THE LEGITIMACY
OF NON REIGNING ROYAL FAMILIES

By
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ABOUT THE AUTHOR

Don Salvatore Ferdinando Antonio Caputo was born in a noble family in 1942 when Italy was a kingdom ruled by the House of Savoy, kings of Italy since the Risorgimento (The Resurgence. The movement for the liberation and political unification of Italy, beginning about 1750 and lasting until 1870), and previously rules of Savoy. However, four years after his birth, monarchy was abolished by popular referendum in June 2, 1946. Italy became a republic.

At the age of 15, he was brought up in Canada where after he spends his life traveling worldwide and worked in Brazil, Guatemala and Philippines as a prominent director of multinational Corporations. Since he became conscious of politics, there has not been a president who he felt was a satisfactory symbol of the countries visited, and who he could admire as a focus for non-partisan patriotism. This is essentially why he came to support monarchy.....although his enthusiasm for royalty dates from childhood.

He speaks and writes fluently Italian, English, Spanish, and Portuguese, read French and was educated in Italy, Canada and USA.

Don Salvatore is a monarchist that believes that a hereditary Monarchy, with a Sovereign, non-corrupt one with religious values and culture and tradition, conducted with immense kindness and whose role was thrust upon him by accident of birth rather than by being a politician, is the most perfect form of government in a nation.

Contrary to a Republic's President (like France, USA etc.) the Sovereign will insure the continuity in a time schedule. He/she is always aware about important files and he/she acts to push these files up to their conclusion. That is not the case for a president. When his period will be ended, he will return to the everyday's life and another President will come with his idea and who knows how.

Mr. Caputo supports the present heads of exiled or non-reigning Houses as de jure sovereigns, this recognition being co-existent with the realization that the institution is more important than a particular claimant. A monarch through the vestiges of that misunderstood Divine right and because of his symbolic paternal role faces a higher responsibility than a state government.

The justification of the hereditary succession is not only in the upbringing of the future king, not only in the continuity of a line but in the fact that an hereditary ruler does not owe his position to any particular social or interest group, but rather to divine will alone. The formula "by the Grace of God" is a constant reminder to the sovereign that an accident of birth was responsible for his position and must prove his fitness by ceaseless efforts in the cause of justice.

The monarch is always there, a permanent symbol of the state and man's relationship to it. The modern monarch is often above the fray of partisan
politics, an advocate for his nation’s principles, if not its specific governmental policies. Today, a monarch may reign but not rule. The interest of monarchy is to serve, to serve the country, the people and not be served.

It is a misconception to imagine that the monarchy exists in the interests of the monarch. It doesn’t. It exists in the interests of the people. It is sometimes said that Country can never be a really modern state while it still has a monarchy. This of course ignores countries like United Kingdom, Japan, Spain, Norway, Sweden, Denmark, The Netherlands and many others all of which are modern constitutional monarchies in modern countries where majority of the people of those nations have absolutely no intention of removing their monarchy because of the benefits they recognize they derive from it.

On the subject of disputed successions in former monarchies and concerning non-reigning royals he undertakes “tolerant” attitude of neutrality though not impartiality, in certain cases, he has a candidate he considers the legitimate one. He advocates of the establishment, preservation and restoration of a monarchy and stays neutral on the issue of juridical recognition of reigning and Sovereign Houses, which is of exclusive competence of their respective State Systems and desires exclusively to support their traditional humanitarian commitment at the service of international collaboration.

Don Salvatore is the Founder and President of “The International Commission and Association on Nobility (TICAN)”:


“Kings have advantages over democratic politicians. Although they must remain popular, they do not have to grub for votes. Unlike American senators, they are not obliged to start raising money for their re-election campaign days after the electorate has voted them in. Inheritance has its privileges, for both rulers and the ruled. For politicians in democracies, the business of government is all too often a great game, a chance to strut and posture their little moment on the stage, before retiring to directorships and lecture tours. No such retreat is possible for monarchs, so they are less likely to mess with the dodgy loan, or fool around with the intern”.

Editorial, The Spectator, 13th February 1999

“The best reason why Monarchy is a strong government is that it is an intelligible government. The mass of mankind understand it, and they hardly anywhere in the world understand any other”.

