, both the current and the future head of state seemingly have strong incentives to develop this set of skill for retaining their position – and the royal institution itself.

The second challenge concerns the risk of genetic shocks; i.e. that hereditary succession assigns particularly unsuited individuals to the position as head of state. This is of course hardly solvable without altering the means of succession. Yet the risk may be reduced, for instance by including provisions in the constitution that enables the parliament to declare the head of state incapable of reigning. The very procedure of assigning the head of state within the contemporary arrangements of DPM is nevertheless arbitrary.

These challenges questions whether hereditary succession serves as a guarantee for continuity. By considering an elective arrangement, for instance, the risk of both problems could be reduced *ex ante*. Within these arrangements, an officeholder must provide sufficient support for being elected and subsequently has to be re-elected for retaining office. Furthermore, being considered ill-suited for holding office, would presumably make it rather difficult being considered for the position as head of state in the first place. Hereditary succession, by contrast, has to address these problems *ex post*, if they were to occur.

Despite its attractiveness, the mechanism of democratic elections cannot ensure particularly desired outcomes either. It does, however, enable the citizens to replace the officeholder without altering the form of state per se. However, the neutrality argument, as I

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17 The Belgian constitution enables the parliament with an opportunity of this sort. See Bulmer (2017a, p. 12).
shall address in the next section, suggests that hereditary succession promotes the head of state’s prerequisite for neutrality.

2.3 The Neutrality Argument

In compliance with the justification of monarchy, the final argument in this chapter suggests that retaining a DPM offers a characteristics advantage as compared to the prevalent alternatives. The main advantage of the arrangement of DPM, the neutrality argument asserts, is that it promotes a neutral representative of the nation. Neutrality, after all, is a valued asset within contemporary DPM, as the royal institution basically performs ceremonial and representative functions for the citizens and the nation.

The Outline of this argument is threefold. The greatest part consists of comparing the arrangement of hereditary succession and democratic elections. First, I merely emphasises the characteristics differences of a monarchical arrangement and the prevalent republican alternatives. Second, I demonstrate how democratic elections may act as a source of division rather than promoting unity. In the final part, I offer some brief remarks on the limitations of hereditary succession as a means of promoting neutrality.

A Note on the Alternative (Democratic Elections)

Hereditary succession is frequently claimed to ensure that individuals adhering to the neutral expectations of the position as head of state, fills these positions. A prominent advocate of this view, Vernon Bogdanor (1995, p. 301), holds that the desirability of retaining the institution of monarchy essentially is that in doing so, it:

[S]ettles beyond argument the crucial question of who is to be the head of state, and it places the position of head of state beyond political competition. In doing so, it alone can represent the whole nation in an emotionally satisfying way; it alone is in a position to interpret the nation to itself. That is its central function, its essential justification and rationale; everything else is but embellishment and detail.

To elaborate on this suggestion, it may be useful to present the prevalent alternative to the institutional design of monarchy and hereditary succession within contemporary democracies. As this thesis primarily addresses democratic societies, I limit this section to institutional designs within the framework of democratic regimes. These, I might, add are roughly characterised by principles such as the division of powers, free (periodically) elections, universal suffrage, and so forth. The following paragraphs accordingly consist of
two distinct categories, namely democratic (parliamentary) monarchies and democratic republics; characterised by hereditary succession and a democratically elected head of state (president), respectively.

Note that the category of contemporary democratic republics is quite broad. My discussion primarily concerns the role of head of state within the framework of a parliamentary form of government. Elected presidents may serve similar functions as a hereditary monarch within the arrangement of DPM’s, i.e. merely filling the position as head of state. In a presidential form of government, on the other hand, the position as head of state and head of government are combined (e.g. Rash, 2015).18

The executive functions in DPM’s are vested in the parliamentary form of government, (i.e. the prime minister and the cabinet). Here I accordingly seek to emphasise the roles of the head of state when comparing monarchical and republican arrangements. Hence, I refrain from addressing the great debate of parliamentarianism versus (semi) presidentialism and comparing different forms of government per se (e.g. Linz, 1990a; Linz, 1990b; cf. Cheibub, 2007). As such, I hold the relevant ground of comparison to be between an elected head of state, i.e. a president, and a hereditary monarch within the arrangements of DPM.

Institutional designs in which an elected head of state primarily perform similar functions as a hereditary monarch are well established within the framework of a parliamentary republic. Unlike the arrangement of DPM, the institutional design of a republic generally avoids the principled challenges of hereditary succession. Yet hereditary succession is advocated on the grounds of not being subject to democratic elections and political competition. Whilst the critics of retaining the royal institution typically request the need for democratic election as a means to fill the office as head of state, proponents of the monarchical arrangement by contrast advocates its absence. To elaborate on this point, I turn to an apparent flaw with of democratic elections. Here I shall emphasise how the assignment procedure itself may jeopardize the officeholder’s prerequisites for neutrality.

The Divisive Issue of Democratic Elections

The continuity argument suggested that the arrangement of DPM ensures a long time frame for the head of state to serve as a representative of the nation. The main difference of a

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18 The institutional arrangements of republics and monarchies are typically seen as opposing and seemingly incompatible systems. However, Arend Lijphart suggests that is possible to combine the characteristics elements of both systems. In the Netherlands, an arrangement in which the hereditary monarch would serve as the head of state whilst a directly elected prime minister would serve as the head of government (bearing some resemblance to the principles of a presidential form of government) were widely debated in the late 1960’s and early 1970’s. See Lijphart (2012, p. 115).
monarchical and a republican system in this respect is essentially that the former arrangement consists of a life mission while the latter consists of fixed periods and the requirement of renewed support. Having fixed periods of holding office in itself, however, does not strictly preclude the opportunity of having an elected head of state holding the office for a considerable amount of time. Accordingly, an elected head of state might too succeed in sustaining the legitimacy of the office. The characteristic feature of having fixed periods rather than a life term, however, means that the head of state requires renewed support in order to remain in office.

One intuitive response to the short-sightedness objection of having a head of state that serves fixed periods, is to simply increase both (i) the length of the periods of holding office and (ii) the number of times the head of state may be re-elected. This, after all, would strengthen the arrangement’s resemblance of the institutional design of a monarchy. Contrary to the hereditary arrangement, this requires initial elections and, in due course, the renewal of support through re-elections. Arranging democratic elections, however, may hamper the ambition of serving as a symbol of unity for the whole nation.

This hampering stems from the notion of political competition in presidential elections and politics in general. The element of competition is typically subject to positive connotations – at least in the liberal tradition. Yet when assigning the nation’s head of state, competition may lead to some unintended consequence of a divisional rather than unifying character. The divisive issue of democratic elections follows from having the option of choosing the head of state amongst two or more candidates. To elaborate on this point, consider the following scenario. Whilst a majority of the citizens (eligible to vote) votes for candidate A, a minority of the voters would rather prefer B’s candidature. The margin of victory may be great, yet contemporary democracies of a sufficient size are hardly subject to unanimous election victories. Nor, I might add, may this be provided without jeopardizing the democratic principles itself. Even by a landslide victory then, a minority, albeit small, would rather prefer another candidate. This is not to say, of course, that monarchs and the

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19 Unlike democratic elections, hereditary succession additionally offers the future head of state (the heir) similar functions that might serves as a preparation for his or hers future role. Whilst this arrangement might seem desirable to sustain legitimacy, it raises a timely question for the liberty and freedom of choice of those holding royal office. I discuss these issues in section 4.3.

20 Presidential elections are of course subject to a wide array of national and institutional variations. The extent in which the arrangements threaten the candidate’s unifying function typically depends on the elective method (see e.g. Rasch, 2004, p. 198; Elgie, 2015, p. 314-18). Letting the parliament appoint the head of state, for instance, may offer a fairly consensus-oriented method of election – at least relative to highly conflicting and divisive presidential campaigns. Applying some arrangement of democratic election rather than hereditary succession, however, cannot avoid the divisive objection conclusively.
royal institution more generally enjoy an undisputed level of support in contemporary DPM. The point is rather that there may be some structural advantages of not applying this procedure.

An elected head of state might not, as some writers emphasise, represent the whole nation with the same level of credibility as a hereditary monarch. Whilst receiving a majority of the votes, fractions of society have nevertheless voted against his or hers albeit successful candidature (see Rose & Kavanagh, 1976, p. 564; Bogdanor, 1995, p. 301). The virtues of maintaining hereditary succession is thus to keep the office as head of state free from party ties and the political surroundings of division and competing interest. As such, hereditary succession may sustain the office’s structural prerequisite for neutrality in a more credible way by not being subject to democratic elections.

Merely a Prerequisite for Continuity?
I dedicate the final paragraphs of this section to briefly demonstrate some limitations of the procedure of hereditary succession. The main point is to offer a key distinction. Whilst the procedure may offer a prerequisite for neutrality and in due course a symbol of unity, the procedure hardly offers a guarantee. With the exception of a few, yet notable, historical events, Arend Lijphart (2012, p. 127) suggests that hereditary monarchs tend to be quite successful in their performance as a unifying symbol of the nation. This not only applies within fairly homogenous states. Christian Bjørnskov and Peter Kurrildt-Klitgaard (2014) accordingly demonstrate that a royal arrangement may serve particularly useful in societies encumbered by ethnic, linguistic, cultural and religious tensions. In these societies, the monarch may perhaps be “the only thing that really unifies the various nations across linguistic or religious groups” (Bjørnskov & Kurrildt-Klitgaard, 2014, p. 476, emphasis added).

A plausible explanation for this success is that ill-performing or unsuccessful monarchs already have been stripped of their position as head of state. Accordingly, the fear of abolishment may serve as an incentive to perform the representative and ceremonial functions well. The royal institution may lack the mechanisms to simply replace a candidate by the means of periodical elections. Yet the neutrality argument suggests that a hereditary monarch holds strong incentives to exploit the desirable prerequisite for neutrality, as provided by the institutional design of a monarchy and hereditary succession.

21 The role of Leopold III of Belgium during World War II, eventually leading to a popular referendum – and in due course his abdication, may serve as an illustrative example. See Lijphart (2012, p. 127-28).
The main point of the neutrality argument is thus that the arrangements of DPM, unlike
democratic elections, offers a prerequisite for neutrality. Whether this initial prerequisite
serves to maintain the royal institutions’ symbol of unity depends, of course, on the monarch
and the members of the royal institution themselves and their performance. Yet insofar as the
institution succeeds, the original arrangements of DPM may offer some notable advantages.²²

²² A group of self-proclaimed libertarian writers (Kuhnelt-Leddihn, 1952; Hoppe, 1995; Yeager, 2011) offers a
consequentialist case for monarchy of a more ambitious character. Unlike the case for DPM in this chapter,
these authors suggests, that a monarchy may better preserve the freedoms and opportunities of the people than
democracy – as it has turned out in practice (Yeager, 2011, p. 375). Their case for monarchy, however, conflict
with the justification of monarchy, as it connote a monarchy that might – and occasionally ought to – exercise
3 A Critique of DPM

3.1 The Inadequate Justification Argument

The first argument in the critique of DPM challenges the justification of monarchy. It states that we ought not accept the arrangement of DPM, as that the initial justifications’ premise contains some noteworthy ambiguities. In order to address these, I present a twofold argument, which I refer to as The Inadequate Justification Argument. The first part targets the framework of the modern justification of monarchy. Here I demonstrate how the amendment procedures in order to reject the arrangements of DPM, from the citizens’ point of view (typically), are tremendously difficult. In the second part, I address the royal institutions’ symbolic authority. Here I demonstrate how head of state’s albeit symbolic and ceremonial functions enable certain access to decision makers and potentially some room for political influence.

Challenge I: The Citizens’ Options to Reject the Royal Arrangement

The purpose of the justification of monarchy is essentially to ensure the royal institution complies with the framework of an otherwise democratic society. An important requirement of this justification is to authorize the citizens to amend and reject policies and institutional arrangements. These opportunities are essential, as they act as the source of the royal institutions’ democratic anchoring. The justification of monarchy accordingly suggests that DPM’s enjoy some albeit subtle notion of democratic legitimacy, as the political authority (i.e. the right to rule) within DPM’s belongs to the members of the democratic constituency (Peter, 2009, p. 56). Insofar as the citizens are in authority vis-à-vis the royal institution, they hold the means to reject the arrangement altogether.

The justification of monarchy accordingly asserts that rejecting the arrangements of DPM is a sole matter of the citizens’ desires. Hence, retaining a monarchical arrangement may indeed be dubious from a principled point of view. Yet, the justification states that the citizens are free to do something about this. The inadequate justification argument, on the other hand, demonstrates how this option is misleading. Rejecting the arrangements of DPM is rather, it argues, fairly comprehensive and difficult. After all, In order to reject these arrangements, the citizens must amend the constitution itself. Some notes on these procedures and the very functions of constitutionalism itself may accordingly be useful.
According to Jon Elster, the main purpose of constitutionalism is to put limits on majority decisions. The constitution and its constitutional laws accordingly serve two overlapping functions. Namely, (i) protecting individual rights, and (ii) limit a mere majority’s opportunities to enact alterations (Elster, 1988, p. 3). A Constitutional law thus stand in special relation to ordinary laws or legislation, as constitutional laws outlines the very rules and limits of government itself. Constitutional laws accordingly hold a *lex superior* status (higher rank) vis-à-vis the ordinary legislation, as these must conform to the concessions in the constitution.

