The Characteristics of Monarchy as a Form of Government

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https://doi.org/10.69760/aghel.025002101

Keywords	Abstract
forms of government administration State Power monarchy absolute monarchy constitutional monarchy dualistic monarchy	The phrase "forms of government administration" denotes the methodology of structuring and executing state authority, the manner in which the head of state and other governing entities are constituted, and the allocation of functions among them. The type of government is chiefly dictated by the method of selection or appointment of the head of state, together with the processes by which authority is wielded. The governmental system is one of the earliest components defining a state, with its study originating in Ancient Greece. The interpretation of governmental form has fluctuated across several historical epochs. In an agrarian society, the importance of the governmental structure was confined to the method of appointing the head of state—either by inheritance or through elections. Nonetheless, with the deterioration of feudalism and the shift to an industrial society, characterized by the diminishment of monarchical authority and the rise and consolidation of popular representation, governmental structures transformed. The emphasis transitioned from the method of power transfer—whether the head of state was inherited or elected—to the organization of interactions among the head of state, parliament, and administration, as well as the equilibrium of their powers. The fundamental inquiry thus centered on the configuration of the separation of powers. This article examines monarchy as a governmental system.

1. INTRODUCTION

The form of government denotes the organizational framework of a state, defined by the legal position of the head of state and the allocation of power among the principal state authorities. In this context, all nations are categorized as either monarchy or republics. The amalgamation of these theoretical frameworks will create a solid basis for examining construction, maintenance, and contestation of legitimacy within constitutional systems. This approach will elucidate the intricate interaction among law, societal norms,

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and political authority, and how they coalesce to form the governance frameworks that influence political stability and transformation (Ozturk, 2024).

Two primary kinds of government are identified and compared: monarchy (derived from the Greek monarchia – autocracy: monos – one and arche – power) and republic (from the Latin res publica – common issue). The differentiation is primarily based on quantitative criteria. When supreme state authority is vested in a single individual, it is termed a monarchy. When power is centralized among a select few, it constitutes aristocracy. Democracy exists when authority is shared by all (Матарас, 2016).

Monarchy is a government system where supreme authority is wholly or partially vested in an absolute head of state (emperor, king, sultan, shah, khan, etc.), regardless of the populace's consent. A monarch's reign is generally lifelong and inherited. In Malaysia and the United Arab Emirates, kings are chosen for a term of five years.

A monarchy is a political system wherein ultimate authority resides with a singular ruler, the monarch, who acts as the head of state. It often operates as both a political-administrative entity and a social collective referred to as the "court society," comprised of the nobility.

In modern state and legal theory, the importance of monarchy is linked to the quest for an ideal political arrangement for society. Moreover, the examination of monarchy and statehood issues is bolstered by other factors:

1. Historical significance: Monarchy is one of the most ancient forms of governance, originating during the era of Egyptian pharaohs and Sumerian rulers (3rd–2nd millennia BCE). This illustrates its capacity to persist under diverse historical, economic, political, and ideological circumstances.

2. Global presence: Currently, the number of monarchs worldwide remains considerable. Including the states within the Commonwealth of Nations, where the British monarch is represented by a governor-general, monarchies constitute roughly one-sixth of the global states.

Monarchies encompass extensive nations like the United Kingdom, Spain, Japan, and Thailand, as well as diminutive governments with merely a few thousand residents, such as Eswatini in Africa, Saint Kitts and Nevis in the Caribbean, and Tuvalu in Oceania.

3. Ongoing evolution: Monarchies persist in contemporary contexts and continue to develop, exemplified by constitutional monarchies such as Belgium, the United Kingdom, Norway, Sweden, Denmark, and other realms.

4. Restoration of monarchy: In 1978, following four decades of Franco's dictatorship, Spain reinstated monarchical authority.

5. Historical function of monarchy: For the majority of human history, nations have been founded on monarchical ideals.

6. Contemporary resurgence of monarchical principles: Current circumstances demonstrate the resurgence and implementation of specific monarchical ideas in state-building, including the legal immunity of the head of state (Серегин, 2003).