Walter Bagehot, The English Constitution, 1867

Front Picture “The Battle of Hastings” by Frank Wilkin (1791-1842)
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PREFACE

The first states were mostly monarchies, as far as we can tell, they were ruled by kings or queens. The earliest monarchies that we know about are the ones in Sumer ("land of the civilized lords" or "native land", Sumer was a civilization and historical region in southern Mesopotamia, modern Iraq during the Chalcolithic – Early Greece and Early Bronze), and Egypt. These both began around 3000 BC. But it was not only the early states which had kings and queens. After all there are still many countries which have kings and queens even today. Some other examples of places which were ruled by kings are Greece in the Late Bronze Age, as described in Homers' Iliad, the Etruscan cities in northern Italy, including Rome between about 700 and 500 BC, China in the Warring States period, the Early Medieval kingdoms of Western Europe and Africa like the Visigoths, the Vandals, the Franks, Ethiopia and Mali, and the later medieval kingdoms, both Christian and Islamic, of France, England, and Spain.

People often think that in ancient and medieval times only men could rule. It is true that there have been many more men in power than women, but there have always been women rulers too. There were women who ruled Egypt, like Hatshepsut and Cleopatra, and women who ruled the Byzantine Empire, like Irene. There were women who ruled southern France, like Eleanor, and women who ruled Castile in Spain, like Isabelle, and women who ruled the kingdom of Kush in Africa, and the Empresses Lu and Wu Chao in China. Many other women held power without having the official title, often as regents for their sons or grandsons, like Agrippina and Julia Maesa in Rome, or Blanche of Castile Blance in France.

Throughout history, royal dynasties have dominated countries and empires around the world. Kings, queens, emperors, chiefs, pharaohs, czars -- whatever title they ruled by, monarchs have shaped institutions, rituals, and cultures in every time period and every corner of the globe. The concept of monarchy originated in prehistoric times and evolved over century's right up to the present. Efforts to overthrow monarchies or evade their rule -- such as the American, French, Chinese, and Russian revolutions -- are considered turning points in world history. Even today, many countries retain their monarchies, although in vastly reduced form with little political power. One cannot understand human history and government without understanding monarchs and monarchies.

One has to remember that Christianity played an intricate role in most of the lives of the European people and now that Charlemagne had been anointed by the church "Roman Emperor" his influence stretched far past where his military might could have taken it.

World history proves that the civilization of any country is built by the monarchy; it is difficult to imagine civilization growing in India without the influence of Mughal Emperors Ashok and Akbar. Whether the Great Wall of China or the Pyramids of Egypt, Monarchy builds great things. There is no civilization living today which did not originate in the work and effort of Monarchy.
THE LEGITIMACY OF NON REIGNING ROYAL FAMILIES

This may be controversial for some readers who will probably criticize for this topic. Such criticism may be to some degree reasonable because of difference of opinion of the succession based on certain principles of dynastic law. It also depends on whichever side the commentators are on. Even among specialists personal opinions are numerals.

In this Article, the Author challenges the definition of the term "state" that is commonly accepted in legal scholarship as the basis for assessing whether an entity is a subject of international law. By analyzing a number of cases that do not fit into the "traditional" model--including the Holy See, Napoleon, etc., the conclusion is that the only essential element of a subject of international law is its sovereignty.

The largest segment of world history consists of the history of Europe, which has mostly been determined by the concepts of sovereignty, religion (Christianity) and war. List of treaties contains historic agreements, pacts, peaces, and major contracts between states, armies, governments, and tribal groups. Situations of international armed conflict regularly give rise to some misunderstandings with regard to the applicable law and its interpretation. This especially holds true if these misunderstandings are reinforced by statements of a purely political character. All too often some commentators, obviously considering such statements to be of higher relevance than the law, prefer to rely upon these statements rather than on a proper analysis of the relevant treaties.

It is the aim of the present paper to clarify what law applies as the transition from war to peace occurs. To do this, it must first be determined which situations qualify as wars or as international armed conflicts, as distinguished from peace. Closely related to this determination are the different forms of terminating and of suspending an international armed conflict. Clarifications of such forms are prerequisites for the identification of the point in time at which the law of armed conflict ceases to apply. After these necessary preliminaries, it will be possible to deal with the rights and duties of an occupying power and with the legal validity of the measures taken by that power. Thus, the ground will be paved for a final determination of what law applies during the different phases marking the transition from war to peace.