Unlike ordinary legislation, amending a constitutional law typically requires fairly comprehensive and difficult amendment procedure. Ordinary legislation may too, of course, be rather difficult to enact; and be subject comprehensive discussions and compromise. Yet the characteristics procedures required for amending the constitution is distinct. Note that the actual procedures in question vary from state to state. However, in general, the most common procedures can be distinguished between two types of mechanisms (Elster, 1988, p. 2). Namely, whether (a) a minority may block amendment proposals by requiring a qualified majority, and (b) whether the procedure applies various mechanisms of delay; either requiring that the proposal must be passed one more than one occasion (i.e. in two successive parliamentary sessions), or that a proposal cannot be proposed *and* enacted in the same parliamentary session.23

Amendment procedures typically combine variations of these mechanisms. In order to elaborate on these variations and combinations, a few empirical examples may serve useful. I present the main characteristics of three examples in table 3.1 below.

<table>
<thead>
<tr>
<th>Example</th>
<th>Majority Requirement</th>
<th>Delaying Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Norway</td>
<td>Qualified majority vote (⅔) in the parliament</td>
<td>The amendment must be proposed in one parliamentary session and enacted in the following session</td>
</tr>
<tr>
<td>Sweden</td>
<td>Simple majority vote in the parliament</td>
<td>The amendment proposal must be enacted in two successive parliamentary sessions</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Simple majority vote in the lower house of the parliament</td>
<td>The upper chamber of parliament may delay legislation for one parliamentary session</td>
</tr>
</tbody>
</table>


23 The purpose of these mechanisms is roughly to include the citizens in the amendment procedures. This is typically arranged by general elections, i.e. letting the citizens determine the composition of the parliament in the session in which the vital votations takes place.
Note initially that I stick to amendment procedures within a parliamentary framework, as this thesis discusses monarchical arrangements within parliamentary democracies. In Norway, the combination of a qualified majority and a delaying mechanism leads to a fairly difficult procedure. A simple majority within this arrangement is neither capable of enacting a proposal without additional support, nor able to enact the proposal at once. Although the procedures may seem less difficult within the Swedish arrangement, the procedure is nevertheless fairly difficult here as well, as a simple majority cannot enact a proposal at once. The example of United Kingdom is quite special in this respect. Here, the rules of government and the protection of individual rights are not protected by institutional mechanisms beyond a simple vote in the lower house of the parliament. The arrangement offers a weak delay mechanism, however, as the upper house holds a suspensory veto.

What I seek to illustrate with these examples, is how amendment procedures typically limits majority decision and hence conflict with the majority rule. This is most clear, of course, in the arrangements where minorities are capable of blocking the proposals of a majority. Yet delaying mechanisms offer some limitation on majority decisions too, as a majority in some arrangement must pass enactments more than once. Thus, constitutionalism typically leads to some restraints on political equality (i.e. one person, one vote), as the minority’s concerns are given a disproportional strong weight.

However, constitutionalism provides a consequentialist justification for these restraints, as not (always) letting the interest of a majority prevail serves to enhance the protection of individual rights and liberties. According to Aanund Hylland (1994, p. 188) for instance, individual rights based on laws that are subject to alterations of a mere majority vote at any given time are not sufficiently protected. They are not protected he suggests, as a majority are capable of exploiting their (perhaps limited) time of being in majority to impose laws upon a minority, by say, restraining their rights and liberties or alter the very democratic form of government itself. Note that passing enactments by means of a qualified rather than a simple majority (e.g. ⅔ or ¾) hardly offers a conclusive protection of these rights however, as a majority of sufficient size are still ‘free too’, so to speak, impose laws upon a minority. Yet more difficult procedures, than a mere majority vote, all things equal, nevertheless offer a greater sense of protection. Constitutional laws then typically, assigns some moral weight and structural protection on the retainment of status quo.

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24 In this thesis, I will primarily discuss these implications within democratic decision procedures. Hence, I apply an admittedly narrow understanding of political equality, roughly ascribed to one person, one vote.
The idea of providing this structural protection is certainly based on some praiseworthy intention. These are, after all, rather easy to accept insofar as they serve to protect basic rights and liberties; and obstruct illiberal transition of the very form of government itself. In the matter of DPM, however, this structural protection leads to an additional obstacle on the citizens’ opportunity to reject the arrangement. The justification of monarchy emphasises that the citizens, nevertheless, are capable of doing this. Yet the option is merely treated as a dichotomy as to whether the arrangement may or may not be altered altogether. The citizens’ indeed hold formal access and opportunities to call for revisions or abolish the monarchical arrangement if in accordance with their desires then. Yet the odds are hardly in favour of a group trying to alter these arrangements. Although the requirement of the difficult procedures generally offers a morally desirable function, they nevertheless limit the chances of altering arrangements in the broader sense, including cases in which the core concerns of constitutionalism may not be at stake. The troublesome point in the rather specific case of DPM is that the structural defence of status quo contains the apparent challenge. It differs from the stated preventive purpose of constitutionalism then, as the features of the comprehensive and difficult procedures ought to create an obstacle to specific challenges – not offering others structural protection.

**Challenge II: Access and Room for Political Influence**

The second challenge asserts that the monarchs’ ceremonial functions enables key access and potentially room for political influence. In line with the definition of DPM, the monarch admittedly reigns. However, this is a matter of formality and symbolism closely related to the institutions primarily ceremonial and representative functions. The important characteristic of a DPM then is that the monarch does not rule (i.e. exercise political authority) or interfere in the workings of government. Contemporary monarchs in DPM’s typically hold some formal powers and prerogatives. Yet there is a strong sense of expectation and unwritten custom and precedence on the monarch not exercising these powers.

The definition of DPM contains some flexibility, as the arrangement is not solely based on whether the monarch holds certain powers and prerogatives. The main point is rather whether these powers are exercised. This is, I might add, still suspicious from a strictly principled point of view. Yet these types of challenges are typically met by suggesting that the arrangement offers some (albeit weak) mechanism of checks and balances. Choosing to exercise these powers, despite the expectation not to, after all, would be a rather bold move. This would presumably be followed by a political discussion on the royal institutions’ future
(Smith, 2015, p. 129). However, whether we ought to keep these powers, on the grounds of the powers rarely, if ever, being used is a timely question.

The exercise of monarchical power, however, need not be as explicit as I illustrate above. Nor need the forums in which they occur be as transparent. Detlef von Daniels (forthcoming, p. 7), for instance, demonstrates that the monarchs’ merely symbolic and ceremonial functions too are liable to some notion of monarchical powers. The concept of power, after all, merely refers to an agents’ ability to affect the will of others. When discussing monarchical powers (or lack off) we tend to focus on the question of authority, i.e. whether the remaining monarchical powers are rightful or accepted.

The justification of monarchy rests on the assumption that these powers are merely symbolic. Yet the monarch’s symbolic authority, von Daniels suggests, may in fact enable political power. Monarchs within DPM’s, after all, have certain access to decision makers (e.g. cabinet members, the prime minister etc.). Unlike the monarch, their authority is not merely symbolic. The monarchs within DPM’s accordingly hold some access in which influence might be exercised vis-à-vis powerful political actors. This notion of power is obviously contingent on whether influence is exercised, and in due course whether the influence is noteworthy successful (i.e. whether the monarch achieve his or hers ends). The main point I want to stress, however, is simply how the arrangement seems to enables this opportunity. This, after all, challenges a key premise in the justification of monarchy, stating that the royal institution ought not interfere in the workings of government. This is not to say, of course, that monarchs within DPM’s are particularly eager or willing to interfere in the workings of government. Yet, as Thomas Paine suggested a long time ago, we may have locked the door against monarchical powers, but nevertheless put the crown in the possession of the key (Paine, 2008/1776, p. 10). To summarise this section, consider the words of Detlef von Daniels (forthcoming, p. 7), “The exercise of authority may be symbolic but the power is real. Thus, even monarchs having a merely representative function do have real political power”. Merely stating that the monarchs within DPM’s do not exercise political power, accordingly offers a rather weak justification for why we ought to find these arrangements morally acceptable.

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25 Extraneous circumstances may affect the outcome of this, however, as a monarch exercising these powers in a time of national crisis admittedly is quite different to a monarch exercising these to pursue personal gains.

26 I return to this question in section 4.1.
3.2 The Inequality Argument

The second argument in the critique of DPM asserts that we ought not accept the royal institution, as it fails to treat people as equals. To elaborate on this suggestion, I outline a twofold egalitarian critique of the royal arrangement. In the first part, I offer a critique of hereditary succession. The main feature of this part is to demonstrate how the procedure conflict with the ideal of equal rights and equal opportunities. In the second part I turn to the substantive inequalities or outcome of the monarchical arrangement. Here I address some key implications of the arrangement’s division of royals and ordinary citizens.

Procedural Inequality: Careers Open for Talent

A key feature of contemporary liberal democracies is to treat people as equal moral agents. In the first part of this egalitarian critique I demonstrate how the arrangement of DPM fails this seminal task when assigning the prestigious position as the nations’ head of state. Note initially that liberal democracy do not reject the idea of formal division per se. Formal division or hierarchical arrangements, however, requires justification by reference to external criteria. In liberal democracies, we typically justify our public offices, positions and so forth by applying two sets of principles. Namely, (i) that people ought to have equal rights and equal opportunities to being considered to these positions in the first place. And (ii), when assigning candidates to these positions, we should assess their applications on their effort, ability and merits.

The immediate challenge of DPM is, of curse, that it places the highest position in the state hierarchy without applying any of these principles. By applying hereditary succession, rather than democratic elections (or more conventional forms of employment procedures for that matter), a prominent position in a handful contemporary liberal democracies are subject to a certain basing on birth privilege. The Neutrality Argument in chapter 2 argued that placing the position as head of state above competition in general (and democratic elections especially) may enhance the officeholder’s prerequisite for neutrality. As a matter of principle, however, the inequality argument states that we ought not accept hereditary succession as it conflicts with equality of opportunity (i.e. as careers open for talent).

The core feature of equality of opportunity is to ensure that applicants for a certain job, public office and so forth are given a fair opportunity to compete on equal terms. Accordingly, the ideal does not reject the idea hierarchy as such. Yet unlike hierarchy in the traditional sense, closely related to the prevalence of caste systems and feudalism, our
arrangements must ensure equal rights and equal opportunities (e.g. Arneson, 2015, p. 1).

Note that there are several accounts of the concept of equality of opportunity in the egalitarian literature. Some of these emphasise equal opportunities for welfare (e.g. Arneson, 1989), whilst others emphasise equality for initial opportunities (Vallentyne, 2002). The scope of the challenge I address in this thesis, however, is quite narrow, as I primarily address the lack of access to a specific public office. Accordingly, in this thesis I apply a merely formal account of the principle. In Richard Arneson’s (2015, p. 2) words:

Formal equality of opportunity requires that positions and post than confer superior advantage should be open to all applicants. Applicants are assessed on their merits, and the applicant deemed most qualified according to appropriate criteria is offered the position.

Applying a formal account of equality of opportunity highlights the concern for the applicant’s abilities and merits. Positions and offices, in other words, ought to be filled by the best-qualified candidates (whatever those criteria may be). The ideal accordingly rejects any basing on arbitrary factors such as nepotism (i.e. giving certain advantages to one’s family and friends) as well as instances of outright discrimination; applying a biased judgement against the applicants based religion, race, class, sex, disabilities and so forth.

The arrangement of DPM evidently conflict with this ideal, as the position as head of state are assigned by hereditary succession. Yet establishing how and to what extent society ought to ensure that prevalence of formal equality of opportunity is only less clear. To offer a brief illustration, consider a simple example. A state that offers its citizens’ a free education program may lay the ground for formal equality of opportunity insofar as every citizen holds initial access to public education. Subsequent inequalities and differences in life prospect as a matter of their later success are thus justified on the grounds of formal equality of opportunity being respected. Their success is, after all, contingent on their merits, choices and effort, rather than their initial circumstance.

Note that the formal account of equality of opportunity offers a weak requirement for the ideal of equality of opportunity, as the formal account is liable to substantive objections. In other words, initial circumstances may still play an influential role when assigning these positions. Following the nature of the illustration above, now imagine some division as to some children being fortunate of having well-educated and resourceful parents whereas other.