2. THE MAIN CHARACTERISTICS OF MONARCHY

The main characteristics of a monarchy are:

- Governance is passed from father to son.

- The ruling authority remains within the same dynasty.

- Decision-making power depends solely on the will of one person.

In antiquity, monarchy was a prevalent system of rule. Throughout history, every nation has been governed by a monarchy at some juncture. Currently, there exist just 29 monarchies globally. In some instances, kings were regarded as representations of God or deities on Earth; in certain circumstances, they were even perceived as divine entities, imparting a religious dimension to their governance.

The Western Roman Empire, which reigned for nearly a millennium, was administered under a monarchical system throughout its existence.

 In a monarchy, ultimate authority is wholly or partially vested in a singular sovereign (king, tsar, shah, etc.). This ultimate authority is typically inherited. Monarchy is typically categorized as absolute monarchy, characterized by unrestrained power, prevalent during the late Middle Ages, and limited monarchy, wherein a secondary authority, such as a parliament, coexists with the king. The contemporary iteration of limited monarchy is parliamentary monarchy, when the monarch's function is entirely ceremonial, and the principal governing authority resides with a government established by the parliament. A quintessential illustration of a parliamentary monarchy is contemporary Great Britain.

The depiction of the monarch clearly exhibits elitism, characterized by their prestige, influence, public visibility, societal inaccessibility in instances of indirect communication, exclusive status, and the prerogative to diverge from established norms. Given the circumstances of external observation by prospective viewers and acknowledging the monarch's status, the dominant norm is one of superficial perception—the strategy of pretense (stratégie du paraître). During that period, court life was regulated by the norms of surface perception, or stratégie de paraître (Викулова & Васильева, 2018).

3. TYPES OF MONARCHY

Historically, the following types of monarchies have existed:

- Absolute monarchy

- Constitutional monarchy

- Federal monarchy

- Hereditary monarchy

- Dualistic monarchy

- Parliamentary monarchy

- Estate-representative monarchy

- Elective monarchy

Absolute Monarchy

An absolute monarchy is a form of governance in which the monarch wields unrestricted power, unbound by legal limitations or parliamentary oversight. The ruler maintains full control over state affairs, consolidating legislative, executive, and judicial authority. Contemporary examples of absolute monarchies include the Kingdom of Bhutan, the Sultanate of Brunei, the United Arab Emirates, Oman, Saudi Arabia, and the Kingdom of Eswatini.

The emergence of absolute monarchy in Europe can be traced back to the 16th century, reaching its full development over the next two hundred years. This system was characterized by the centralization of political authority in the hands of a single sovereign, who ruled unilaterally according to the legal doctrine quod principi placuit, legis habet vigorem (what pleases the ruler has the force of law). Absolute monarchs exercised unchecked authority over all state functions and claimed legitimacy through divine right, asserting that their power was granted by God. The governance structure relied on an extensive bureaucratic

apparatus, which reinforced the ruler's dominance. Over time, professional officials, directly subordinate to the monarch, replaced the traditional noblesse d'épée—the warrior nobility that had previously played a significant role in state governance under earlier forms of monarchy (Trzciński, 2007).

Today, no European state functions under an absolute monarchy. England was the first country in Europe to transition away from absolutism, adopting a constitutional monarchy in 1689. It is crucial to distinguish absolute monarchy from despotism, as the two concepts, though similar in centralized authority, differ in their legal foundations. As Montesquieu noted, "Monarchy is a government in which a single person rules, but according to established laws." In contrast, despotism is a system where governance is entirely dictated by an individual's personal will, without regard for legal or institutional constraints.

Dualistic Monarchy

A dualistic monarchy is a system of governance in which legislative authority is vested in a parliament, which may be elected either through universal suffrage or by a restricted electorate. However, executive power remains with the monarch, who exercises it either directly or through a government appointed at their discretion. Although judicial authority is formally attributed to the monarch, the judiciary may retain a certain degree of independence.

