

# The monarchy in a parliamentary system

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## I. Three obstacles to a realistic analysis

A realistic analysis of the role of the monarchy in a parliamentary system must necessarily cope with at least three a priori views: what I shall term the traditionalist-monarchist view, the democratic-emancipatory perspective, and the media portrayal of monarchy. If we are to come to a more realistic analysis and appraisal of monarchy<sup>1</sup>, we should clear the terrain of such preconceptions first.

### A. *The traditionalist-monarchist view*

In this view the origin, the existence and the persistence of the state is inextricably bound up with monarchy. Kings and Queens are emanations of God's will in history. The King<sup>2</sup> represents the unity of the Nation. He embodies Authority. He watches and weighs the General Interest. Even a parliamentary majority does not bind him to such an extent that he cannot simultaneously be as trustee of minorities. A true King shuns partisanship and stands above all partial interests. The King, then, is Sovereign in his "own" right in his "own" realm. He has his likes only in the sovereign rulers of other states with whom he maintains special relations in practices sanctified by history. In the traditionalist-monarchist view the King transcends the nation, and any part of it.

### B. *The democratic-emancipatory perspective*

According to the equally a priori democratic-emancipatory view monarchy has its origin in non-responsible, inherently autocratic government against which Parliament came to enforce eventually the principle of ministerial responsibility.

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(1) This task is not made easier by the rather scant comparative literature on constitutional monarchy as a political institution which seems to have become thinner *pari passu* with the loss of independent powers of constitutional monarchs. But see R. FUSILIER, *Les Monarchies Parlementaires: Etude sur les Systèmes de Gouvernement (Suède, Norvège, Danemark, Belgique, Pays-Bas, Luxembourg)*. Paris, 1960; W. KALTEFLEITER, *Die Funktionen des Staatsoberhauptes in der parlamentarischen Demokratie*. Köln/Opladen, 1970.

(2) I shall use the term King even if we should speak of Queen in at least half of the cases with which we are concerned. This follows normal constitutional parlance. If this is not thought to be a sufficient argument, I must withdraw to a second line of defence: e.g. that this symposium was organized to mark the jubilee of a King in a country which has not hitherto known a ruling Queen.

This is a perspective of democratic acquirements obtained in long years of struggle in which Parliament came to rest in the end on the principle of universal suffrage. The *droit divin* claim of royal sovereignty is denied: the King is what the Constitution says he is. In the last instance, only the people are sovereign. The principle of hereditary office inevitably makes Kingship a *corpus alienum* in a system which treats inequality as justified only when proven through special talents and achievements. To prevent abuse, monarchy must therefore be hedged by all manner of restrictions. Thus, it is held that the King can do no wrong, which idea is coupled to the principle of full ministerial responsibility for all public actions and utterances of the monarch. The King should not stay so much "above" partisan conflict, but "away" from it. He should be spared any decision in which his own views and convictions might become apparent. Hence, the many attempts to "objectify" his role in critical situations such as Cabinet crises, dissolution of Parliament, or national emergencies; the wish to have completely unambiguous rules of succession; constitutional provisions allowing the possibility to declare a King incapacitated to rule, etc. In all such matters the idea of popular sovereignty is so pervasive that the monarch cannot be anything but a symbol, hardly a real political actor. To use two Dutch metaphors (both from the end of the 19th century): the King may be "the chief ornamental stone in overarching government", yet his practical role resembles rather that of "a boy charged to set up a game of nine-pins" who lacks the right to play himself.

### C. *The media portrayal of monarchy*

In the media-view of monarchy – or should we more correctly speak of the view of tabloids and similar products of the yellow press? – the King is above all the-person-amidst-his-family. This is historically so because he is a link in a ruling dynasty, but is also true for the present as even the most lonely King is likely to have at least some family relations. Paradoxically, the King and his family are treated on the one hand as superhuman, and on the other as legitimate objects of human interest. One encounters this ambiguity in the twin attitudes of sycophantic adulation and high-flown admonition. There is "moving" attention for all members of the royal family, literally from cradle to grave and all phases in between including royal anniversaries, engagements, marriages, the possible birth of progeny, and jubilees. Everyone speaks of the need to respect "privacy", but the practice is rather one of prurience. Monarchy embodies, or at least wants, charisma. To preserve the eminence of office elaborate attempts are made to control media access to the King. But whatever such efforts, it is likely to be in the interest of some media to violate such provisions, and occasionally elements in Court may feel likewise. Court circles are for a King and his family both a protection and a problem. Legitimate desires for privacy and constitutional canons of ministerial responsibility inexorably lead to constant boundary problems.