The war with Napoleon reversed the dynastic monarchies and their societies’ legal structures. The Napoleonic example shows war’s ability to transform law. At the time of Napoleon’s rise to power there had been over 400 separate European legal codes. Changes in economic and political philosophy around the world have shifted the leadership of many countries. The United States was just a youngster, a newly formed county, and Europe was in turmoil. In 1648 the Westphalian Treaty came into existence. Depending on one's critical view-point, this treaty either defined the central architectural principle of the modern state system or provided a very misleading "origin myth" about its evolution.

This book is the presentation of history of Europe since the downfall of Napoleon and endeavored to explain the internal development of the various nations, and their external relations of the gradual expansion of Europe and its
insisted and growing pressure upon the world outside, causing the imminent collapse of many monarchies, its princes and noble families. Moreover, only the broader lines of the evolution of century can be traced in this short volume. Therefore, omitted many subjects in order to give a fuller treatment to those, in our opinion, are more important for the discussion of the legitimacy of non-reigning royal families.

Legal recognition of nobility is more common in monarchies, but nobility also existed in such republics as the Dutch Provinces, Genoa and Venice, and remains part of the legal social structure of some non-hereditary regimes, e.g. San Marino and Vatican City in Europe. Hereditary titles often distinguish nobles from non-nobles, although in many nations most of the nobility have been un-titled, and a hereditary title need not indicate nobility.

While noble status formerly conferred significant privileges in most jurisdictions, by the 21st century it had become a largely honorary dignity in most societies, although a few, residual privileges may still be preserved legally (e.g. Netherlands, Spain, UK) and some Asian, Pacific and African cultures continue to attach considerable significance to formal, hereditary rank or titles.

Non-reigning Monarchies today, based largely in Europe and Far East some of the ruling royal families are still wealthy and powerful. They are philanthropic and excellent benefactors to the people and countries they rule. Others are largely ceremonial or constitutional monarchies existing in a complimentary relationship respected and revered but holding little or no ruling power. People who are rightful heirs to titles may have lost their family wealth but their titles and the right to rule a kingdom is customarily hereditary.

If the nobility is regarded as an inherently parasitic class of profligates, the answer is no. However, Pius XII rejected this caricature of the nobility, which is part of the black legend spread by the French Revolution and those that followed it in Europe and the world. While clearly stating that abuses and excesses deserving history's censure have occurred in noble circles, he nevertheless affirms, in moving terms, the existence of a harmony between the nobility's mission and the natural order instituted by God Himself, as well as the elevated and beneficial character of this mission.

Nevertheless, this splendor will shine in industrialists or merchants who, in the pursuit of their activities, render noteworthy services to the common good with significant sacrifice of their legitimate personal interests.

Moreover, should the interplay of circumstances enable a non-noble family to render such services for several generations, this alone may well be considered sufficient to elevate that lineage to noble status.

Something of this sort occurred with the Venetian nobility, which was largely made up of merchants. This class governed the Most Serene Republic and, consequently, held in its hands the common good of the State, which it raised to the rank of an international power. It is not surprising, therefore, that these merchants attained the status of nobles. They did this so effectively and
authentically that they assimilated the elevated cultural tone and manners of the best military and feudal nobility.

Misinterpretation of the Congress of Vienna

European heads of government were looking to establish long-lasting peace and stability on the continent after the defeat of Napoleon. They had a goal of the new European order—one of collective security and stability for the entire continent. A series of meetings in Vienna, known as the Congress of Vienna, were called to set up policies to achieve this goal. Originally, the Congress of Vienna was scheduled to last for four weeks. Instead, it went on for eight months.

The “Congress of Vienna” was not properly a Congress: it never met in plenary session, and most of the discussions occurred in informal, face-to-face, sessions among the Great Powers with limited participation by delegates from the lesser states. Most of the decisions made in Vienna during the winter of 1814–1815 were made in secret among representatives of the five “great powers”—Russia, Prussia, Austria, Great Britain, and France. By far the most influential of these representatives was the foreign minister of Austria, Prince Klemens von Metternich (Picture above).

Metternich distrusted the democratic ideals of the French Revolution. Like most other European aristocrats, he felt that Napoleon’s behavior had been a natural outcome of experiments with democracy. Metternich wanted to keep things as they were and remarked, “The first and greatest concern for the immense majority of every nation is the stability of laws—never their change.” Metternich had three goals at the Congress of Vienna. First, he wanted to prevent future French aggression by surrounding France with strong countries. Second, he wanted to restore a balance of power, so that no country would be a threat to others. Third, he wanted to restore Europe’s royal families to the thrones they had held before Napoleon’s conquests.