The term "dualistic monarchy" originates from the Latin word *dualis*, signifying duality, reflecting the system's division of authority between the ruler and the parliament. This form of governance emerged in Europe between the 18th and 19th centuries, largely as a response to popular demands for limitations on monarchical power and greater political participation. It was viewed as a compromise between absolute monarchy and the growing calls for constitutional limitations, allowing the monarch to maintain executive dominance while conceding some legislative influence to a parliamentary body.

Today, dualistic monarchy is commonly regarded as a transitional form between absolute and parliamentary monarchy. Various scholars classify countries such as Jordan, Morocco, Kuwait, Luxembourg, Bahrain, Eswatini (formerly Swaziland), Lesotho, and Tonga as examples of this governance model (Парфенова, 2020).

One of the defining characteristics of a dualistic monarchy is the incomplete separation of powers. Laws passed by parliament require the monarch's formal approval to take effect, as the ruler retains absolute veto power. Additionally, the monarch may issue extraordinary decrees that can override existing legislation. In extreme cases, a monarch can dismantle the dualistic system altogether and revert to an absolute monarchy by dissolving the parliament. For instance, in Jordan, after the dissolution of parliament in 1974, no new parliamentary elections were held until 1989. Even when a government exists, it remains accountable solely to the monarch rather than to an elected parliament, further reinforcing the ruler's authority.

Theocratic Monarchy

A theocratic monarchy is a form of governance in which political authority is vested in religious leaders who rule the state in accordance with religious laws and doctrines. Unlike other monarchical systems that may derive legitimacy from historical traditions or constitutions, theocratic monarchies are defined by religious governance, where state laws are based on religious principles.

This system is predominantly found in the Middle East and parts of Asia, with countries such as Saudi Arabia, Oman, and Qatar serving as prime examples. In these states, the head of government is simultaneously the head of the ruling religious organization, holding unlimited supreme authority. The governance structure is deeply intertwined with religious doctrine, and legal norms are derived from religious texts rather than secular constitutional frameworks.

One of the defining features of a theocratic monarchy is that religious norms exist independently of the state but are later sanctioned and enforced as legal regulations. This distinguishes theocratic monarchies

from secular monarchies, where laws are typically crafted through political institutions. An example of religious governance within a theocratic monarchy is the Vatican, where canon law, based on Catholic doctrine, serves as the legal foundation of the state (Махлянкова, 2020).

Constitutional (Limited) Monarchy

A constitutional monarchy, also known as a parliamentary monarchy, is a system of governance in which the monarch's powers are restricted by a constitution and legal framework. Under this model, legislative power is primarily vested in parliament, while executive authority is exercised by the government. Unlike absolute or dualistic monarchies, where the ruler maintains significant control, a constitutional monarchy ensures that the monarch acts within the limits of constitutional law rather than governing at their discretion.

Despite its widespread application, the term "constitutional monarchy" lacks a universally accepted definition in academic literature. However, it can be broadly characterized by three key features:

1. The Head of State is a monarch, who either inherits the position through hereditary succession or is elected.

2. The actual head of government is a separate entity—typically a prime minister—who is accountable to elected institutions such as parliament.

3. The monarch's powers are explicitly defined and limited by a constitution or a set of legal documents that govern their role (Ginsburg, Rodriguez & Weingast, 2023).

Constitutional monarchies are widely regarded as successful democratic models, balancing monarchical tradition with parliamentary governance. According to the Economist Intelligence Unit (2020), eight of the world's fifteen highest-ranking democracies operate under constitutional monarchies. Countries such as the United Kingdom (ranked 14th in 2019) and Japan have consistently appeared in democratic rankings, highlighting the stability and effectiveness of this governance model.

Countries with a Constitutional Monarchy

Several nations operate under a constitutional monarchy, including:
Australia, Barbados, Belgium, the United Kingdom, Bhutan, Denmark, Jordan, Spain, Sweden, Cambodia, Canada, Kuwait, Lesotho, Liechtenstein, Luxembourg, Malaysia, Morocco, Monaco, the Netherlands, Norway, Thailand, Japan, and New Zealand.