We have thus three a prioristic views. Each in its own way blurs the image of monarchy and complicates any realistic analysis of actual political relations. Yet

this symposium intends the latter. I offer, as its closing contributor, some five points on the "political" role of monarchy in a parliamentary system. Given the limited time and space available these can only be stated apodictically. Our subject remains the King as an institution or monarchy as a system, not the person of Kings or Queens. Yet a few words should be dedicated to them in the end.

## II. Five problems for political analysis

### A. *Monarchy: saviour or salvage?*

Almost a quarter of a century ago J.C.H.O. de Meyer addressed a congress of Dutch historians in the following terms (translation H.D.):

[Monarchy] exists at this moment in a limited number of European states: the United Kingdom, the Benelux countries, the Scandinavian countries and Greece. Eight States in all, assuming we do not count Liechtenstein and Monaco. [Of course, if de Meyer were to speak to-day he would have to abandon Greece but add Spain, the sum total remaining eight, HD]. This alone offers material for a good deal of thought: there are only eight monarchies left in Europe, in some thirty states, whereas there were only three republics among some twenty-three countries fifty years ago, i.e. Switzerland, France and Portugal<sup>3</sup>.

This raises a problem for political scientists: did monarchy persist in the seven countries which had a constitutional monarchy both in 1914 and 1966, *because* they were monarchies, or *notwithstanding* this circumstance?

Let us first regard the eighth case, the very special one of Spain which has apparently proved false the famous dictum that you cannot adopt a monarchy just as you cannot adopt a father. There would seem to be little doubt that both the person and the office of the King contributed significantly to the transition towards a parliamentary democracy in 1976 first, to its preservation later. But what about the seven other cases? Perhaps we should break down our question into a number of sub-questions:

- a. To what extent did dynasties create the states we are concerned with?
- b. Is it at all important whether a dynasty is an "old" or a "recent" one?
- c. How important for later developments is the degree of resistance which Kings offered to pressures for a parliamentary system?

a. *The role of dynasties in the creation of states.* Undoubtedly, some dynasties did *not* succeed in creating durable nation-states: the House of Orange did not do so in what is now the Benelux, the Danish and Swedish monarchies not as regards Norway. But at the same time there is no denying the importance of the dynasty in creating the United Kingdom; the vital role which the Danish and Swedish Kings have had in establishing the old monarchies these countries still are;

(3) J. de Meyer, *De Monarchie tussen Links en Rechts in het Hedendaagse Europa*. In: P.H. Winkelman, e.a., *De Monarchie*. Amsterdam, 1966, pp. 59-74, this quote p. 59.

the significance of the Belgian monarchy in representing a state which is more than a mere addition of provinces, regions or communal groups; and even the case of Luxemburg which obtained its separate existence partly as a pay-off to one dynasty, even though it would exchange that one for another one after 1890.

*b. Ancient dynasties or not?* One finds in our seven countries both ancient and more recent dynasties. In a few cases countries adopted dynasties, as Belgium did after 1830 and Norway after 1905 (although in both countries *monarchy* existed as a system, *dynasties* were changed). There was a change in dynasty also in Sweden in 1810, as in Luxemburg in 1890. But against this we have examples of very ancient dynasties indeed, e.g. Denmark from medieval times, or the United Kingdom after 1714. And there is the curious case of the Netherlands which has an ancient dynasty but a somewhat recent monarchy, leading some to characterize this country as really a Republic with an Orange Crown.