Despite his defeat, Napoleon had several important effects on Europe. For one thing, he had spread the idea of liberalism, especially in Western and Central Europe. By the same token, he had also spread the idea of nationalism in East and Central Europe. The rulers of Europe were very nervous about the legacy of the French Revolution. They worried that the ideals of liberty, equality, and fraternity might encourage revolutions elsewhere. Late in 1815, Czar Alexander I, Emperor Francis I of Austria, and King Frederick William III of Prussia signed an agreement called the “Holy Alliance”. In it, they pledged to base their relations with other nations on Christian principles in order to combat the forces of revolution. Finally, a series of alliances devised by Metternich, called the “Concert of Europe”, ensured that nations would help one another if any revolutions broke out. Across Europe, conservatives held firm control of the governments, but they could not contain the ideas that had emerged during the French Revolution. France after 1815 was deeply divided politically.
Conservatives were happy with the monarchy of Louis XVIII and were determined to make it last. Liberals, however, wanted the king to share more power with the legislature. And many people in the lower classes remained committed to the ideals of liberty, equality, and fraternity.

Similarly, in other countries there was an explosive mixture of ideas and factions that would contribute directly to revolutions in 1830 and 1848. Despite their efforts to undo the French Revolution, the leaders at the Congress of Vienna could not turn back the clock. The Revolution had given Europe its first experiment in democratic government. Although the experiment had failed, it had set new political ideas in motion. The major political upheavals of the early 1800s had their roots in the French Revolution.

Revolution in Latin America The actions of the Congress of Vienna had consequences far beyond events in Europe. When Napoleon deposed the king of Spain during the Peninsular War, liberal Creoles (colonists born in Spanish America) seized control of many colonies in the Americas. When the Congress of Vienna restored the king to the Spanish throne, royalist peninsulares (colonists born in Spain) tried to regain control of these colonial governments. The Creoles, however, attempted to retain and expand their power. In response, the Spanish king took steps to tighten control over the American colonies. This action angered the Mexicans, who rose in revolt and successfully threw off Spain’s control. Other Spanish colonies in Latin America also claimed independence. At about the same time, Brazil declared independence from Portugal.

The Congress of Vienna left a legacy that would influence world politics for the next 100 years. The continent-wide efforts to establish and maintain a balance of power diminished the size and the power of France. At the same time, the power of Britain and Prussia increased. Nationalism began to spread in Italy, Germany, Greece, and to other areas that the Congress had put under foreign
control. Eventually, the nationalistic feelings would explode into revolutions, and new nations would be formed. European colonies also responded to the power shift. Spanish colonies took advantage of the events in Europe to declare their independence and break away from Spain. At the same time, ideas about the basis of power and authority had changed permanently as a result of the French Revolution. More and more, people saw democracy as the best way to ensure equality and justice for all. The French Revolution, then, changed the social attitudes and assumptions that had dominated Europe for centuries. A new era had begun.

Consequences

As Europe changed throughout the 19th century, several royal families were gradually dismantled. The Kingdom of Naples saw the removal of its sovereign Joachim Murat. Venice ceased being a provincial capital of Austria by 1866 and ceded to a unified Italy. When it became clear that the Venetian Republic would never again be fully independent, Venetian patricians redirected their political efforts. Several members of Royal Houses were experienced diplomats, and various individuals of royal houses branch accepted recruitment by the Austrian Emperor to serve as ambassadors for the Imperial House of Habsburg-Lorraine.

By the end of the 17th Century, claims to absolute sovereignty on the part of the English Crown and Parliament had been established. The Revolution of 1688, during which James II was chased from power, produced the English Bill of Rights, establishing a constitutional system in which the King’s powers were both limited and checked by Parliament.

Britain’s American colonists revolted because they refused to accept that Parliament had the right to govern their colonies without reference to established rights. Debates over “external” versus “internal” taxation in particular rested on the American insistence that their relationship with Britain was a limited one, governed by the provisions of colonial charters and by historical precedent, which had established that the colonies would be self-governing. The principle of sovereignty played a crucial role in fomenting rebellion and, from the British perspective, losing an important part of its empire.