These countries exhibit varying degrees of monarchical authority, with some monarchs holding more symbolic roles while others retain limited political influence within constitutional constraints.

4. CHARACTERISTICS OF MONARCHY

Monarchy, as a form of governance, has distinct characteristics that differentiate it from other political systems. These include:

- **Hereditary Succession** – Power is typically passed down through familial lines.

- **Indefinite Rule** – Unlike elected officials who serve for fixed terms, monarchs generally rule for life.

- **Autonomy from Public Will** – The legitimacy of the monarch does not stem from public elections but from historical, religious, or dynastic claims.

Historically, monarchy has been one of the dominant political systems worldwide. While absolute monarchies continue to exist in countries such as **Saudi Arabia and Brunei**, where no institutions are formed by the direct will of the people and the monarch exercises full sovereignty, most modern monarchies are **constitutional**. In constitutional monarchies, power is shared between the monarch and other state

institutions, such as parliament and the executive branch. Examples of constitutional monarchies include the **United Kingdom, Japan, Spain, Belgium, Sweden, and Norway**, where monarchy operates within the framework of a parliamentary democracy.

The Role of the Monarch in a Constitutional Monarchy

In contemporary constitutional monarchies, the monarch often holds **ceremonial and constitutional responsibilities** rather than direct political power. In the United Kingdom, for example, **King Charles III** serves as the constitutional Head of State and holds ultimate legal responsibility for various state functions, including:

- **Appointing and dismissing the Prime Minister and other ministers.**
- **Dissolving Parliament** to initiate general elections.
- **Proroguing Parliament**, meaning suspending it for a defined period.
- **Granting 'Royal Assent'**, which is the formal approval required for primary legislation to become law.
- **Appointing members of the House of Lords.**
- **Conducting diplomacy and approving international treaties.**
- **Serving as the Head of the Armed Forces**, responsible for military deployment both domestically and internationally.
- **Acting as the Supreme Governor of the Church of England**, the official state religion of England.
- **Bestowing honours**, such as knighthoods and other royal distinctions (The Monarchy).

Historical Titles of Monarchs

Throughout history, monarchs have been known by various titles, reflecting the political and cultural traditions of different regions. Some of these titles include:

Imperial Titles

- **Princeps, Emperor, Kaiser, Shahanshah, Shanyu** – Used in imperial systems such as the **Holy Roman Empire**.
- **Tsar** – Title of rulers in the **Tsardom of Russia** (e.g., the Romanov Dynasty).
- **Shah** – Used in Persian empires such as the **Safavid State**.
- **Sultan** – Title of rulers in **Ottoman and Islamic sultanates**.
- **Emir** – Used in **Arab emirates**, including the **United Arab Emirates**.

Royal and Noble Titles

- **King, Queen, Consort** – Rulers of **kingdoms** such as **Jordan and the United Kingdom**.
- **Prince, Princess** – Used in **principalities** like **Andorra and Liechtenstein**.
- **Duke, Duchess** – Historically significant in **Western European duchies**, such as **Burgundy (9th-15th centuries)**.
- **Count, Countess** – Noble rank historically found in **Frankish states and England**.

- **Marquis, Marquess, Marchese** – Titles used in **France, England, Italy, and Germany** to denote nobility ranking below a duke.

Regional and Cultural Titles

- **Khan** – Title of rulers in **medieval Azerbaijan and Turkic khanates**.

- **Malik, Maliki** – Used by feudal lords in **medieval Karabakh**.

- **Khagan, Kagan, Kaan** – Titles among **Turkic and Mongolic peoples**, such as the **Khazars and Uyghurs**.

- **Pharaoh** – Title of rulers in **Ancient Egypt**.

- **Caliph** – Head of the **Caliphate**, signifying religious and political leadership in the **Arab world**.

- **Doge** – Title used in **Venice**, deriving from the English term *Department of Justice*.