*c. Monarchy and the degree of resistance against the development of a parliamentary regime.* Historically speaking, the development of parliamentary monarchies is apparently compatible with very substantial differences in the degree to which Kings resisted the pressures for parliamentary government. The example of England, and later the United Kingdom, has undoubtedly been an important example and catalyst for developments in other countries. Yet, the British monarchy has been held up all too easily in other countries as the archetype of an evolutionary process in which the persistence of old forms facilitated largescale substantial changes. Such *clichés* pass over all too lightly a history of civil war, the decapitation of one King and the banishment of another, a Whig settlement under the controversial William III, the accidents of a Hannoverian succession which for a time did not sit easily with indigenous developments, and the many problems around George III of whom it was said: "George III ought never to have occurred. One can only wonder at so grotesque a blunder!". Against such events one can put the long period of office of Queen Victoria but even then one is likely to gloss over her many *caprices*, just as one must explain the antics of her son Edward VII who was kept waiting for the succession well past maturity. And if one were to argue that since then the British monarchy reached smoother waters, one is apparently willing to pass over the very real royal crisis of 1936.

Belgium is the example *par excellence* of an early constitutional monarchy. Monarchy, a parliamentary system and an independent state originated jointly, as it were. Yet, one might ask, did such simultaneous developments not result in a possible failure to lay down the limits of royal prerogatives with some precision – which implied that the view of the King as the Keeper of the Nation with rights and duties of his own retained legitimacy? Of course, other factors must have contributed to such a view, e.g. the possible importance of monarchy as a factor of unity in a state which knew strong divisions of religion and language, the rather personal colonial exploits of Leopold II, the precedent of an active role of the monarch in the first World War which must have encouraged Leopold III in *bis* historical stumbling during World War II.

Looking at the Scandinavian monarchies one is struck by the very considerable resistance which the Establishment (if we may be forgiven the use of this unforgivable term) offered against the full implementation of a parliamentary system in Sweden and Denmark. In comparison with these two countries popular mobilization against Crown and officialdom in Norway was early and more effective – a factor which must have contributed to Norway's eventual severance from the Swedish Crown in 1905 and the rather peaceful development of its constitutional monarchy since then. My late Norwegian friend, that eminent comparative scholar Stein Rokkan, used to say that Denmark was the most Prussian of Scandinavian monarchies<sup>4</sup>. Yet, one cannot very well argue that this made the Danish monarchy on the long run less stable and legitimate than in the other countries we are concerned with. In Sweden on the other hand dissatisfaction with the potentially wide discretionary powers of Kingship *did* result in a rather more drastic curtailment of the role of the monarch than has occurred in any other monarchy in North-West Europe.

To sum up. The United Kingdom represents a *casus* of both protracted conflict and an inspiring example. Both Belgium and Norway are relatively young states which adopted Kings. Denmark and Sweden on the other hand are old monarchies which saw only a relatively late arrival of full responsible government. How does the Netherlands compare with such cases? As a country with an old dynasty but a relatively recent monarchy it was *sui generis*. King William I (1815-1830) was a belated enlightened despot. But even his activist regime knew very real constitutional limitations, and within eight years of his abdication in 1840 his son William II was to facilitate the introduction of a parliamentary government with full ministerial responsibility. Yet this development occurred in what was still a very elitist system, without strong mass mobilization or party organization. Parliament proved stronger in dismissing ministers appointed by the Crown than in imposing their own nominees. This led to a development of a constitutional system dubbed a "dualist" regime, with to a certain extent distinct and independent powers of government and parliament. A particular view of "monarchical rule" could inspire some to clear authoritarian stirrings in the 1930s, and even Queen Wilhelmina began to cherish hopes for more personal monarchical rule. She did so notably when she chose independently from ministers for exile in 1940. She undoubtedly became a *Moeder des Vaderlands* in London, and to some "the only 'man' in the London government". And yet nothing like a personal monarchist regime was to issue from developments in 1944 and 1945. There is some historic irony in the circumstance that the unprecedented authority Queen Wilhelmina had acquired

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(4) One must allow for the circumstance, however, that this characterization came from someone who was very much a scholar from the periphery reacting against what once was the clear Danish centre. See: H. Daalder, Stein Rokkan: A Memoir. In: *European Journal of Political Research*. 1979, n° 4, pp. 337-355.

by 1945 was one factor in facilitating the return to constitutional government in a process she herself would suffer with great frustration and disappointment <sup>5</sup>.