In the 19th and early 20th centuries, the combined use of specific legal terminology and phrasing allowed Italian registers to inscribe any type of title, foreign or domestic. Registers specifically used very precise words, abbreviations and phrasing to specify the various types of comital rankings, from noble counts up to princely counts. All comital rankings within Italy were registered through the title of "count". Since 1763, the Almanach de Gotha recorded the genealogies of the sovereign houses of Europe and of the "mediatized" (to annex a lesser state to a greater state as a means of permitting the ruler of the lesser state to retain title and partial authority) princes and princely counts of Europe and the Holy Roman Empire. However, the several genealogies of Italian noble houses were not included in the Almanach de Gotha. Titular princely counts connected to nominal territories were also excluded from the Gotha since they were not *mediatised* (the members of
formerly reigning houses who were reclassified into intermediary princely or princely comital houses).

Aristocrats of non-mediatised houses with a line of titular princely counts were registered within their country of origin, and Italian registers were prepared to follow precise legal standards of inscription for the registration of an Austrian princely title of highness. Listing the name of a nominal territory was not required by law.

Beginning with the Congress of Vienna in 1814 till after World War II in 1946, princes of the noble social class were not allowed to marry within the royal social class. Doing so would create a morganatic marriage, which resulted in the subsequent issue of a reigning imperial or royal house being denied succession rights.

Princes of the noble social class were typically princes of the church and recipients of a princely papal title - a title of prince issued from the Pope, rather than from a monarch. Since the Pope acted as "His Holiness" and is not of princely highness or majesty himself, the princely families of the noble social class remained under the governance of an aristocrat holding a ranking of princely highness from within the royal social class.

Consequently, princes of the noble social class were not deemed equal to the princely members of the royal social class. Alternatively, princely counts received their title with royal decree from the Emperor, Seine Kaiserliche un Konigliche Apostolische Majestat (His Imperial and Royal Apostolic Majesty), and princely counts were of the highest standing within their given domain. As such, princely counts are of greater dignity and station than princes of the noble social class. A princely count could marry the daughter of the Emperor, and this marriage would be deemed a union of equals within the royal social class.

Princes of the noble social class could not secure such a union and were forced to marry within the noble social class (the aristocratic class below the royal social class, containing all nobles lacking a standing of highness. Specifically, non-reigning and non-mediatised princes, dukes, marquises, counts, viscounts, barons etc.). In essence, princes whom lacked a standing of highness would never be able to fully rule autonomously or produce issue connected to reigning imperial or royal houses.

The crown of Sicily, the prestige of being kings at last, and the wealth of Palermo helped strengthen the House of Savoy further. In 1720 they exchanged Sicily for Sardinia of which they were kings. In 1792 Piedmont-Sardinia joined the First Coalition against the French First Republic, but was beaten in 1796 by Napoleon and forced to conclude the disadvantageous Treaty of Paris (1796), giving the French army free passage through Piedmont. In 1798 Joubert, occupied Turin and forced Charles Emmanuel IV to abdicate and leave for the island of Sardinia. Eventually, in 1814 the kingdom was restored and enlarged with the addition of the former Republic of Genoa by the Congress of Vienna.
In 1870, when the unification of Italy was consummated with the occupation of Rome by Piedmontese troops, the House of Savoy attempted to amalgamate these different nobilities.

The project failed both politically and juridical. Many noble families remained faithful to the dethroned dynasties from which they had received their titles. Particularly, a considerable part of the Roman aristocracy, maintaining tradition, continued to figure officially in Vatican solemnities. They refused to recognize Rome's annexation to Italy, rejected any rapprochement with the Quirinal and closed their salons as a sign of protest. To this mourning nobility was given the name "Black Nobility".

Nevertheless, the amalgamation advanced in no small scale in the social sphere through marriages, social relations, and the like. As a result, the Italian aristocracy in our day constitutes a whole, at least from many points of view. Article 42 of the 1929 Lateran Treaty, however, assured the Roman nobility a special status, since it recognized the Pope's right to grant new titles and accepted those granted previously by the Holy See. Thus the Italian and Roman nobilities, by then already at peace, continued to exist legally side by side.

The Concordat of 1985 between the Holy See and the Italian Republic makes no mention to this the situation of the Italian nobility—and of the European nobility in general—did not cease to be complex.

The Black Nobility (Italian: "nobiltà nera" or "aristocrazia nera") are Roman aristocratic families who sided with the Papacy under Pope Pius IX after the Savoy family-led army of the Kingdom of Italy entered Rome on September 20, 1870, overthrew the Pope and the Papal States, and took over the Quirinal Palace and any nobles subsequently ennobled by the Pope prior to the 1929 Lateran Treaty. For the next 59 years, the Pope confined himself to Vatican City and claimed to be a prisoner in the Vatican to avoid the appearance of accepting the authority of the new Italian government and state. Aristocrats who had been ennobled by the Pope and were formerly subjects of the Holy See, including the senior members of the Papal Court, kept the doors of their palaces in Rome closed to mourn the Pope's confinement.