- **Viscount, Viscountess** – A European noble rank positioned between **Baron and Count**.

- **Infante, Infanta** – Title used for **princes and princesses in Spain and Portugal**, although the monarchy was abolished in Portugal in **1910**.

Monarchy, in its various forms, has played a crucial role in shaping political systems worldwide, with different nations adopting distinct models to balance tradition, governance, and modern democratic principles.

5. MONARCHY AND COURTS: AN EXAMINATION OF THE RELATIONSHIP

The Role of Courts and the Judiciary in Monarchies

The adjudication of disputes and the issuance of final rulings in judicial proceedings are integral to maintaining legal order and ensuring the fair application of laws. Courts serve as fundamental institutions that uphold the **rule of law**, guaranteeing the proper implementation of legal provisions and the just resolution of conflicts. Judicial decisions provide **legal certainty**, offering protection for citizens' rights and liberties. Through the resolution of disputes, courts eliminate ambiguities in contested legal matters, promoting **clarity, stability, and enforceability** within the legal system (Garibli, 2025).

The Judicial System in Monarchies

Monarchy, a system of governance where a sovereign ruler holds supreme authority, has existed for centuries in various forms. While historically associated with **absolute power**, monarchies have evolved, particularly with the emergence of **constitutional monarchy**, which has fundamentally altered the relationship between the **monarchy and the judiciary**. The nature of this relationship depends on the specific governance structure of each country and plays a crucial role in shaping the legal system and broader principles of governance (Smith, 2021).

Historically, monarchs wielded **ultimate judicial authority**, serving as both the highest legal authority and the final arbiter in legal disputes. In many monarchies, the sovereign had the power to **appoint judges, enact laws, and serve as the final court of appeal**. This structure was particularly evident in **absolute monarchies**, where judicial independence was virtually nonexistent, and the king's decree functioned as the supreme legal standard (Johnson, 2018).

However, as political systems evolved, monarchies adapted to more structured governance frameworks, leading to significant changes in the judiciary's role. The development of **constitutional monarchies**, particularly in **Europe**, resulted in a **separation of powers** between the executive, legislative, and judicial branches. This transformation enabled the judiciary to function with greater **independence**, reducing direct monarchical control over legal institutions (Parker, 2019).

The Judiciary in Constitutional Monarchies

In **constitutional monarchies** such as the **United Kingdom**, the relationship between the monarchy and the judiciary is explicitly governed by constitutional principles. The monarch, as the **Head of State**, assumes a **ceremonial role**, while the judiciary operates autonomously to uphold the rule of law. The monarch's authority is constrained by the **constitutional framework**, and the judiciary serves as a **check on executive power**, ensuring the impartial application of justice (Davies, 2020).

Despite the judiciary's independence, court rulings may still be subject to **errors, misjudgments, or dissatisfaction** from involved parties. The administration of justice is inherently complex, and disputes may arise over the adequacy of legal protection and the proper resolution of cases. Nonetheless, judicial institutions remain essential in securing **legitimate rights and interests** through legally binding decisions (Garibli, 2024).

In modern governance, constitutional monarchies continue to strike a balance between **tradition and legal modernization**, ensuring that judicial independence is maintained while the monarchy retains a **symbolic and constitutional function** within the state's governance framework.

6. CONCLUSION

Monarchy is a system of administration in which the authority to rule is conferred by hereditary succession to a singular sovereign. Monarchy, whether absolute or constitutional, contravenes the essential moral tenets of representative democracy, including equality, dignity, and fairness. Monarchs and their family are regarded as morally superior to the citizens, leading to inequitable and undignified treatment of the latter. Monarchs are esteemed exclusively for their hereditary roles, granting them advantages such as dignity, riches, opportunities, public office, and elevated social status—privileges derived solely from the historical context of their family history. Consequently, we possess compelling ethical justifications for the abolition of monarchy. I will succinctly address the pragmatic rationale for constitutional monarchy, specifically that it may benefit society by fulfilling a ceremonial function inside a democratic framework. I contend that countries led by presidential democracies can achieve comparable efficacy, and without any pragmatic justifications for constitutional monarchy, we possess more compelling moral objections to it. Consequently, it ought to be eliminated.