I shall not say much about Luxemburg which to me remains largely *terra incognita*. But as a Dutch observer I would love to see a comparative study of the Netherlands and Luxemburg in the second half of the 19th century when one and the same capricious and controversial monarch (William III as King of the Netherlands and as Grand-Duke of Luxemburg) had to accept full parliamentary government in one country which he resisted successfully for long in the other.

### B. *Monarchy and social cleavages*

Both political development and political stability are often, and rightly, discussed in terms of the presence or not of deep social cleavages. An obvious question is therefore to what extent the existence of monarchy has helped to mitigate or exacerbate such cleavages.

1. *Religion*. The intimate connection between monarchy and church is particularly evident in England, where a state church originated in the penchants of Henry VIII, yet had developed a sufficient independence to thwart the passions of Edward VIII some four hundred years later. In the Scandinavian countries every citizen belonged to the same Church, whether before or after the Reformation. The latter made the links between the monarchy, the clergy and the people if anything only stronger. In Belgium and Luxemburg there is also one major religion, but the place of church and religion raises rather more controversy than in Northern-Europe (although it would be wrong to think that there is none in the latter). Too strong identification on the part of the King with church dogma or church interests can lead to substantial political conflict. In a religiously mixed country like the Netherlands, religious controversy may be of even greater political relevance. Although the Dutch constitution prescribed for only one single year 1814-1815 that the King should belong to the Dutch Reformed Church, an assumption of the existence of a privileged link between (a protestant) "God, the Netherlands and the House of Orange" remained historically part of Calvinist creed, to the anger of Catholics and non-fundamentalist believers alike.

2. *Class*. Models of political development are replete with hypotheses on the lasting importance of specific constellations of relations between King (or State), the nobility, the bourgeoisie and what in English parlance are called "the lower orders of society". Thus, a close alliance between a monarchy and a rural aristocracy would, together with deferential working class elements, provide the basis *par excellence* of later conservative and even authoritarian mass movements. Con-

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(5) The most important single source describing these developments is L. de Jong, *Het Koninkrijk der Nederlanden in de Tweede Wereldoorlog*. The Hague, 13 Vols., 1969-1988. See also various chapters in: H. Daalder, *Politiek en Historie: Opstellen over Nederlandse Politiek en Vergelijkende Politieke Wetenschap*. Amsterdam, 1990.

flict between a strong economically independent bourgeoisie, and a gradually weakening rural aristocracy, on the other hand would make for a system of competition from which a stable and peaceful democratic regime could develop<sup>6</sup>.

Such hypotheses are clearly relevant for the United Kingdom, and in a very different manner for the Low Countries with their early bourgeois strength. But it is doubtful whether they do real justice to developments in Scandinavia, where a traditionalist rural counter-culture mobilized against the King and his officials and in fact spearheaded the development of a parliamentary system. A comparative study of the role of nobilities (and their economic base) seems still badly needed, and the word "bourgeoisie" is all too frequently used as an explanation rather than an *explanandum*, as if the bourgeoisie were one homogeneous actor, instead of a social category embracing all manner of possibly conflicting groupings. In the same vein, the concept of the "populace" is also too easily posited. Against the proposition that monarchy as an inherently rightist institution is in natural conflict with the proletariat, there is an equally hasty "theory" which holds that monarchs naturally find support amongst masses easily swayed by pomp and circumstance.

3. *Language*. It would seem invidious for someone from a basically unilingual nation-state to speak about the role of language conflicts in a country in which such conflicts are pre-eminent. Let me restrict myself to one gloss. Clearly, the political salience of language must be the major reason why both Kings and their relations made a serious effort to master the languages of all their subjects in Belgium — rather more than Prince Consorts have managed to do in the Netherlands and comparable countries!