Pope Pius XII (Eugenio Maria Giuseppe Giovanni Pacelli) belonged to a noble family, whose sphere of relations was naturally among the nobility. In 1929, one prominent member of his family was graced with the title of marquis; and the Pope's nephews, Don Carlo Maria, Don Marcantonio, and Don Giulio Pacelli, each received the hereditary title of prince from King Victor Emmanuel III of Italy.

1 (Latin: Collis Quirinalis, is one of the Seven Hills of Rome, at the north-east of the city center. The Quirinal Palace was Pope Gregory XIII as a papal summer residence. Now it is the location of the official residence of the Italian Head of State. It has housed thirty popes, four kings and eleven presidents of the Italian Republic)
Despite the relatively recent name, the Black Nobility had existed for centuries, originating in the Baronial class of Rome and in the powerful families who moved to Rome to benefit from a family connection to the Vatican. These supported the Popes in the governance of the Papal States and in the administration of the Holy See. Many of the members of Black Noble families also became high-ranking clergy and even Popes. Black Nobility families (in this instance families whose ancestors included Popes) still in existence include notably the Colonna, Massimo, Orsini, Pallavicini, Borghese, Odescalchi, and Ludovisi. Major extinct papal families include the Savelli, Caetani, the Aldobrandini family and Conti. Famous members of Black Nobility families include Eugenio Pacelli, who later became Pope Pius XII, an important financier and Prospero Colonna, mayor of Rome.

Following the conclusion of the Lateran Treaty in 1929, the Black Nobility was given dual citizenship in Italy and Vatican City. Under the provisions of the treaty, noble titles granted by the pope were recognized in the Kingdom of Italy. Many of these families were members of the largely ceremonial Papal Noble Guard; others were foreigners affiliated with the Holy See in various ways. In 1931, Pope Pius XI denied the request of Alfonso XIII of Spain to open the Noble Guard further to nobles from all Catholic countries. In World War II, the Papal Noble Guard guarded the Pope alongside the Swiss Guard.

Pope Paul VI abolished many Vatican City positions with the apostolic letter motu proprio Pontificalis Domus (English: The Papal Household) in 1968. As well as changing the name of the group from Papal Court to Papal Household, many of the positions occupied by the Black Nobility were abolished. According to the motu proprio: "Many of the offices entrusted to members of the Papal Household were deprived of their function, continuing to exist as purely honorary positions, without much correspondence to concrete needs of the times."

Many of these positions and the Papal Court itself were still set up for administering the Papal States, which had been lost in 1870. The Black Nobility's perks, such as Vatican City license plates, were also withdrawn. Some Black Nobles resented these changes. In May 1977, some members of the Black Nobility, led by Princess Elvina Pallavicini, started courting traditional Archbishop Marcel Lefebvre.

The dissolution of the Holy Roman Empire

The throne of the Holy Roman Empire, elective from its origins, became de facto hereditary in 1438, when Albert II, the Illustrious, from the House of Austria, was elected. From then on the college of Electoral Princes always chose the head of this House for the imperial throne. The election of Francis of Lorraine in 1745 was only an apparent exception, since he had married the heiress of the House of Austria, Archduchess Maria Theresa of Hapsburg. The house of Hapsburg-Lorraine thus came into being as the legitimate continuer of the House of Austria at the head of the Holy Roman Empire.

On the other hand, the strongly federative character of the Holy Roman Empire lasted until its dissolution in 1806, when Napoleon forced Emperor Francis II
(Francis I of Austria) to abdicate. With his imposition of the Confederation of the Rhine that same year, the Corsican drastically reduced the number of sovereign principalities in the Empire.

The subsequent German Confederation (1815-1866), which had the emperor of Austria as its hereditary president, represented a conservative interim in this centripetal march. It was, however, dissolved after the Austro-Prussian war and the battle of Sadowa (1866). The North German Confederation was then formed under Prussian hegemony. Austria and the states of southern Germany were excluded.

After the defeat of Napoleon III in 1870, this confederation became the German Reich, which was much more centralized and recognized only twenty-five member states as sovereign.