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27 The moral (i)relevance of state boundaries are widely debated within contemporary normative political theory (e.g. on the matter of global justice, climate, etc.). In this thesis, however, I discuss a purely domestic matter. Facing rejection when applying for – say, the position as the Norwegian head of state then, on the grounds of holding a Swedish citizenship, hardly qualifies as a morally relevant objection on equality of opportunity.
children do not. Resourceful parents may perhaps offer some favourable conditions outside the formal educational arena or afford prestigious private schools. Imagine that the parents of less fortunate children, all things equal, on the other hand do not possess the same opportunities. Whilst the free education enables a formal arena for the prevalence of equality of opportunity, initial circumstance nevertheless may affect the children’s aspiration and life prospects. Merely designing our arrangements to enable formal equality of opportunity then may not provide the efficient means to treat people on equal terms in the strict sense; leading to question of how and whether we ought to compensate inequalities of initial circumstances.28

The egalitarian critique of DPM is less comprehensive, as it does not pursue a discussion in the (typically) ambiguous breaking point of the public and private sphere (e.g. whether we ought to compensate children’s initial abilities etc.). Rather, the egalitarian critique of DPM is quite straightforward, essentially emphasising two main points. First, that the position as head of state in DPM’s are assigned by virtue of initial circumstance by applying hereditary succession. As such formal equality of opportunity is not respected, as the position is not open for applicants. Second, the arrangements of DPM moreover challenge the normative foundation of equality of opportunity. Namely, ensuring that choice and performance rather than circumstance and brute luck are to “determine people’s fates”, as William Kymlicka (2002, p. 58) puts it.

The concept of brute luck in the egalitarian justice literature is typically discussed when making moral assessments of compensation and (dis)advantage. Where this leads the arrangements of DPM, however, is not immediately clear. The arrangement admittedly leads to some individuals holding a prominent position as head of state (or royal status more generally) through no deliberate actions or individual choice. It is moreover generally true that the position as head of state (both hereditary and elective arrangements) typically leads to some public endowments and privileges. One might object to some individuals gaining these privileges by virtue of hereditary succession. Yet the egalitarian critique of DPM, I argue is not a matter of distributive inequalities per se. Rather, the egalitarian critique states

28 These questions are vividly debated in the rich literature on equality and egalitarian justice (see e.g. Scheffler, 2003; Holtug & Lippert-Rasmussen, 2006). Key topics within this literature discuss matters of distribution, compensation and individual responsibility. These debates are largely ascribed to Ronald Dworkin’s established distinction of the concept of luck and its implication for moral responsibility. Luck here holds a prominent function in assessing the moral claim for compensation by assessing whether (i) it is reasonable to hold individuals responsible for the risk of their actions (option luck). Or, (ii) whether circumstances outside the individuals control affects the action to the extent that the action hardly may be regarded as deliberate gamble (brute luck). See Dworkin (1982, p. 293).
that these types of privilege and public endowments ought to be justified. The critique asserts that this ought to be done by ensuring the prevalence of equality of opportunity and hence treat people as equal moral agents.

**Substantive Inequalities: The Divisive Issue of DPM**

If the egalitarian challenge of DPM is not a matter of distribution, how then does the monarchical arrangement challenge the ideal of equality? The egalitarian critique of monarchy’s suggestive answer to this question is that the arrangements leads to a certain division of kings (or queens for that matter) and subjects. In the following paragraphs, I will refer to this as the *divisive issue of monarchy*. This division exist, I argue, insofar as those holding royal status holds some prominent functions within society and receives certain privileges of holding these functions; essentially by virtue of *being*. Recall from above that prominent functions – and the privileges of holding these functions – are not necessarily unjust or particularly challenging to the ideal of equality. Whether they are, after all, depends on whether the arrangement enables us to justify these positions and privileges.

Although it is fair to say that the division of royals and non-royals in contemporary DPM’s are a subtler matter than in the time of classical monarchy, the structural division nevertheless hold some contemporary relevance. The key challenge of the institutional design of DPM is that it places one person and his or hers family in a prominent position by virtue of birth privilege. The divisive issue of monarchy is accordingly a matter of how those holding royal status and ordinary citizens stand in relation vis-à-vis each other.

A prominent expression of a *relational* approach to the egalitarian justice debate is presented in Elisabeth Anderson’s (1999) hard-hitting critique of the idea and prevalence of *luck egalitarianism* (see e.g. Arneson, 1989; Arneson, 2011; Knight, 2013). Her critique is roughly characterised by the notion of luck and assessment of fault in contemporary egalitarian debate. This debate, she states, has essentially lost sight of what the normative political aim of equality ought to be. A debate whose essential concern above all should emphasise the notion of democratic equality, characterised by two egalitarian aims, whereby:

> The proper *negative* aim of egalitarian justice is not to eliminate the impact of brute luck from human affairs, but to end oppression, which by definition is socially imposed. Its proper *positive* aim is not to ensure that everyone gets what they morally deserve, but to create a community in which people stand in relation to others (Anderson, 1999, p. 288-89, emphasis added).
The objection to the monarchical institution is closely related to Anderson’s positive aim of egalitarianism, as royalties are given some special treatment by virtue of their initial circumstance. This essentially follows the very idea of royalty, by creating a division between those receiving this treatment by birth privilege and those who do not. Royals and non-royals then hardly stand in equal relation vis-à-vis each other in the strict sense of the word. The nature of this division however is admittedly subtle, as the arrangement of DPM hardly leads to oppression of non-royal citizens. In a similar vein, as the procedural approach above, the scope is quite narrow, concerning merely one institution of society. The main point, however, is that the institutional arrangement of DPM leads to a certain ranking of individuals. As I addressed in the section on procedural inequalities, formal rankings by virtue of holding certain positions or offices’ are not deemed unjust per se. The specific challenge of DPM is, however, as the formal ranking follows the officeholder’s initial circumstance.

To demonstrate the divisive issue of DPM consider the perhaps main characteristic of the royal institution, namely being born into a public institution. The royal institution differs from most (if not all) public arrangements in this respect, as the distinction of one’s position and one’s private self is largely indistinguishable. Accordingly, their room for self-realization is largely intertwined with their professional affiliations, and what they essentially (are put to) do. This is not to say that ordinary citizens do not – or cannot face similar restraints. They too, after all, may be affiliated with their profession and occupation. There are some notable differences, however, as candidates for certain jobs office’s and so forth are free to decide whether to apply for these positions in the first place, and in due course whether to accept an successful offer. Insofar as these types of restraints are fairly predictable (i.e. the applicant knowingly expect some restraints when representing a company etc.), the applicant may decline the offer. One may object that applicant perhaps feel obliged to accept these offers even though they would rather not – say, to provide income. Yet there is a morally distinction here as well, as the applicant are not born into the position he or she may nevertheless end up reluctantly accepting.

The divisive issue of monarchy accordingly objects to the arrangements of DPM in two respects. First, it conflicts with the egalitarian ideal of treating people as equals, as royal status enables a special treatment. This treatment is essentially grounded in the constitution insofar as it states that the head of state are assigned by hereditary succession. The

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29 One might consider including non-royals entering the royal institution through marriage as well. They too, after all, may face similar challenges of enabling this distinction. Unlike the royalties, however, they are not born into the institution and (at least in our day of age) these marriages are presumably a matter of individual choice.
consequences of this division, however, are primarily a principal matter. The practical importance of this division in contemporary debate may accordingly seem insignificant, as the members of DPM primarily serve ceremonial and representative functions. Yet the arrangement, nevertheless, leads to division of royals and non-royals within contemporary democracies. The second objection suggests the royals’ special treatment too conflicts with the notion of treating people as equals. The vanished distinction of person and institution embedded in the arrangement, after all, serve to put restraints on the royals’ individual liberties and freedom of choice. These implications are to be discussed more thoroughly in the next sections, where I turn to the argument of individual liberty.

3.3 The Individual Liberty Argument

Like the Inequality argument above, my final argument too offers an objection against the monarchical arrangement by referring to concern for equality. The concern for equality in this section, however, takes a rather different approach, as it targets the members of the royal institution. It does so by emphasising their special status and moral agents, as the arrangement put some notable restrains on their basic rights and liberties. The individual liberty argument accordingly asserts that we ought not accept the arrangements of DPM, as the special treatment fails to treat people as equals.

In the following sections I outline the argument in two parts. In the first part I address how the institutional arrangement of DPM leads to restraints on the royals’ basic rights and liberties. In the second part, I demonstrate that simply relinquishing one’s royal status hardly offers a sufficient solution against these restrains.

Restraints on Basic Rights and Liberties

The transition from classical monarchy towards contemporary DPM’s, amongst other things means that monarchical institution exist in the interests of the people. This historical transition may seem fairly uncontroversial. After all, it merely implies that the people are free to reject the monarchical arrangement – if in accordance with their desires. Yet this relationship raises some principled concerns, as the people essentially controls the royals’ fate. This is ensured in a subtle manner, I should add, as the institutional arrangements (controlled by the people) leads to a division of royals and non-royals. Unlike non-royals, however, the royals, by virtue of their special status, must conform to certain concessions in

30 Throughout the discussion I use the terms freedom and liberty interchangeably.
the constitution that may put notable restraints on their basic rights and liberties. This leads to an egalitarian challenge for the members of the royal institution, as these restraints essentially are assigned by birth.

I will elaborate and consider some examples of these restraints shortly. Initially, however, I offer a brief elaboration of the concept of basic rights and the concept of liberty. To offer a brief illustration on the concept of basic liberties, consider John Rawls’ *Freedom Principle*, stating: “each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others” (Rawls, 1999, p. 53). Amongst these, Rawls emphasises the right to vote and hold public office, freedom of speech and the freedom to form and participate in public assemblies. These liberties are moreover *basic rights* insofar as they are ensured and protected, i.e. by concessions in the constitution.

When defining the concept of liberty, Isaiah Berlin’s (2002/1958) distinction of positive and negative liberty typically serves as the point of departure. Positive liberty requires that we are free to exercise self-mastery. Negative liberty, on the other hand prevails to the extent we are free from outside interference; where our freedom is a matter of opportunity (Taylor, 1979, p. 177). In this thesis, I primarily discuss matters of *freedom of choice*. I will not apply a strict distinction of positive and negative liberty whilst doing this, as the restraints on the royals’ freedom of choice I argue, contain a mixture of self-acknowledged *expectations* (connoting some restraints on their positive liberty), and formal or legal restraints (connoting some restraints on their negative liberty).

The concern for the members of the royal institution is that their freedom of choice is restrained and shaped by their initial circumstance. First and foremost as their life path is largely predetermined. For instance, being born into an arrangement of one day filling the office as head of state. More generally, however, there is also a strong sense of expectations as to what the members of the royal institution *ought not to do*, as representatives for the royal institution. Some of these restraints are subject to mere expectations, whereas others may be grounded in the constitutional framework. Restraints of this character generally leads to some notable narrowing down of one’s choice of options. Monarchs and the members of the institution more generally, according to Detlef von Daniels (forthcoming, p. 10) for instance:

[d]o not have the freedom to travel where they want, nor do they have the right to freedom of speech or the right to choose the profession they want, thus – to put it pathetically – they lack the right to the pursuit of happiness. … They are born and raised as heirs and their
profession and destiny is imposed upon them by the public with little means to reject the public’s demands.

Presenting a case for the liberation of monarchs on the grounds of the concern for their happiness may at first glance seem rather counterintuitive. Royal status is, after all, traditionally associated with a certain element of luxury and privilege. Yet enjoying freedom of choice is not contingent on materialistic privilege and resources enabled by royal status. Referring to the apparent privileges of holding royal status accordingly fails to account for the royals’ self-appraisal of the choices they themselves want to make.

One may accept the reasoning thus far yet object to the significance of these restraints, as being capable of achieving one’s targets seems to plays a prominent role. Enjoying effective freedom to achieve one’s valued ends is moreover hardly an exclusive issue concerning the members of the royal institution, but rather a general concern that affects every member of society at some level. Consider the following example. If I cannot afford a season tickets to watch every of my team’s home matches, as a consequence of continuously overspending my salary on high-end scotch, I lack the effective means (money) to achieve a desired end. Yet this is arguably a matter of prioritisation on my part – not a limit on my freedom to reach my ends per se. I fail to reach my target as a consequence of my actions, not by initial restraints or lack of opportunity.

Next, consider the members’ of the royal institution not being able to travel where they want. Amongst the examples of restraints above, this may initially seem like a rather trivial restraint on individual freedom of choice. There is a key structural distinction between the example above, however, as this is not a question of mere priority. The lack of freedom of choice in this example is rather subject to not having an extensive freedom of choice in the first place. Unlike the former example, this restraint is subject to one’s royal status by which one essentially has offered no consent to.

If the nature of the restraints above may seem insignificant, consider the following examples, namely freedom of speech and freedom of assembly. Note initially that these restraints are seldom made explicit.31 Rather, they follow a sense of custom and public expectations. The members of the royal institution are accordingly typically not legally prohibited from expressing themselves in public or obstructed from forming or participating in public meetings. Yet members of the royal institution face certain consequences – say, the

31 Whilst subject to some national variations, some constitutions state that members of the institution are prohibited from holding certain public offices. Prominent examples include not being able to run for parliament or hold a governmental position in the cabinet.
fear of losing their prestigious position, by virtue of exercising the basic liberties that are grounded in the constitution.

However, the restraints need not be as subtle or *implicit* as in the instance above, as freedom of religion may serve to illustrate. In some DPM’s (The United Kingdom, Denmark and Norway) the constitution states that the monarch must confess to a specific religious view (Coakley 2011, p. 271). Restraints against the monarch’s freedom of religion then are not solely a matter of self-acknowledged expatiations. One might suggest that the restraint of freedom of religion primarily is a formal restraint. The monarch may, after all, hold the religious or non-religious conviction of his or hers choice. Yet the monarch must *formally* confess to the ‘correct’, so to speak, religious conviction in accordance with the constitution in order to remain in office. This is highly suspicious and hardly corresponding to the core idea freedom of religion. Freedom of religion, is after all, a *basic right* stating that everyone ought to be free to exercise one’s religious or non-religious conviction; in private and public without external obstruction.