4. *Nationalism*. One very important source of conflict in political systems may be the degree to which one part of the nation succeeds in arrogating the paramount symbols of nationhood to itself to the exclusion of others. For that reason it is of considerable importance to what degree consciously-nationalist parties and movements can don the cloak of monarchy and all what belongs to it, as is the measure to which the bearers of the Crown and their relations permit such attempts. Political forces may find it tempting to create deliberate differences between "loyal supporters of the Crown" and *Vaterlandslose Gesellen*. The monarchy as symbol of the nation, the historical ties between Kings and armed forces, the allegedly exclusivist-patriot role of various nationalist movements, auxiliary forces and special militias, all may make princes into players as well as into butt of play by others. All our countries know particular examples and incidents of this kind, without however lasting jeopardy to the legitimacy of constitutional monarchy. There is also the other side of the same coin: particular groups have not always had an easy relationship to King or Nation. Thus, Dutch Catholics and Socialists have had to make conscious adjustments in their attitudes towards monar-

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(6) See for a concise exposition and discussion of such models S. Rokkan, *Citizens, Elections, Parties*. Oslo, 1970, notably chapters 2 and 3.

chy, state and nation before they were fully accepted as legitimate partners in one and the same body politic. To this day such differences among groups linger, with the paradoxical consequence that explicitly nationalist and monarchist groups may find it easier to challenge politically or constitutionally unwanted actions of monarchs than their brethren whose patriotic claims are not so securely established.

5. *Monarchs and circenses.* During the somewhat stormy events around two royal marriages in the 1960th in the Netherlands, some argued that monarchy may fulfil an important stabilising role because it absorbs and canalizes sentiments which might otherwise pour into more extremist channels. Monarchy, so it was argued, was one of the "games" which can deflect masses from unrest and extremism, in a manner rather similar to football. Such an analogy seems not very auspicious if one takes into account the violence which football supporters have increasingly displayed in recent years! More seriously: such a proposition apparently proceeds from an untested, and it would seem untenable, premise that any population contains a fixed "load" of extremist potential which if not channeled on to neutral and innocent objects is fraught with danger.

### C. *The King within the Crown*

We all know the famous line that "le roi règne mais ne gouverne pas." The democratic-emancipatory school assumes that such a posited norm is substantive political reality, deducing all manner of rules necessary for it to become true. Yet, this incantation tends on closer inspection to blur rather than clarify problems. We all quote Bagehot's famous triad that it is the right of a King "to be consulted, to encourage and to warn." This by itself already suggests that a King does *not* merely play a passive or symbolic role within the Crown. The right of Kings to demand information and explanation over the whole range of governmental activity, the requirement that he sign all manner of legislative acts and decisions, the regular, often face-to-face meetings of Kings and ministers, all such roles do make a purely-symbolic or purely-instrumental view of monarchy one great myth. One may emphasize the concept of ministerial responsibility. One may argue that Kings are constitutionally bound to sign bills duly submitted to them, up to the fictitious point that as English texts do not tire to repeat, a King must countersign if necessary his own death warrant. But! Take as one telling case an example from the Netherlands (also treated by Manning in his Dutch-language contribution in this issue). After 1945 Queen Wilhelmina initially insisted on refusing a pardon for serious war criminals, even if the relevant court and her responsible minister wished to grant particular requests. Conversely, her daughter Juliana eventually *refused to refuse* a request for a pardon. When in the case of a particularly serious war criminal the Cabinet, and the ministers responsible brought their most serious weapon to bear, i.e. a threat of resignation over the constitutional principle that the Queen was in duty bound to sign the decision refusing the pardon at issue, the Queen countered with the most serious counter-weapon, i.e. that she herself resign rather than the ministers concerned, given that she was no less responsible



for her signature than a minister was for his. This meant that ministers had to consider whether the issue was sufficiently important to warrant a crisis of monarchy. For a long time a stalemate continued until after the advent of a new Cabinet a new Minister of Justice declared himself prepared to shoulder constitutional responsibility for a royal pardon <sup>7</sup>.

Whenever Kings or Queens insist thus stubbornly on the importance of their role and signature (although as it happens Queen Wilhelmina and Queen Juliana were adamant on fundamentally opposite points of view), to enforce ministerial responsibility is not a simple matter. Even if there is no threat of abdication, the possibility of a public crisis around the monarchy is a matter which undoubtedly both Kings and ministers must and will weigh very seriously. One may therefore have some sympathy with the decision of the Martens Cabinet in Belgium this year to engage into an expedient (mis)use of constitutional provisions to find a political way out of the King's formal refusal to cooperate in the passing of abortion legislation.