References

Abbasov, E., Aliyev, E., & Aliyev, H. THE CATEGORY OF INITIAL LETTERS WHICH ARE THE SPECIAL SIGNS OF LINES. Deutsche internationale Zeitschrift für zeitgenössische Wissenschaft ··· № 73 2024 VOL., 12.

Axis Turkish Encyclopedia, Monarchy Article.

Davies, L. (2020). *Constitutional monarchies and the judiciary: The separation of powers*. Oxford University Press.

Farman, Y. K., & Yusif, E. J. (2025). Abortion: In the Context of the Legislation of Foreign Countries and the Republic of Azerbaijan. Acta Globalis Humanitatis et Linguarum, 2(1), 4-9.

Garibli, I. (2024). Reconsideration of Civil Cases in the Courts of the Republic of Azerbaijan under Cassation Procedure. *Acta Globalis Humanitatis Et Linguarum*, *1*(1), 173-179. https://doi.org/10.69760/aghel.024066

Garibli, I. (2025). Claims in Civil Cases Considered by the Courts. *Global Spectrum of Research and Humanities*, *2*(2), 113-122. https://doi.org/10.69760/gsrh.010120250039

Ginsburg, T., Rodriguez, D. B., & Weingast, B. R. (2023). The Functions of Constitutional Monarchy: Why Kings and Queens Survive in a World of Republics. *Northwestern Public Law Research Paper*, (23-29).

Johnson, R. (2018). *The historical role of monarchs in the judicial process*. Cambridge University Press.

Kyriacou, C. (2023). Why monarchy should be abolished. *Think*, *22*(65), 39-44.

Ozturk, A. (2024). Problems with the Right to Legitimacy. Acta Globalis Humanitatis Et Linguarum, 1(1), 180-186. https://doi.org/10.69760/aghel.010240767

Parker, J. (2019). *The evolution of constitutional monarchies in Europe*. European Politics Review, 17(3), 112-130.

Smith, D. (2021). *Monarchy and governance: The changing role of the judiciary*. Government Studies Quarterly, 45(2), 88-105.

The Monarchy. Retrieved from: https://consoc.org.uk/the-constitution-explained/the-monarchy/

Tofig, H. (2024). THE COMBAT AGAINST NARCOMANIA AS ENSURING A HEALTHY LIFE IN SOCIETY. Deutsche internationale Zeitschrift für zeitgenössische Wissenschaft ··· № 73 2024 VOL., 15.

Trzciński, K. (2007). A reversal of perspective: the subject as citizen under absolute monarchy, or the ambiguity of notions.

Викулова, Л. Г., & Васильева, Е. Г. (2018). Вербализация портрета монарха как вторичная семиотизация института власти. *Верхневолжский филологический вестник*, (1), 63-71.

Матарас, В. Н. (2016). Методы исследования форм государства в историческом времени и пространстве.

Махлянкова, М. В. (2020). ТЕОКРАТИЧЕСКАЯ МОНАРХИЯ КАК ГИБРИДНАЯ ФОРМА ПРАВЛЕНИЯ НА ПРИМЕРЕ ВАТИКАНА. *СТРАТЕГІЧНІ ПРІОРИТЕТИ РОЗВИТКУ ЕКОНОМІКИ, ОБЛІКУ, ФІНАНСІВ І ПРАВА*, 35.

Орлов, А. Г. (1995). Президентские республики в Латинской Америке. *М.: МГИМО*.

Парфенова, Т. А. (2020). Дуалистическая монархия: проблемы идентификации. *Пролог: журнал о праве*, (4 (28)), 20-26.

Серегин, А. В. (2003). *Теоретические проблемы монархической формы правления* (Doctoral dissertation, автореферат диссертации… кандидата юридических наук/АВ Серегин).