The essential point to be made in this section is that the restraints of basic rights and liberties are not solely contingent on the concessions in the respective DPM’s constitutions. The members of the royal institution, like ordinary citizens, generally *hold* these basic rights and liberties. Unlike non-royals, however, they face some notable consequences of exercising them. As a matter of comparison vis-à-vis non-royals then, the royals’ sense of liberty seems to contain some notable quasi freedoms.

**A Note on the Option of Relinquishing Royal Status (Abdication)**

A common hold solution to the restraints of basic rights and liberties, considers that the royal’s may simply relinquish their royal status. Note that this option applies both for the monarch *and* members of the royal institution in general. In the following section, however, I apply the example of the incumbent monarch and the option of abdication.

Initially, one may distinguish instances of whether the concessions in the constitution offer *de jure* opportunities for abdication. For example, whilst this opportunity is present in the constitution of the Netherlands, other constitutions, such as the Norwegian, does not offer this opportunity. There is reason to believer, however, that an unwilling monarch hardly would be held against his or her will. At least if history is a guide, these arrangements are provided at the request of the incumbent monarch. Recent events from the Japanese monarchy may serve as an illustrative example, “[where] Japan’s government rushed to draw up legislation to accommodate Akihito’s wishes because the 1947 imperial household law
has no provision for abdications” (The Guardian, 2017). Generally then, I merely suggest that it would seem fairly reasonable to treat abdication as a *de facto* option, i.e. providing offering ad hoc arrangements at request.

The action of abdication, however, is not an issue of mere practicality. To elaborate on this, I demonstrate the two main challenges of this option. The first challenge is that abdication hardly solves the arrangements’ restraints on individual rights and liberties. Whilst non-royals hold basic rights and liberties by virtue of their status as citizens, members of the royal institution face restraints against theirs *initially*, by virtue of inherited royal status. One might suggest that ordinary citizens are capable and free to add *self-imposed* restraints on their actions.\(^{32}\) These may resemble the restraints on the royal’s freedom of choice. Yet unlike the royals, these are not grounded in the constitution. Nor are they subject to acknowledged expectations to an office they are assigned by birth. As such there is a morally relevant distinction of not enjoying these freedoms initially, as opposed to applying self-imposed restraints to one’s freedom of choice.

The second challenge asserts that the action of abdication places some burden on the individuals who might consider this choice. This follows the characteristic institutional design of DPM’s and monarchies in general. The royal institution, after all, is not merely a public institution. It is moreover a family arrangement in which a family exercises the institution’s representative and ceremonial functions. Simply leaving the office then is arguably quite different from other public arrangements. The main point is that an individual considering the option of abdication may face two distinct qualms. On the one hand, the individual may feel a strong sense of obligation vis-à-vis the (royal) family, in order to avoid renouncing a family tradition (von Daniels, forthcoming, p. 10). On the other hand, the individual may feel an additional sense of obligation of retaining the position vis-à-vis the *citizens*. Thus, leaving the position as head of state may conflict with a self-acknowledged sense of duty to the citizens and the nation – in which the head of state essentially are born to represent.

\(^{32}\) For instance, holding a position that requires a certain level of neutrality (e.g. a prominent position in the civil service) may put some restraints one’s private affiliations and expressions in public.
4 The Morality of DPM

My next step in assessing whether a DPM is a morally acceptable form of state is to evaluate the decisiveness of the initial arguments vis-à-vis each other. Generally, one might say that the case for DPM asserts that the justification of monarchy offers a sufficient case for why we might accept the arrangement; insofar as the citizens values its retention. Moreover, it holds that retaining the arrangements enables some notable ends, i.e. continuity and a symbol of national unity. The critique of DPM, however, argues that the means to reach those ends stand in stark contrast to basic liberal and democratic principles. In order to seek a coherent assessment of DPM then, I question how severe the challenges of the critique are. Accordingly, I assess (i) whether structural amendments or alterations are able to meet the challenges and if so, (ii) whether the challenges are significant and ought to be addressed.

4.1 Assessing the Inadequate Justification

The challenge of the Inadequate Justification Argument, are roughly characterised by two main challenges. First, the comprehensive and difficult procedures required for amending a constitution may put severe restraints on the citizens’ access and opportunities of making alterations to the monarchical arrangement. And secondly, the monarch’s mere symbolic authority may enable some access to decision makers, and hence political influence.

I should note that these challenges are subject to some notable national variations, i.e. how comprehensive the amendment procedures are, and to what extent the monarch’s ceremonial tasks enables access to political decision makers. For instance, whereas most constitutions require a comprehensive amendment procedure, the constitution of United Kingdom merely requires a majority vote in the House of Commons. In a similar vein, amendments targeting the Swedish monarchy during the 1970’s, culminated with the removal of powers we typically ascribe as merely formal or symbolic, e.g. the monarch’s ceremonial role in appointing the prime minister (Lijphart, 2012, p. 128). Whilst the ideal-type of DPM holds that the sheer characteristic of the arrangement refers to the institutions’ powerlessness, the case of Sweden suggests that some DPM’s are less powerful (at least in the formal sense).

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33 I should add to this, that there are some great variations with regards to how explicit the amendment procedures are outlined in the concessions of the respective constitutions. See Hylland (1994, p. 190, note 11).

34 The upper chamber is nevertheless capable of delaying this votation. Whilst discussing the moral aspects of DPM and hereditary succession, one might perhaps question the apparent paradox of the House of Lords (partly consisting of hereditary positions) holding this function altogether. The main point here is, nevertheless, that the amendment procedures in United Kingdom are fairly modest.
than others. Intuitively then, the challenges of the Inadequate Justification Argument may be more or less apparent in some contemporary DPM’s as compared to others.

**Altering the Arrangements: Too Comprehensive?**

The premise that the citizens may revise or abolish the royal institution through constitutional amendments, are obviously true in the formal sense of the word. However, in the following paragraphs I seek to answer a question that relates to this formal opportunity, namely whether the required amendment procedures one has to go through in order to address the question of DPM *ought* to be this comprehensive. There is no secret that the procedures for making amendments to a constitution generally are comprehensive and difficult. This, after all, is a matter of intention as the difficult procedures generally serve to retain stable rules of government and protect the citizens’ basic rights and liberties (e.g. Hylland, 1994, p. 188).

Unlike the expressed aim of constitutionalism, the retainment of DPM hardly seems to qualify an equivalent moral claim. This is quite clear insofar it is difficult to see how retaining or abolishing a DPM, all things equal, would affect the citizens’ basic rights and liberties. It is less clear on the matter of stability, however, as altering the institutions of society admittedly would entail some reorganization. The role of DPM’s is primarily symbolic and ceremonial, however, and hardly intervening with the role of government. It is unclear, whether merely removing or altering the functions of a ceremonial figurehead would lead to a notable jeopardizing of stability. At least if history is a guide, it is reason to believe that a transition per se hardly leads to a jeopardizing stability. The fairly recent examples from Italy and Greece may serve to illustrate that transitions may be arranged in a peaceful and democratic manner (Tridimas, 2010; Tridimas, 2016, p. 58).

I accordingly suggest that we ought to refute the royal institutions’ moral claim for this structural protection. I acknowledge that my assessment raise additional questions and implications for constitutionalism in the broader sense. My purpose is not to address the justification and implications of constitutionalism per se, but rather to address a specific implication of constitutionalism for DPM’s. Note that constitutionalism here yields a structural favouring of status quo that affects the retainment of the monarchical arrangement. In the remainder of this section, I consider some alternative approaches for increasing the citizens’ access and opportunities for making revisions to these arrangements. Unlike the current situation within contemporary DPM’s, I seek the opportunity of providing these

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35 Whether the arrangements of DPM may put some notable restraints on the royals’ basic rights and liberties, however, constitutes a timely question. I turn to these questions in section 4.3.
opportunities outside the comprehensive and difficult framework of constitutional amendment. Thus, in order to meet the challenge, the alternatives must provide the opportunity of both making minor alterations (i.e. increasing the flexibility of the arrangement by – say, options for replacing the monarch), and moreover enable the citizens to reject the royal institution itself without altering the framework altogether.

One might suggest that the most intuitive solution to this would be to simply introduce periodic elections as a means of assigning the head of state. Hence enabling the citizens to elect the head of state (directly or indirectly) and moreover the opportunity of replacing the officeholder on a regular basis in forthcoming elections. For now, however, consider some options of making less radical alterations – without rejecting the idea of monarchy altogether.

Amongst other options, consider simply enabling the members of parliament to make these decisions on the citizens’ behalf, as a matter of ordinary legislation. Simply removing its lex superior status could thus quite easily increase the citizens’ access and opportunities of altering or abolish the institution, at least as compared to the current framework. Alternative solutions could also be enabled by adopting certain practices from the idea of participatory democracy (see e.g. Pateman, 1970; Held, 1996, p. 271). Whilst I assume still retaining the basis structure of representative democracy, citizen initiatives, referendums etc. could serve to increase active participation from the citizens. Petitions, collecting signatures and accordingly enable popular referenda could thus ensure the citizens access and opportunities of making alterations to the arrangement if in accordance with their desires.

The purpose of presenting these examples are to emphasise that there seems to be a wide array of conceivable solutions to the citizens’ limited access and opportunities of altering the arrangements of DPM. Additional options could be provided as well. Yet I do not intend to advocate a specific option here. Generally, however, I argue that we ought to remove the source of the challenge conclusively, by relieving the current arrangements of DPM of its current structural protection.

36 The constitution of Belgium offers a similar option within the current monarchical arrangement.
37 I return to the option of democratic elections more thoroughly in section 4.2.1.
38 Note, however, that the idea of representative democracy does not necessarily conflict with the desirability of a broad level of participation beyond voting in general elections. In his classical work, Considerations on Representative Government, John Stuart Mill finds the ideal type of government to be a representative arrangement. Mill did not ascribe this to the virtue of representation per se. Rather he argued that only a representative arrangement could ensure the prevalence of mainstream participation (Mill, 1958/1861, ch. III).
Access and Influence vis-à-vis Decision Makers

Thus far I have discussed why the citizens’ access and opportunities of revising or rejecting the arrangements of DPM ought to be increased. Moreover, I outlined some intuitive options as to how minor alterations could provide a solution to the source of the issue itself. In this section, I leave the framework of the paragraphs above and turn to a challenge within the arrangements of DPM, namely the monarch’s subtle notion of influence by virtue of access.

Insofar as this influence enables political power one might consider democratic elections as a mean of authorisation. Yet I find this option to miss the point. In line with the modern justification of monarchy, the solution would rather entail removing the royal institutions’ access to political power; not enabling some notion of legitimate royal powers. The view that contemporary DPM’s ought to hold no political power is hardly disputed. The exception is perhaps found within the proponents of a self-proclaimed libertarian case for monarchy, advocating the retainment of some (albeit limited) monarchical powers as a counterweight to the politicians and the democratic government itself (Yeager, 2011, p. 378-79). Less explicit, others suggests that because the hereditary monarch is unlikely to exercise these powers anyway, we might as well keep this structure, thus preventing others from misusing these powers (see Bjørnskov & Kurrild-Klitgaard, 2014, p. 474).

In the following I operate with two distinct categories of what I have simply referred to as powers thus far. In the first category, consider tasks that are held to be mere formalities and symbolic, yet potentially subject to the monarch’s personal discretion, e.g. the monarch’s role in appointing the prime minister. In the second category, consider subtle forms of influence enabled by the monarch’s access to decision makers and forums of political decision-making.

Whilst I admit that the powers in the first category are seldom if ever used by contemporary monarchs in DPM’s, there is some normative ambiguity as to why the opportunities are still ‘there’. By exercise of power in this category, I simply consider whether the monarch blatantly applies his or hers personal influence when, say appointing the prime minster. Symbolical tasks such as these are, after all, a significant part of being the head of state in a DPM. The outline of these tasks, however, is defined by a sense of custom and clear constitutional guidelines and hence not subject to the monarch’s personal preferences.
One might suggest that the arrangements of contemporary DPM’s already accounts for this challenge as the definition of DPM contains some notable level of flexibility. As such, the arrangements of DPM are not solely based on the formal arrangements, i.e. what a DPM formally is, according to concessions in the constitutions, but moreover on what the monarch and the royal institution does; that is, whether the formal powers are exercised. As such, one might be persuaded to accept the current arrangements insofar the powers are not exercised. Yet the potential for exercise of power is arguably there. For instance, whilst the monarchs’ function in appointing the prime minister typically is clear and subject to formalised procedures, unclear parliamentary situations on the other hand (i.e. instances in which no clear majority constellation stand out) might enable the monarch to make a choice without leaning on clear guidelines. I do not suggest that the occurrence of unclear parliamentary situations would lead to opportunism and the prevalence of personal preference.

Nevertheless, I question why the monarch ought to hold tasks such as these altogether. After all, the monarch’s personal discretions are hardly advocated, beyond merely emphasising that they are, seldom if ever, exercised. As such it would seem both desirable and uncomplicated to simply relieve the monarch of these tasks altogether. Thus increasing the notion of a formally powerless DPM.