#### D. *Cabinet formation and cabinet crises*

There are situations in which for all its comprehensive claims the principle of ministerial responsibility seems no longer pertinent. This does occur in such occasions as the formation of a cabinet, interim cabinet crises, or decisions to grant or refuse a dissolution of Parliament. The force of the principle of ministerial responsibility is of course evident in attempts to find a constitutional cover even for actions which are clearly and inevitably those of a King and his alone. One tries to "objectify" the process of cabinet formation, by insisting on certain rules which Kings should follow in designating *formateurs* or *informateurs*. One invents expedient constitutional constructs holding an outgoing Prime Minister, or the eventual new Prime Minister, constitutionally responsible for all decisions taken by a King in the period after the resignation of one Cabinet and the entry into office of a new one. Similarly, there are alleged rules which a King should follow during an interim crisis (although some hold with equal conviction that it is the constitutional duty of a King to take personal initiatives to stop personal or party quarrels within a given government coalition). In the same vein it is assumed that the King should never choose between granting or refusing a proposal of his ministers (or his Prime Minister, or the majority of ministers?), because any refusal to grant a dissolution would make him by definition subject to political controversy. Such *pericula* can only be avoided if one excludes Kings from any share of decision of what was traditionally called the Crown, denying him any substantive role in government. Such a logical conclusion has been drawn only in Sweden, even

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(7) See for a fuller treatment of the role of Queen Wilhelmina and Queen Juliana respectively in the granting or not granting of pardons, L. de Jong, *op. cit.*, Vol. 12, Eerste Helft, pp. 617-624.

though one does find proposals to restrict the personal role of constitutional Kings also in other countries.

E. *The artificial separation between the King as institution and as person*

Monarchy entails both privilege and deprivation. Kingship is a complex institution, the bearer of the Crown inevitably a human being with all manner of possible passions and personal problems. This very combination demands restrictions which in contemporary conditions may reach almost inhuman proportions. Such restrictions perforce apply not only to the King himself, but to this immediate family and possibly other family members. History has proven moreover that the presence or not of particular persons at Court may lead to political conflict. Britain is not the only country which has known a "Bed Chamber question". All such matters are further complicated by the omnipresence of modern mass media. Characteristically, one hears at one and the same time pleas for privacy and for clear limitations on personal behaviour.

Again, one has attempted to escape from such very real dilemma's through a variety of ad hoc regulations. Thus, there is frequently a requirement that marriages of possible successors to the Throne need parliamentary approval. But if one is to believe that a real "solution" has thus been found, one would do well to ponder the immense human and political pressure resting on those who would withhold their approval in a matter which even in the case of royalty is now seen as being above all a personal decision, yes the most personal decision of all. There may be specific understandings on the role of a King's private office, or the appointment of a Private Secretary. There are likely to be specific rules on Court publicity and those responsible for disseminating it, and so on and so forth. But all this does not "solve" or "remove" potential problems, it at most confirms their very real existence. There is an inevitable tension between a King as office and the King as person.

We are concerned, very properly, with the King as an institution, and monarchy as a political system. We thus honour important constitutional principles and remain true to our craft as political scientists. But perhaps we should at the end of an important symposium remain duly aware that of all political offices in our countries at the end of the 20th century the office of the monarch is by definition the only one which its bearer does not freely choose but to which he is condemned by birth. And this for an undefined period, ending by death (apart from the still somewhat infrequent alternative of abdication).

**Summary: The monarchy in a parliamentary system**

*A discussion of the political role of monarchs in contemporary Western Europe is complicated by three uncritical preconceptions: the traditionalist-monarchist view of Kings as transcendent sovereigns, the democratic-emancipatory view*

*which assumes that Kings are by definition nothing but constitutional nonentities, and the media-view of members of a royal family as at one and the same time both superhuman and very human actors.*

*A realistic analysis of the role of monarchs and monarchy focuses on at least five issues: whether countries remained monarchies in the wake of democratisation because of, or notwithstanding being monarchies; the relationship of monarchs to major social cleavages; the very real importance of Kings within the actions of the nominal Crown notwithstanding the importance of the principle of ministerial responsibility; the inevitably personal role of Kings in the making, the crisis and the fall of cabinets; and the unavoidable conflict between the personal rights and actions of monarchs and the limitations which constitutional monarchy implies.*