The centripetal impulse did not stop here. The Anschluss (Union) of Austria and, shortly thereafter, the annexation of the Sudetenland to the Third Reich (1938) carried this impulse to an extreme and resulted in the Second World War. The nullification of these centripetal conquests of Adolf Hitler and the recent incorporation of East Germany into the present German state may mark the final point of these successive modifications of the German map.

The crises resulting from World War I brought some changes to this picture. They deprived part of the noble families of their means of livelihood and forced many of their members to secure subsistence through the exercise of professions at variance, even when honest and worthy, with the psychology, customs, and social prestige of their class.

World War II brought additional and more extensive economic ruin to many noble families, worsening yet further the multiple problems the aristocracy had to face. In this way, the crisis of a great social class became acute and firmly entrenched. It was with this picture before him that Pius XII addressed the current situation of the Italian nobility in his allocutions to the Roman Patrician and Nobility, which had obvious relevance for all the European nobility.

**Mediatisation**

Mediatisation is the loss of imperial immediacy. Broadly defined it is the subsumption of one monarchy into another monarchy in such a way that the ruler of the annexed state keeps his sovereign title and, sometimes, a measure of local power. For instance: when a sovereign county is annexed to a larger realm, its reigning count might find himself subordinated to another sovereign ruler, but nevertheless remains a count of sovereign rank, if not actually fully sovereign in fact. His subjects owe allegiance to the higher prince through him, and so his sovereignty is said to be mediatised, that is, rendered intermediate. The term "mediatisation" was originally applied to the reorganization of the German states during the early 19th century, although the process had been going on since the Middle Ages. Mediatisation has occurred in a number of other countries: Italy (e.g. Orsini, Doria, Pallavicini), Russia (e.g. Sibirsky, Vorotynsky), and France (e.g. Rohan, de Bouillon and Lorraine) are notable
Old mediatised princes were considered equal to royals for marriage purposes; in essence they were regarded as royalty. However, there were two types of mediatised families; old and new. Old were those who have for centuries ruled immediate imperial territories. New families were those who obtained immediate status after the end of the Middle Ages, mostly as a reward for service and loyalty to the reigning Emperor. Most of these families came from hereditary Habsburg lands and south-western Germany; originally they were mediate nobles, upgraded to immediate status.

After the mediatisation, these families were officially regarded as equals to royalty; however, the reigning houses often, but not always declined to treat them as such. Emperor Franz Joseph, for example, forbade his nephew’s son, future Charles I of Austria, even to consider a possible match with a Hohenlohe princess even though the Hohenlohes were an old family who reigned for centuries prior to the mediatisation and King Frederick William III of Prussia had to marry morganatically the Countess Auguste von Harrach even though she came from a mediatised family.

Thus in theory, if a scion from the most obscure mediatised family (say the child of an impoverished mediatised count) married an emperor or a king, their alliance was considered equal, not morganatic, and their children had dynastic
rights. In practice, however, this never happened. The authoritative guide to the royal and noble houses of Europe, the *Almanach de Gotha*, is, since late nineteenth century, divided into three sections: sovereign houses, mediatised houses, and noble houses.

**THE CONGRESS OF VIENNA, 1814-1815**

In 1802, Europe was made up of several hundred states, which were dominated by England, Austria, Russia, Prussia and France, which was the most powerful country. In 1804, when Napoleon Bonaparte took over France, his military exploits had led to the complete control of virtually all of Europe. In 1812, when Napoleon moved against Russia; England, Spain and Portugal were already at war with France. They were later joined by Sweden, Austria; and in 1813, Prussia joined the coalition to end the siege of Europe, and to "assure its future peace by the re-establishment of a just equilibrium of the powers." In 1814, the coalition defeated France, and in March of that year, marched into Paris. France's borders were returned to their original 1792 location, which had been established by the First Peace of Paris, and Napoleon was exiled to Elba, a small island off the Tuscan coast of Italy.

From September, 1814 to June, 1815, the powers of the allied coalition, winners of the Napoleonic Wars, met at the Congress of Vienna, along with a large number of rulers and officials representing smaller states. It was the biggest political meeting in European history. Representing England was Lord Robert Stewart, the 2nd Viscount Castlereagh; France, with Foreign Minister Charles-Maurice Talleyrand de Perigord; Prussia, with King Friedrich Wilhelm III; and Austria, with Emperor Franz II.