The powers in the second category are arguably subtler. Unlike the first category, these are not solely subject to transparent discretions by virtue of the office. These are rather subject to personal influence of the officeholder him- or herself in private meetings with political decision makers, enabled by virtue of holding the office as head of state. One might question the significance of this challenge, however. Either because the officeholder simply value to adhere to one’s exceptions of acting as a merely symbolic figurehead, or perhaps not be able to influence the decision makers within these forums. Like the challenge above, the normative issue lies within the structural enabling of gaining and exercising influence. Emphasising that the officeholder might not exercise personal influence vis-à-vis decision makers then hardly suffices to accept the current arrangement. Yet assessing whether subtle influence is exercised is hardly a transparent and observable matter.

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39 See section 1.2.
40 Note that the electoral system, i.e. variations of proportional or first past the post arrangements typically affects the clarity of the particular situation. See e.g. Dahl (2000, ch. 11).
41 An unclear parliamentary situation in 1928, culminating with King Haakon VII of Norway inviting the leader of the Labour party, Christopher Hornsrud, to form the first Norwegian Labour government, may serve as an illustrative example of a monarch nevertheless acting in accordance with constitutional custom and guidelines. See Grimstad (2000, p. 91-100).
Simply reducing the officeholders’ access to political decision makers, however, might offer a prominent solution to these troubles. The clearest examples of this access are perhaps found within the private audiences with cabinet members and the prime minister (von Daniels, forthcoming, p. 7). Assessing the occurrence and extent of influence within these forums is admittedly difficult. A recent empirical example may serve to emphasise how a monarch may exercise some influence in meetings with decision makers.

Whilst in the early stages of drafting a proposal for amending Article 4 in the Norwegian constitution, a prominent member of cabinet consulted the King of Norway in private audience to ask for his personal opinion. Article 4 is admittedly special in this sense, as it outlines the monarchs’ duty to profess to the Evangelical-Lutheran religion. As such it contain a duality, relating to the incumbent monarch on a personal level, in addition to the arrangements of the very institution and the constitution itself. After consulting the king, who expressed a wish for retaining the article in its current form, the government consequently drew the proposal altogether (Nordby, 2015, p. 213).

The example illustrates how access to political decision makers may enable some level of influence. Insofar these forums enable the monarch to gain and exercise influence, one might suggest that the arrangement enables a subtle notion of power. Whilst holding no political authority, monarchs in DPM’s holds some key access and room for influence by virtue of their ceremonial tasks and symbolic authority. I do not suggest that influence of this sort prevails, nor do I claim that the example above is particularly typical within contemporary DPM’s. Nevertheless, diminishing the royal institutions’ close ties to the works of government, by say removing the monarch’s access to these meetings could lessen the apparent challenge itself. Thus, like the proposed alterations of the first category of powers, increasing the notion of a formally powerless DPM.

4.2 Assessing the Challenge of Inequality

Making revision to the current arrangement of DPM holds some promise thus far. Increasing the citizens’ access and options to form and decide over the institutional design of DPM themselves, and lessening the royal institutions’ ambiguous notion of power, could thus provide a stricter and more tolerable modern justification of monarchy. In the next step of the moral assessment of DPM, I turn to the challenge as presented in The Inequality Argument, roughly characterised by two issues. First, the procedure of hereditary succession fails to

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42 I do not consider formal cabinet meetings, as the political decisions are made prior to the formal meeting.
respect the prominent liberal idea of equality of opportunity, i.e. careers open for talent. And secondly, the procedure of hereditary succession provides some formal division of royal’s vis-à-vis ordinary citizens’, based on initial circumstance.

**Weighing the Concern for Equality and Ability: Alternative Models**

Hereditary succession, of course, conflict with the liberal idea of enabling equal opportunities and the meritocratic idea of assigning the (public) positions in society based on ability and merits, rather than contingencies, such as hereditary privilege. I assess the decisiveness of the substantive inequalities of applying hereditary succession more thoroughly in the upcoming section on the *Divisive Issue of Monarchy*. In the remainder of this section, I seek to illustrate that we are faced with similar challenges by simply applying alternative means of assigning the head of state. To elaborate on these challenges, I consider a few alternative models, and how they differ with regards to weighing the concerns for equality of opportunity and ability and merits. The following evaluation of these models then involves the assertion of two criteria, namely (i) equality of opportunity and (ii) whether the procedure may assign the candidates based on their abilities and merits. These models are presented in table 4.2.

<table>
<thead>
<tr>
<th>Model</th>
<th>Equality of Opportunity</th>
<th>Ability and Merits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hereditary Succession</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Democratic Election</td>
<td>Moderate</td>
<td>Moderate</td>
</tr>
<tr>
<td>Lottery (Pure)</td>
<td>Strong</td>
<td>None</td>
</tr>
<tr>
<td>Lottery II (Selected)</td>
<td>Moderate</td>
<td>Strong</td>
</tr>
</tbody>
</table>

*Hereditary Succession*

The first category may be regarded as the ideal-type arrangements of contemporary DPM’s. Hence there is no respect for equality of opportunity, as the position is essentially assigned by a natural lottery. The criteria of assigning office based on ability and merits are similarly absent, at least in the traditional sense. *The Continuity Argument* suggests that hereditary succession enables a long timeframe and notable learning opportunities in order to shape
good future monarchs. Yet the procedure of hereditary succession fails to assign the position as head of state based on the candidate’s ability and merits.

Democratic Elections

Throughout the discussion democratic elections may seem like the solution to the challenges of the monarchical institution. In this section, I generally intend to treat this option as an ideal-type arrangement. Hence, I do not rule out the option of considering long terms and modest restrictions on the candidate’s opportunities of re-election as a means of enhancing continuity; and accordingly meeting some of the challenges presented in the case for DPM. Similarly, I do not rule out the option of electing candidates without a potentially divisive political history. I merely suggest that the backing of a political party, i.e. experience and resources (whether political, economical or both), would enhance a political candidate’s chances vis-à-vis candidates without these perquisites.

I suggest that assigning the head of state by democratic elections enables the citizens’ opportunities for filling the office, insofar they are (i) free to run for office, and moreover (ii) that the candidature’s of those running for election are treated on equal terms. Meeting these terms accordingly offers an equivalent right for opting for the position as the nation’s head of state. This offers, I argue, a moderate notion of equality of opportunity insofar as the election method conforms to formal access to run for election – and in due course the position.

The role of the second criteria within the procedure of democratic elections, namely assigning the candidates based on their ability and merits, is not immediately clear. This follows the arrangement itself, as it is not solely dependent on the candidates’ abilities and merits, but moreover, of course, on whether the citizens prefer and in due course elects the candidatures of particularly able and merited candidates. Accordingly, I assign a moderate score, as the ability and merits in this model tends to be weighted vis-à-vis other concerns – say, matters of composition, in which age, gender, ethnicity and so forth typically plays an additional role in ensuring that the composition of our elected representatives are subject to

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43 See section 2.2.
44 Insofar as particularly promising candidates run for office, the democratic procedure itself may, as some suggest, serve useful in the search for promising representatives of the nation. In accordance with the epistemic account of democracy, for instance, democratic procedures are not mere instruments to reach collective decisions. The democratic procedures are moreover ascribed intrinsic value, insofar as the aim of the democratic procedure is to seek the true or correct decisions. The democratic procedure are accordingly desirable insofar as it guides us the right way in this pursuit (e.g. List & Goodin, 2001, p. 277; Anderson, 2009, p. 222). Whilst offering an interesting account of the democratic process, I refrain from applying the epistemic account of democracy in my discussion, as it raises some notable discussions well beyond the scope of this thesis.
some diversity. I do not, of course, suggest that these factors logically contradict or contrast. Yet I suggest that the structure and the processes of democratic elections hardly leads to assigning candidates *solely* based on the candidate’s ability and merits, as other factors too plays an influential role.

*Lottery (Pure)*

Democratic elections would evidently solve the characteristics challenges ascribed to hereditary succession. Unlike hereditary succession, however, the procedure of democratic elections faces the challenge of *weighing* these criteria vis-à-vis each other. I will elaborate on the challenges of balancing these concerns by introducing two additional models. Rather than assigning the head of state by means of a majority decision then, I consider assigning the head of state by means of a *lottery* approach (e.g. Saunders, 2010).

The first model considers assigning the head of state by arranging a *pure* lottery. This model rests on two criteria. First, I assume that every citizen is free to participate in the lottery. I should add that the fulfilment of this requirement implies that participation ought to be optional. I discuss general implications of this nature more thoroughly in upcoming sections, on the matter of consent. For now, however, I merely note that one’s freedom to participate in the lottery arrangement could be subject to some conceivable restraints. Positively perhaps, i.e. being forced to participate against your will. Or negatively, i.e. being obstructed from participation (as a matter of social pressure etc.) Second, whilst one’s chance of winning the lottery is contingent on the total number of participants. I assume that every participant holds equivalent chances of winning. Fulfilling these criteria could thus ensure a strong basing on equality of opportunity, by conclusively removing contingencies enabling advantageous point of departures from the assignment procedure itself.

Whilst promising as a means of enhancing equality of opportunity, a pure lottery hardly applies any concern for the candidate’s ability and merits. Able and merited candidates are of course just as likely to win the lottery as everyone else – including particularly unsuited candidates; insofar they too enter the lottery. Thus, unlike hereditary succession, the pure lottery approach enables equal rights to participation. However, in a similar vain to hereditary succession, the approach fails to assign the candidates *based* on their abilities and merits.

45 See section 4.3.
Lottery II (Selected)

To account for purely random outcomes of the lottery, consider a selected arrangement. The desirability structure of this modification is essentially to lessen the challenge of inadequate candidates winning the lottery. Whilst we might add great value to enabling equal opportunities procedurally, we may add similar concerns on the substantive outcomes of these procedures. In this model, I assume that the criteria of the pure lottery apply within an arrangement consisting of particularly promising candidates. The obvious trouble of this arrangement relates to the initial selection itself, and the criteria by which the candidates are selected. I do not intend to sketch an outline of how one might enable this opportunity, but rather acknowledging the virtues this option might yield.

Note that we would do wise in ruling out the option of shaping candidates from a young age à la Plato’s (2007) education of future Philosopher Kings. Whilst intuitive, arrangements of this nature, raises particular concern for the candidate’s freedom of choice. I return to discuss these matters more explicitly in the upcoming sections on individual liberty. For now, however, I stress that insofar an initial selection may be arranged, the subsequent lottery could enhance the option of assigning the head of state based on the candidate’s abilities and merits.

Access to the lottery in this arrangement, however, is restricted. In the table above, I assign a moderate basing of equality of opportunity, assuming that initial opportunities to gain the required abilities and merits are formally enabled – by say, access to free education. Yet merely initial opportunities of a strictly formal nature, such as these, are liable to substantive contingencies. An intuitive example of this is found within the private institution of the family. Being particularly fortunate of having well-educated and resourceful parents, all things equal, may accordingly enhance the chances of a child aspiring to one day enter the lottery, i.e. affording private tutoring or particularly prestigious schooling. Children without these initial privileges, however, may face a disadvantageous point of departure. The procedure of a selected lottery thus raises some concerns on the matter of initial circumstance. Yet it differs from the procedure of hereditary succession by not denying anyone the option of gaining access.

46 The original idea and the outline of this education are presented in the dialogues of Plato’s The Republic (Plato, 2007, especially Part VII and VIII).
The Divisive Challenge of DPM

The procedure of hereditary succession clearly conflict with the idea of equality by neither enabling universal rights of participation, nor base the assignment itself on the candidates ability. The substantive inequalities or outcome of applying hereditary however, are admittedly less clear. I ascribe this to the limited scope of the arrangement, as it primarily leads to a formal and symbolic ranking vis-à-vis the citizens by assigning royal status to a particularly lucky (or perhaps unlucky) group of individuals. From a strictly principal point of view, this might suffice to reject the arrangement. In the following paragraphs, I assess the decisiveness of these implications and question whether we ought to take action to resolve them.

The divisive issue of monarchy is, as the name suggests, a characteristic challenge of DPM (and most monarchies in general), as one’s prominent rank in the state hierarchy is assigned by hereditary succession. The issue could thus quite easily be resolved by both some ideal-type arrangement of democratic elections or lottery as presented on the matter of equality of opportunity above. The main point is that neither of these arrangements would lead to a similar division based on initial circumstances. The victor of a democratic election or a lottery approach would also fill a prominent office, and enjoy certain public endowments. Unlike a hereditary monarch, however, the prominent rank and consequent superior position in the state hierarchy could be arranged as to not be subject to his or hers initial circumstance. Thus, the alternative arrangements I discussed above, all things equal, could provide an intuitively fairer procedure of assigning the office as head of state, and hence account for the divisive issue. Whether significant alterations on the current arrangement ought to be implemented, however, constitutes a timely question that will occupy me for the remainder of this section.

The immediate objection against the need for these alterations altogether, follow the subtle character of the divisive challenge itself. While it is true that the royal institution is a survival whose origin traces to a feudal organization of society, (most, if not all) contemporary monarchical arrangements, including the remaining DPM’s, hardly contradict the people’s status as moral agents. Hence, whilst the arrangements leads to a division of royal and non royals, there are no division of kings and subjects, as the people in contemporary democracies hold certain universal rights by virtue of their status as citizens (Kymlicka, 2002, p. 284; Coakley, 2011, p. 267).

There is some concern as to whether a monarch and the citizens are equal before the law however. There is for instance a striking ambiguity in some DPM’s as some constitutions states that the monarchs’ person essentially is sacred. Contemporary readings of these
concessions typically ascribe this to a mere judicial immunity – by virtue of holding office. Judicial immunities such as these, however, are not exclusively monarchical, but also present in contemporary non-monarchical arrangements and, I might ad, within diplomacy (Smith, 2015, p. 239-40).47 Yet there is a notable distinction of these cases, as neither diplomats nor a head of state within a republican arrangement, i.e. president holds judicial immunity by virtue of an office he or she is assigned by birth.

Despite some ambiguities on the matter of judicial immunity, the divisive issue of DPM are hardly subject to a notion of social hierarchy, i.e. holding superior moral worth vis-à-vis the citizens by virtue of one’s royal status. It is rather a matter of formalities, as a consequence of assigning prominent positions within the state hierarchy to a family. The formal division are created most clearly, by letting a hereditary monarch fill the prominent office as head of state. Furthermore, yet perhaps in a subtler manner, assigning prominent representative functions to other members of the royal family, such as state visits and other public appearances. As such, being part of the royal institution may enable some opportunities one might not gain access to otherwise – say, addressing the United Nations.

Although the monarchical arrangement arguably leads to some level of formal division, I do not ascribe the divisive issue of monarchy to the general occurrence of formal inequalities per se (i.e. hierarchical arrangements of society consisting of superior and inferior positions). Rather, the challenge spring out of the specific arrangement – that is, the explicit basing on initial circumstance and consequent lack of equality of opportunity. Whilst acknowledging the occurrence of the formal division above, one might find the implications to be insignificant or merely exaggerated.48 After all, even in prosperous and stable democracies, retaining a monarchy is not the sole source of inequality. Typically, there are additional challenges of poverty, social inequalities and gender equality, amongst others. Most would agree that these matters exceed the somewhat restricted and special case of contemporary monarchies. Thus, ought we not first and foremost address these questions?

The reasoning thus far provides some intuitive points as to why one might reconsider rejecting the retainment of the current arrangement, solely on the grounds of the arrangement’s formal division based on initial circumstance. We generally object to the

47 During the course of writing this thesis, the Norwegian parliament enacted an amendment proposal that removed the monarchs’ sacred status. The new and more pragmatical formulation roughly states that the monarch cannot be accused (i.e. judicial immunity) (NRK, 2018).

48 However, some authors objects to the principled qualm of this division altogether. Leland Yeager suggests that the consequent division of monarchy ought to be embraced not merely overlooked or ignored. In his words: “No one need feel humbled or ashamed at not ascending to an office that was simply not available. A hereditary monarch can be like the «Alps» ... «something just there»” (Yeager, 2011, p. 381).
procedure’s basing on contingencies such as hereditary privilege by sheer principle. Yet the subtle and limited outcome of this division is seemingly tolerated or approved of; at least hardly subject to strong and lasting objections. In other words we tend to distinguish between matters of principle and more pragmatically concerns as to how the arrangement actually affects. As such we might find it unacceptable from a principled point of view that the position of head of state are assigned by hereditary succession. From a more pragmatically point of view, however, we may suggest that someone being born into the prestigious role as head of state hardly affect the citizens in a considerable way.

I ascribe this to the general prevalence of liberal and democratic principle in the remaining DPM’s, as the arrangements of DPM hardly oppose the general prevalence of equality within society and its institutions. Whilst subject to some principled qualms in contemporary society, remaining DPM’s typically enjoys support and approval in the public. This support is hardly (if all) provided by defending the underlying principle of monarchy and hereditary privilege, but rather by emphasising that the normative issue of monarchy is a principled one, of some suggests, merely trivial importance.

On the sole basis of substantive inequality and the limited consequences of the formal division as perceived for the citizens, one might be drawn to reluctantly accept the arrangement. This is not to say that we may actively defend the arrangement and the principle of hereditary succession. But insofar as the arrangement hardly leads to inequality beyond not letting the citizens opting for the prestigious office of head of state, we might suggest that we should address more severe challenges of inequality that are not merely principled. However, in the final paragraphs of this section, I offer a challenge to this premise.

**Comparative Inequalities**

The paragraphs above suggest that we first and foremost ought to address the important challenges of inequality. Implied in this premise, is the option of overlooking or setting aside the divisive issue of monarchy, insofar as we acknowledge other societal concerns to be more significant. Monarchy might still be seen as the odd one out in the family of institutional arrangements in contemporary liberal democracies. Yet, one might suggest that it fails to meet a sufficient threshold of severity, as some societal issues re more serious and ought to be prioritised accordingly.

There is admittedly some intuitiveness in pursuing this approach. It is not self-evident, however, whether we ought to accept the premise and thereby rule out the option of
addressing the formal divisive issue of DPM as well. In order to elaborate on this premise, consider the following example.

Table 4.2b Comparative Inequalities

<table>
<thead>
<tr>
<th>Case</th>
<th>Substantive Inequality</th>
<th>Level of Complexity</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPM</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>Poverty</td>
<td>High</td>
<td>High</td>
</tr>
</tbody>
</table>

The structure of the formal divisive issue of monarchy and a graver societal issue of poverty are outlined in table 4.2. The cases differ both on the matter of substantive inequality (i.e. the severity and the extent of the very issue itself) and on the challenge’s degree of complexity i.e. the difficulty of providing a solution to the challenges, by altering institutional design or implementing comprehensive social policy reforms. Recall that the citizens’ perceptions of the divisional issue of monarchy are hold to be marginal. I hold this to be the case even though the divisional issue of monarchy in the strict sense affect most citizens’ lives in some albeit remote way. The salient point to note here, however, is the qualitative assessment of how the divisive issue of monarchy affect the citizens’ lives. It primarily does so, I argue, by not letting the citizens opting for the position as head of state or a representative role of the prominent institution more generally, as this presupposes royal status. The case of DPM is accordingly assigned a low score on substantive inequalities.

The issue of poverty on the other hand might not be as widespread as the former case. Yet it is arguably more severe for those affected. This is perhaps most evident if we look how both issues might affect the quality of one’s life and self-respect. Not being able to apply for one prestigious public office, all things equal, may then seem like a rather trivial obstacle against one’s quality of life or self-respect. A life in poverty, by contrast, would fairly certainly lead to significant obstacle towards one’s quality of life. Both in the mere practical or instrumental sense i.e. simply being able to afford food, shelter and clothes, but moreover in the broader sense of standing in equal relation to others participants of society, and appear without shame etc. (Anderson, 1999, p. 316-21). The case of poverty is accordingly assigned a high score on substantive inequalities.

On the matter of ‘solving’ the respective cases, I suggest that a solution to the rather specific divisive issue of monarchy could be provided quite easily. Hence making structural alterations to the current arrangements could accordingly remove the troubled principled
division based on initial circumstance altogether. In a similar vein, Detlef von Daniels (forthcoming, p. 12, emphasis added) argues:

> It would be unlike nearly any other political decisions, not even require one to ponder about international complications, economic consequences, long-term social or environmental effects, or to deal with powerful corporate interests. It would be one of the rare occasions where the population at large (and not only representatives or officials) could indeed decide a political question out of principle.

Needless to say, I refrain from speculating or making an overtly ambitious suggestion on how to conclusively ‘solve’ the issue of poverty altogether. Rather, I base my reasoning on the fairly uncontroversial assumption that poverty (at both macro and micro levels) typically is composed and consequently – highly complex. My main point is merely to emphasise how the two cases significantly differ in this respect.

When facing these challenges, it is admittedly easy to support the obligation of addressing the case of poverty, as this is the greatest source of substantive inequalities. Solving this issue would accordingly provide the greater societal benefit, i.e. by better the quality of life for those affected. Yet the complex nature of the challenge itself makes it difficult (if possible) to solve the challenge conclusively. The challenge of DPM on the other hand is arguably easily solvable. Yet solving the challenge provides only a marginal benefit. Accordingly, one might question whether we ought to address the challenge of DPM.

The purpose of applying this example is to suggest a restatement of the intuitive premise above, stating that if we are faced with the option of addressing cases of inequality we should address the significant cases. The implied question, however, is whether we should also refrain from addressing the lesser one’s. I argue that one may be drawn to accepting the initial premise, but only insofar as addressing the former would strictly rule out the option of addressing the latter.49

I argue that the occurrence of more severe societal issues per se ought not strictly oppose the desirability of addressing the (albeit) lesser one as well. This rests on two assumptions. First, that we acknowledge the divisive issue of DPM. And secondly, that the divisive issue of DPM may be resolved quite easily.

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49 Whether this is possible, is of course also a question of cost. Note that cost is not merely a matter of resources in the financial sense, but moreover involves time, effort and workforce. A solution to the divisive issue of DPM could be achieved quite easily, yet it would hardly be free in the strict sense (i.e. examination of one’s alternatives, implementation etc.). Logically, of course, there would also be an ultimate limit of available resources, and hence a theoretical restriction on the options of addressing several societal issues simultaneously.
**Merely a Matter of Principle?**

The apparent downplay of the divisive issue of monarchy gives room for an additional objection. This objection suggests that the occurrence of the divisive issue of DPM might be a sufficient cause for rejecting the arrangement. After all, would we not prefer an arrangement containing no such formal division, all things equal, as compared to an institutional arrangement that does? Accordingly, in this section I consider the option of rejecting the current institutional arrangements of DPM by sheer principle, as a means of enhancing equal treatment.

One intuitive way of supporting this claim could be provided by assigning intrinsic value to the principle of equality. In order to provide a brief elaboration on this point, I borrow Derek Parfit’s formulation of a teleological or *telic* principle of equality, stating: “It is in *itself* bad if some people are worse off than others” (Parfit, 1997, p. 204, emphasis added). In this view, the challenge of equality is not merely procedural matter, i.e. hereditary succession providing the source of the formal division. It moreover entails a *substantive* concern, as the formal division is in itself, so to speak, intrinsically bad in a moral sense.

One might be unconvinced by the need for this distinction, however, as the discussion above hardly refutes the concern for procedural inequality. Rather, it states that the notion of inequality that follows the procedure of hereditary succession is marginal. Leading us to either (i) add greater weight or priority to other issues of inequality, in line with the comparative approach above, or (ii) simply assert that the divisive issue of monarchy does not promote a worthwhile moral concern.

Asserting that inequalities are intrinsically bad may remove the apparent see through the fingers paradox by strictly deeming *any* reference to limited implications’ irrelevant. Insofar as inequality, however marginal, occurs. On this basis we might be tempted to conclude, all things equal, that an institutional arrangement that leads to no formal division based on initial circumstance constitute the morally preferable outcome. This would require rejecting the procedure of hereditary succession and applying of some other procedure of assigning the head of state. Although I find it hard to refute this conclusion as it stands, based on the initial reasoning, the caveat of all things equal is important to note.

The caveat above essentially precluded other factors from the reasoning, as we merely compare the royal arrangement to others based on whether it leads to division based on initial circumstance. Yet, the value of retaining a DPM is contingent on other factors as well. It may accordingly be difficult to reject the arrangement solely by reference to the principle of equality, as this is typically not *all* that matters. I do not intend to offer a general discussion
of the troubles of ascribing intrinsic value to equality.\textsuperscript{50} Rather I focus on the objection that I hold to be the most relevant in discussing the specific case of DPM; namely that the concern for equality typically are weighted against other considerations within a pluralist approach.

I specifically emphasise this objection, as a pluralist could offer a remarkable objection to the conclusion above. Stating something along the lines of: Whereas equality indeed does matter, it is (typically) not all that matters. Thus, the pluralist could hold that insofar as some other concern(s) in some way outweigh the, albeit, principled challenge of the monarchical arrangements substantive inequalities, we might nevertheless not share the conclusion.

I do not intend to make a particular case for neither of the two accounts or approaches of equality presented above. I do, however, hold the case for DPM to be largely pluralist – and particularly so in assessing the challenge of inequality, as the divisive issue of DPM is not in the strict sense refuted, but rather claimed to be outweighed by reference to external concerns. How the divisive issue of monarchy is outweighed is only less clear. The proposed advantages of the monarchical arrangement suggest that the institution may strengthen traditions and continuity. The institution may moreover act as a symbol of unity, strongly correlated with the officeholder’s prerequisite for initial neutrality.\textsuperscript{51} Claims containing traditional, cultural and perhaps folkloric values such as these are, of course, hardly subject to a direct assertion vis-à-vis other principles. An important point to be made is, nevertheless, that a pluralist approach enables a certain weighing of principles that shapes our decisions and moral reasoning.

To finish off this section on inequality, I hold that nothing I have said thus far would strictly rule out the option of rejecting the institutional arrangements of DPM by reference to sheer principle. I find this to constitute a weak claim, however, as we (at least) typically bases our moral judgement and consequent decisions on a pluralist account containing a wider set of principles and value. Accordingly, I suggest that the divisive issue of monarchy hardly provide a decisive case for rejecting the retainment of the royal institution, whilst I do acknowledge the attractions of this claim.

\section*{4.3 Assessing the Challenge of Individual Liberty}

In the final discussion thus far, I have shown how amendments to the ‘modern justification of monarchy’ fall short of meeting the principled challenge of inequality. Furthermore,

\textsuperscript{50} See Parfit (1997) for a more detailed account of the principle and its objections.
\textsuperscript{51} See sections 2.2 and 2.3.
however, I argued that the monarchical arrangements hardy oppose the prevailing concern for equality and equal rights in the broad sense, beyond, of course, not letting the citizens opting for a prominent public office. I acknowledge the principled qualms and perhaps dubious nature of tolerating the retaining a DPM on these terms. I do, however, question the decisiveness and independent force of rejecting the arrangements of DPM solely by reference to principle, as the concern for equality make up only one of a larger set of relevant concerns when evaluation the institutions and the arrangement of society. After all, alternative means of assigning the head of state is similarly faced with the question of how – and to what extent – the notion of equality ought to prevail in an assessment with other relevant principles, such as the officeholder’s ability and merits.

The assessments of the challenges ascribed to the modern justification and equality above, however, put the interests of the citizens at the centre of attention. In the final assessment, I turn to the deprivation of individual liberty. The nature of this challenge is admittedly rather different, as it emphasise that in making a moral assessment of DPM, one must place additional concern on the practices and the implications from the perspective of the royals themselves. A rough description of the key implications of The Individual Liberty Argument may be characterised by two issues. First, being assigned royal status through birth, places some notable restraints on the royals’ individual rights and liberties. And secondly, the option of simply relinquishing one’s royal status is hardly capable of accounting for those initial restraints, as the action places a severe burden on that member of the royal family.

**Restraints on Freedom of Choice**

As a fruitful point of departure in assessing the challenge of individual liberty, I consider what me might call the Inequality Argument’s slogan, namely that one’s fate ought to be determined by individual choice rather than subject to arbitrary contingencies. Although I highlight the members of the royal institutions’ restraints on individual liberty this is correlated to the matter of equality in the general sense, following the universal scope of equality, insofar everyone are entitled to a similar scheme of basic rights and liberties (Kymlicka, 2002, p. 53). Accordingly, by acknowledging the universal character of equality, our moral concern ought include those individuals assigned royal status through birth.\(^{52}\)

\(^{52}\) Following the state-centred character of my assessment of national arrangements, this universalism essentially applies within a state and not across societies.
By emphasising the concern for the royal’s individual liberty, I argue that hereditary succession is subject to a twofold critique. From (i) the ordinary citizens’ point of view, one might suggest that it simply eliminates the opportunity of ascending to the highest public office in society. There are admittedly some principled qualms and, I might add, adverse symbolism of not letting every citizen aspire to fill one (if not the most) prominent office in society. Beyond this, however, assigning the office as head of state by hereditary succession hardly serves to put any notable level of restraints towards the general prevalence of equality of opportunity (beyond that notable n-1 in the citizens’ span of actions). In due course, the citizens ought to be reasonable free to determine own ‘fate’ without external impact from the arrangements of DPM. From (ii) the members of the royal institutions point of view, however, hereditary succession is arguably more intervening. Instead of promoting individual choice, the procedure essentially serves as its very obstacle, by enabling a certain predetermination of one’s prospects and hence shaping one’s individual fate.

In the following paragraphs I emphasise a key implication of this distinction, as the admittedly weak justification of the former simply emphasises how limited these restraints are. I have argued that I am inclined to accept this justification on consequentialist grounds; insofar as the monarchical arrangement does not lead to general restraints on the citizens’ individual freedom of choice nor oppose the general prevalence of equality of opportunity. However, this justification clearly overlooks a relevant group, as it pays no particular attention to a prominent minority – namely, the members of the royal institution themselves. Insofar as we acknowledge the universal ideal of equal treatment and the prevalence of equal rights and liberties, cannot accept the monarchical arrangement by reference to how limited these restraints are perceived for some groups of the population. These restraints may be insignificant – trivial perhaps – for the vast majority in contemporary liberal democracies. Yet, for a small group of individuals, the arrangement, I argue, leads to significant restraints on their basic rights and liberties.

In the outline of the Individual Liberty Argument, I noted that the diverse character of the restraints of basic rights and liberties admittedly vary greatly in terms of their significance. The royal’s sense of liberty is consequently somewhat ambiguous. Whilst royal status hardly oppose the royal member’s autonomy i.e. being capable of self-governing, it clearly leads to some level of initial restraints to one’s freedom of choice. Being born into an arrangement where you, amongst other things, are not free to travel where you want, and moreover experience notable restraints towards your freedom of speech, assembly – and perhaps even religion, serves to narrow down one’s room of manoeuvre.
In line with previous objections in this thesis, one might question the special concern to the members of royal institution when discussing topics such as freedom of choice. Our freedom of choice is, after all, typically subject to some level of external influence and more or less subtle expectations vis-à-vis the individuals in our close surroundings. In the further discussion of the royal’s freedom of choice, however, I seek to establish a key distinction, namely whether it is reasonable to hold that the restraints against one’s freedom of choice are imposed or subject to consent.

Whilst this distinction may seem intuitive, it is nevertheless subject to some level of ambiguity. We may – and typically do – apply some self-imposed limitations when facing decisions; based on how we expect our choices and their consequences to be perceived for the relevant individuals in our surroundings (e.g. the fear of disappointing one’s family by – say, pursuing a career of doing political philosophy). Yet self-imposed limitations need not be this subtle. Our self-imposed restraints may rather be a matter of path dependency and thus contingent on our prior decisions – say, accepting the terms of an occupation in which some level of discretion and neutrality may be required. Applying self-imposed restraints in these cases thus implies consenting to one’s limited room of manoeuvre. This is arguably supported by the nature of the latter case, whereas admittedly more debatable in the former.53

The arrangements of DPM and hereditary succession, by contrast, are clearly not subject to consent prior to assigning the prominent positions within the royal institution. There are some notable structural differences between the cases, as the restraints of the royal member’s freedom of choice mainly are provided by concessions in the constitution. The specific concessions may vary,54 yet the general concern applies, as the limitations on the royal member’s freedom of choice are contingent on the restraints on certain rights and liberties. This, moreover, stand in stark contrast to a key function of constitutionalism itself, namely the protection of what ought to be – basic – rights and liberties.

I acknowledge that there may be questionable practises and arrangements ‘out there’ that may put similar, or perhaps greater, restraints against one’s freedom of choice. Yet this hardly serves as a reasonable justification for the arrangement’s retainment, insofar as it systematically leads to restraints of one minorities’ rights and liberties. In the next section I assess whether the option of relinquishing one’s royal status may account for this challenge.

53 I return to a similar set of challenge in upcoming sections within the institution of the royal family.
54 See section 3.3.
The Notion of ex post Consent (Free to Break Free?)

It is reasonably clear that the members of the royal institution (unlike most of us) find themselves in the peculiar situation of having the outline of their future predetermined. In the following paragraphs, I extend the scope of the discussion by assessing the opportunity and implications of consenting to one’s royal status at some later stage (ex post consent). The main reason for this extension follow the obvious trouble of letting someone consent to a status by which they are assigned by birth. Yet, one might also question the intuitiveness of the very option of offering an initial consent (ex ante consent) altogether. Our values and choices are, after all, typically considerably shaped a priori. Decisions made on our behalf during our upbringing may then shape our autonomous decisions at some later stage in life.\(^{55}\) As such, it might perhaps seem dubious to operate with a sharp distinction of these types of consent altogether. It is consequently unclear whether anyone in the strict sense are capable of offering an authentic ex ante consent, as reaching adulthood (or there about) may seem like a rather arbitrary point of departure.

With this in mind, consider the opportunity of overlooking the quandary of ex ante consent and turn to the royal’s opportunities of making ex post decisions with regards to retaining his or her royal status. Note initially, that there presumably are some differences ascribed to whether one (i) holds the position as head of state/heir to the throne or (ii) a (relatively) withdrawn role in the royal family (i.e. a place further down the line of succession). Notable among these, are the action of abdication, as this is of course the main option for the incumbent monarch. If all members of the royal institution ought to have a say with regards to retaining their royal status however, one would have to be able to relinquish one’s royal status in the more general sense. This applies for both those holding a more withdrawn role in the royal family (through birth at least),\(^{56}\) and of course, the heir to the throne – prior to filling the office as head of state.

Now consider being born into a royal family, say as the heir to the throne. Consider moreover being aware of the prominent role awaiting you, yet nevertheless developing certain interests that may conflict with your future role as head of state. Amongst other things, you might aspire a career of political engagement or spending your time debating

\(^{55}\) See e.g. Cormier (2018) for recent discussion on the institution of family and the shaping of children’s values.\(^{56}\) The situation for those entering the royal family through marriage in is admittedly a bit different. Until quite recently, however, members of royal families typically entered other royal households through marriage. As such, those entering the royal family through marriage would typically not be alien to these restraints.
ideas as a contributor to the public discourse.\textsuperscript{57} Your sense of awareness, however, might tell you that these activities may conflict with your assigned \textit{neutral} role.

Perhaps contrary to popular belief then, one might question the apparent privilege of royal status altogether. After all, hereditary succession quite clearly places some restraints against one’s freedom of choice and the outlines one’s life path. Yet it is not self-evident whether we ought to treat this as an exclusive challenge of DPM. Similar issues admittedly arise in other arrangements of society too, especially within the institution of family. However, in these matters we tend to emphasise that freedom of choice enables us to make retrospective ‘corrections’ in line with our \textit{current} desires. In the final paragraphs of this section, I thus assess whether the option of retrospective corrections and hence \textit{ex post} consent may account for the challenge of predetermination in contemporary DPM’s. That is, whether the royals are free to, so to speak, break free from their initial assignment. In line with the example above, the heir faces two options,\textsuperscript{58} namely:

\begin{itemize}
  \item \textit{D}_1 \quad \text{Retain royal status and set aside the pursuit of desired ends}
  \item \textit{D}_2 \quad \text{Relinquish royal status in order to pursue desired ends}
\end{itemize}

I hold it to be fairly conceivable that a decision of this sort may be a realistic option, whilst presumably in a less formalised and unspoken manner. There is some ambiguity as to \textit{when} the decision ought to be made however, given the somewhat peculiar status of children prior to reaching adulthood. Whilst simply acknowledging this quandary, assume that the heir to the throne has reached adulthood when facing the decision.

Consider first that the heir chooses \textit{D}_1 and consequently set aside the desire of pursuing a career as, say, a politician or a political pundit. Whilst this decision obviously conflict with the heir’s individual desires, it is still a decision the heir are \textit{free} – or at least not externally obstructed – to make. The heir would then offer a consent to retain his or hers royal status, perhaps as a matter of self-acknowledged obligation or sense of duty to the (royal) family, the citizens and the longstanding tradition of the institution itself.

Now consider choosing \textit{D}_2. In line with assumptions above this would obviously enable the greater opportunity of pursuing one’s desired ends. In this scenario, the heir are presented

\textsuperscript{57} For a similar argument, see Detlef von Daniels (forthcoming, p. 9-11).
\textsuperscript{58} I assume a hypothetical point in time in which a single irreversible decision must be made, ruling out the intuitive option of delaying \textit{D}_2 by choosing \textit{D}_1 previously. The options are accordingly mutually exclusive; ruling out the option of retaining royal status whilst pursuing one’s desired ends by, say challenging the stated expectations of the office. Whilst the latter option may seem tempting, there is perhaps reason to believe that the thin line of consequently jeopardizing the institution, would affect the attraction of pursuing this option.
with an option of consenting to retaining the royal status yet chooses to decline the offer, thus relinquish his or hers royal status and predetermined life path.

Whilst my example emphasises the heir’s choice, I hold it to fairly generalizable to the incumbent monarch (through abdication), or a prince or a princess further down the line of succession. It is perhaps reason to believe, however, that the sense of expectations to retain one’s royal status is greater for the heir (and in due course the monarch), as the expatiations primarily is on his or hers shoulders to one day fill the office as head of state. Thus, it might be relatively easy for the more withdrawn members to pursue their desires, as compared to the heir to the throne. I should, nevertheless, note that if the heir chooses (or are forced to) to relinquish his or hers royal status prior to – or after – filling the office as head of state, this hardly provides a conclusive and lasting solution to the dilemma, as it simply displaces this option to the next in the line of succession.\(^{59}\)

Insofar as the option of choice is (or can be) provided, one might suggest that we have offered a solution to the issue of individual liberty. Whilst the arrangement of DPM admittedly places some initial restraints on one’s freedom of choice, the prevalence of this restraints are arguably contingent on whether the members of the royal institution choose to maintain his or hers royal status. I have furthermore argued that I find it reasonable to believe that the members of the royal institution are free to make this decision. As such, the members are seemingly both free to break free and free to maintain their royal status, as a matter of individual choice. Intuitive as it may seem, however, I end my discussion by objecting to the possibility of ex post consent offering a sufficient solution to the issue itself.

Thus far I have emphasised the implications of facing initial restraints on one’s room of manoeuvre through no choice or ex ante consent. Facing restraints on one’s freedom of choice, or even predetermination of say career, however, is hardly an exclusive challenge that encumbers the royal institution and its members. The initial restraints on the members of the royal institution are nevertheless distinct and, I argue, morally relevant as opposed to general challenges related to the institution of family.

To elaborate on this distinction, consider being the firstborn in family running a farm that has belonged to your family for several generations. Suppose there being a longstanding tradition of the eldest child succeeding his parents, and consequently overtaking the farm at some point. By virtue of being the eldest child, you moreover hold an alodial right (\textit{Odelsrett}) to this succession. As such, the prospect of you overtaking the farm some day is

\(^{59}\)The abdication of King Edward VIII in 1936, leading to the crowning of his younger brother, the so-called reluctant King George VI, is only the seminal case of the latter. See Bogdanor (1995, p. 135-44).
not merely a matter of acknowledged expectation and tradition, but moreover a sense of formality. Suppose that you are reluctant to the idea of pursuing a career as a farmer and would rather pursue a career of doing something else. Your younger siblings, however, have made it clear that they do not intend to take over the farm if you turn down the offer. Whilst you are still entitled to reject the offer, you might nevertheless feel a strong sense of obligation vis-à-vis your family in order to preserve the long-standing tradition of keeping the farm within the family.

The example contains some notable similarities to being born into a royal family, most notably, the outline of your future being subject to both external and perhaps intrapersonal expectations. A family may, and typically, do obviously add great value to support the individual choice of a family member; (nearly) no matter what those choices entail. Nevertheless, I argue that our individual choices are, or may be, subject to some level of expectations such as these. Just like the heir to the throne might find it difficult to relinquish his or hers royal status then, the firstborn in the example above might find it equally difficult to break tradition in pursuit of individual preferences.

There is a notable distinction between the two cases, however, relating to the structure of the institution of family. Unlike the latter case, the royal family is not merely a private arrangement, but moreover a part of a public institution. Whilst the allodial right of the farm example may lead to some formal shaping of one’s life prospect, it differs from the formal assignment of royal status in at least two respects. First, whilst allodial right may affect one’s freedom of choice as a matter of acknowledged expectations, it hardly leads to restraints to one’s basic rights and liberties. Passing on one’s allodial right then, would not be required in order to provide these rights and liberties. Second, whilst both cases may be subject to significant expectations and social pressure, I argue that it is particularly worrisome for the members of royal institution. The general character of this challenge is admittedly difficult and complex, yet the option of relinquish one’s royal status would seemingly lead to a broader set of acknowledged expectations and sense of obligation to one’s surroundings. Ordinary citizens may admittedly face significant difficulties in making choices that may break with family traditions and the like too, as exemplified in the example of allodial right. Yet, for a member of the royal institution, the members face additional expectations and a sense of duty vis-à-vis the citizens, long standing national traditions and the institution itself.

This is not to say that they cannot leave their assigned role in the arrangement. Yet there is, I argue, reason to believe that the threshold of relinquishing one’s royal status consequently may be perceived as to be at an unwarranted high level. After all, the option of
leaving the institution seems to be highly dependent on personality and the character of those individuals. The option of simply leaving the royal institution hardly seems to offer a general solution to the issue then, as the threshold of social pressure and the implications of relinquishing one’s royal status would presumably vary greatly.

There are some notable challenges of retaining the current arrangement of DPM then, as the procedure of hereditary succession essentially serves as the very source of the challenge of individual liberty. The option of making structural alterations may have proved useful as a means of accounting for the challenges of the modern justification of monarchy. Yet structural alterations cannot address the challenge of individual liberty without rejecting the characteristic feature of hereditary succession altogether. This would, after all, require the option of consenting to an office without prior assignment. My main point in this evaluation has been to emphasise that if we are serious about the idea of treating people as equals, we cannot accept the current arrangements of DPM. Neither by applying the proposed amendments to the modern justification of monarchy, nor by referring to arrangements’ limited restraints, as these are solely oriented on the citizens. Insofar we respect the ideal of treating people as equals then, it seems clear that we ought not tolerate a public arrangements that places notable restraints on a minority’s basic rights and liberties.

4.4 Some Remarks on Generality

In the introduction I stated a certain ambition of being able to generalize the implications and findings of my moral assessment. By addressing the fairly modest arrangements of DPM’s, I suggested that the principles and the objections of my assessment should apply to other monarchical arrangements as well.

By other monarchical arrangements, I consider the other categories that were presented in section 1.2. Recall that these monarchical arrangements primarily differ with regards to the level of restraints it puts on monarchical authority and the opportunities or room for exercise of power. The trichotomy of monarchical arrangement essentially outlines this as a matter of degree. As such, absolute monarchy constitutes the authoritarian extreme, constitutional monarchies something of an ambiguous middle ground, whereas DPM make up the modest or powerless type of arrangement. A key premise of my assessment is moreover that hereditary succession prevails within all of these categories. This is not to say that we might

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60 Recall that the main characteristic of a constitutional monarchy, in line with the trichotomy in section 1.2, differs from the albeit common and widespread usage of the term.
not consider arrangements in which DPM’s – or other monarchical arrangements for that matter – could be assigned in some other way. Most contemporary monarchies, however, are hereditary monarchies. The moral assessment is accordingly conducted in accordance with this empirical premise.

First consider the justification of monarchy. Unlike DPM, the functions of the other arrangements are not solely ceremonial and representative. Insofar as the current arrangement of DPM fails to comply with certain democratic principle, following (i) the ambiguous access to political influence and (ii) the comprehensive and difficult requirements of rejecting the arrangement itself – so would the less modest arrangements. One might object that this is contingent on how difficult it is to alter or reject the monarchical arrangement. The issues above, are after all, not mutually exclusive, as we might imagine an arrangement in which a powerful monarch operates within a framework that is fairly easy to amend. Yet the main point is that the validity of the objections above relates to both issues. As such, it is not sufficient that the arrangement may be altered insofar as the arrangement connotes political authority and political powers. Accordingly, the arrangement fails to comply with the justification of monarchy in contemporary democratic societies.

The challenges of equality and liberty on the other hand follow the procedure of hereditary succession more explicitly. Insofar as the other arrangements assigns the monarch by hereditary succession the implications for (i) equality of opportunity and (ii) the division of royals and non-royals would evidently prevail in the less modest arrangements as well.

However, initial restraints on the royals’ basic rights and liberties, and freedom of choice may be more difficult to assess than matters of inequality. As these restraints are largely subject to self-acknowledged expectations, it is perhaps reason to believe that these challenges are more imminent in the modest arrangement. Monarchs within the more powerful arrangements, on the other hand, presumably face less expectations of this sort. After all, these expectations follow the symbolic and ceremonial role of the royal institution, i.e. not interfering with the works of government. Monarchs in the more powerful arrangements by contrast (albeit in a various degree) typically play a key role in the workings of government.

This is not to say that the more powerful arrangements constitute morally desirable or morally acceptable arrangements. The restraints on the royals themselves may be less prominent within these arrangements. The problem is, of course, that the characteristic feature of these arrangements fails to comply with the justification of monarchy. The
normative principles that object to the modest monarchical arrangement of DPM should accordingly be fairly generalizable to the concept of monarchy in general.
5 Concluding Remarks

This thesis aims to question whether a fairly modest monarchical arrangement (throughout this thesis referred to as DPM) is a morally acceptable form of state. To address this question, I have outlined and assessed the justification of contemporary monarchies. I especially emphasise how the initial attempt at justifying monarchy within contemporary democratic societies conforms to the idea of popular sovereignty. Whether the arrangements of DPM ought to be accepted is thus a matter the citizens’ controls, as the retainment of the royal institution in the last resort rests on their approval and popular support. Accordingly, insofar as (i) the arrangement of DPM conforms to the publics’ expectation of serving ceremonial and symbolic functions, and (ii) the citizens holds the means to reject the monarchical arrangement, DPM’s hardly leads to an immediate threat of the general prevalence of democracy and democratic and liberal principle.

Corresponding with the framework of this initial justification, the thesis moreover shows how the arrangement of DPM may offer some desirable features and advantages. Compared to the general characteristics of most other democratic arrangements (i.e. various republican arrangements), DPM’s seems capable of ensuring a substantively greater notion of continuity. This is provided by the arrangement’s long and uninterrupted terms of serving the role as the nation’s head of state. The arrangement moreover seems capable of ensuring a certain notion of neutrality, as hereditary succession avoids the potential divisiveness and the competitive nature of democratic elections and politics in general. The arrangement may accordingly promote a desirable prerequisite for a monarch whose main purpose in contemporary democracies is to act as a symbol of national unity. I do, however, demonstrate that hereditary succession, as a means of assignment, is arbitrary and may yield unfortunate outcomes. Yet I suggest that the arrangement of DPM offers some structural incentives and opportunities for learning and performance – insofar as the monarch values to adhere to the expectations of office, and retain the prestigious role as head of state.

The greater part of this thesis is spent on challenging the premise of the justification of monarchy by offering a threefold critique. This critique consists of three arguments that assert that we should not accept the current arrangements of DPM. The first objection states that the citizens’ opportunities to reject or revise the arrangement faces significant obstacles by virtue of the royal arrangements constitutional protection. Whilst the citizens holds formal access to these procedures, I suggest that the citizens’ opportunities of altering or rejecting the arrangement of DPM are more comprehensive and difficult than they ought to be.
Moreover, I acknowledge that the functions of DPM’s primarily are symbolic and ceremonial. Yet I nonetheless suggest that these functions enable a certain access to decision makers and potentially room for political influence by virtue of the institution’s symbolic authority. I hence challenge the royal institutions’ albeit expressed, compliance with a democratic form of government. Rather than rejecting the modern justification outright, however, I offer some structural suggestions as to how this compliance can be enhanced by means of fairly modest amendments and revisions to the current arrangement.

The second objection argues that the institutional design of DPM leads to a peculiar source of inequality. Procedurally, hereditary succession conflict with the idea of equal opportunities and careers open for talent, as the procedure offers no access. Hence the procedure fails to enable equal rights and opportunities to run for a prominent office in society, and moreover (as there is only one candidate) fails to assign the office based on an assessment of the candidate’s abilities and merits. I demonstrate, that alternative models of assigning the head of state too faces notable challenges of weighing these concern vis-à-vis each other. Interestingly, I show how procedures that primarily seek to assign candidates based on their abilities and merits are liable to challenges of arbitrary contingencies and birth privilege – like hereditary succession.

In the matter of substantive inequalities, on the other hand, DPM leads to some notion of a general division between those holding royal status and ordinary citizens. This applies not only to the monarch, but moreover to the very idea of royalty itself, as royal status enables prestigious and prominent roles in society by sheer contingency. Whilst dubious from a strictly principled point of view, I demonstrate that the arrangement of DPM hardly oppose the general prevalence of equality. As such, the divisive issue of monarchy is primarily a matter of formality, as the citizens generally are free to pursue the careers and life paths of their choice. Accordingly, the arrangements of DPM act as a fairly modest source of substantive inequalities within contemporary democratic societies.

The final objection holds that the arrangement of DPM leads to notable restraints on the members’ of the royal institution’s basic rights and liberties. I demonstrate that these restraints seldom are made explicit, as the royal’s hardly are deprived of their freedom of speech and so forth in a strict legal sense. Yet the royals’ sense of expectations – both externally and internally – is arguably subject to major restraints on their individual room of manoeuvre and freedom of choice. These expectations are essentially imposed upon these individuals by the arrangements of DPM. As the arrangement is grounded in the concessions of the constitution, I demonstrate that the constitution (which, amongst other things, ought to
protect individual rights and liberties) paradoxically seems to place restraints on a prominent minority’s basic rights and liberties.

I also consider the common suggestion of simply relinquishing one’s royal status in order to break free from these restraints. I demonstrate that this hardly offers a sufficient solution to the challenge itself, as the option of relinquishing one’s royal status too is liable to immense external and internal expectations. I emphasise that most of us acknowledge a similar sense of expectation vis-à-vis family and friends whilst making major decisions in our lives. I nevertheless hold the action of relinquishing one’s royal status to be distinct, as the royal institution is not merely a family or a private arrangement. Unlike most of us, a member of the royal institution who considers this action face additional expectations. These are not merely expectations vis-à-vis one’s (royal) family but moreover vis-à-vis the citizens and perhaps the long-standing tradition of the institution itself. The option of relinquishing one’s royal status and functions accordingly places a heavy burden on individuals in order to gain, what ought to be, basic and universal rights and liberties.

The inclusion of the royals’ perspective serves an important purpose in this thesis. Whilst the second objection suggests that the arrangement of DPM is a modest source of substantive inequality, this merely accounts for the citizens’ perception. Yet this is hardly the case for the royals themselves, as the arrangement of DPM put notable restraints on their basic rights and liberties. It is evidently counterintuitive to question the decisiveness of this objection by not including all relevant moral agents when making the moral assessment. By acknowledging the universal nature of the principles of equality and liberty, we cannot accept an arrangement that fails to treat moral agents as equals. Whilst this thesis primarily has addressed these questions within the framework of DPM’s, I demonstrate that the generality of the normative principles in this objection should apply in less modest arrangements as well.
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