"An unusual feature of the "Congress of Vienna" was that it was not properly a Congress: it never met in plenary session, and most of the discussions occurred
in informal, face-to-face, sessions among the Great Powers with limited participation by delegates from the lesser states. On the other hand, the Congress was the first occasion in history where on a continental scale people came together in place to hammer out a treaty, instead of relying mostly on messengers and messages between the several capitals. The Congress of Vienna settlement, despite later changes, formed the framework for European international politics until 1914.


Throughout the 19th century, there was growing interest in establishing new national identities, which had a drastic impact on the map of Europe. These transformations also highlighted the failure of a certain 'European order' which led to the outbreak of the First World War.

“....Besides, the decisions of the Congress were made by the Five Great Powers (Austria, France, Prussia, Russia and the United Kingdom), and not all the countries of Europe could extend their rights at the Congress. For example, Italy became a mere "geographical expression" as divided into eight parts (Parma, Modena, Tuscany, Lombardy, Venetia, Piedmont-Sardinia, the Papal States, Naples-Sicily) under the control of different powers, while Poland was under the influence of Russia after the Congress. The arrangements that made the Five Great Powers finally led to future disputes. The Congress of Vienna preserved the balance of power in Europe, but it could not check the spread of revolutionary movements on the continent”.

The main concern of the Congress was to redistribute conquered territories, create a balance of power, restore the pre-Napoleonic order through King Louis XVIII, return the power to families who were ruling in 1789, and to return the Roman Catholic Church to its former power. Discussion revolved around the creation of a Federation of Europe that would establish a group of independent kingdoms which would be tied together through an administrative governing body that would, among other things, provide military defense. In their plan, Switzerland was made a neutral state that served as a repository for their finances.

In recent years the question of the legitimacy of international law has been discussed quite intensively. Such questions are, for example, whether international law lacks legitimacy in general; whether international law or a part of it has yielded to the facts of power; whether adherence to international legal commitments should be subordinated to self-defined national interests; whether international law or particular rules of it – such as the prohibition of the use of armed force – have lost their ability to induce compliance (compliance pull); and what is the relevance of non-enforcement or failure to obey for the legitimacy of that particular international norm.
Legitimacy in International Law

“International Governance becomes administrative”. Authors Nico Krisch and Benedict Kingsbury argue that international governance has become increasingly administrative. The international legal order has changed. It is no longer adequate to think of the international legal order in terms of inter-state, consent based law. In the classic notion of international law, norms are agreed upon by states, and states were free to accept or reject these laws. In order to be effective, international laws needed to be ratified and implemented at the domestic level.

(Picture above: Prof. Benedict Kingsbury, Director of the Institute for International Law and Justice, works on the issues of indigenous peoples and directs the Program in the History and Theory of International Law and the Global Administrative Law Project.

(Picture left: Nico Krich. After studies in law and international relations in Berlin, Geneva and Heidelberg, he has received a Ph.D. in law from the University of Heidelberg. He also holds the Diploma of European Law of the Academy of European Law in Florence, Italy. Nico is the author of “Selbstverteidigung und kollektive Sicherheit” (Self-defense and Collective Security, 2001) and of several articles on the United Nations collective security system, on the use of force in international law, on international and European human rights law, and on the role of the United States in international law. He is currently pursuing projects on the role of constitutionalism in a fragmenting legal order, on hegemony in international law, and on global administrative law).

The basis for the legitimacy of international law is changing. International law used to be considered legitimate when it rested on the agreement of sovereign states. Domestically, however, states were free to organize institutions as they saw fit. However, it has become less important for states to ratify and implement international law. Domestic institutions are subject to international regulations that they did not officially agree to.

International law comes from new sources. International regulation now flows from sources other than states. Sources like public-private or even purely private institutions now serve to create global law. Additionally, international judicial bodies define and extend international law. At one time, international regulation generally counted as “formal law” when it originated in agreements among states. However, it no longer makes sense to limit the term “law” to formal state agreements or widespread conventional practices. Increasingly, non-state actors are involved in coordinating and regulating global activity.

International law comes from four sources:

(1) Treaties and agreements;
(2) Customary law;
(3) General principles of law common to major legal systems; and
(4) Judicial decisions and scholarly teachings.
Treaties and customary law have equal authority as international law. If they conflict, the “last in time” rule operates, meaning that whichever came into force most recently takes precedence. When treaties and customary law are not helpful, one may then consult general principles, which most frequently come into play to determine procedural matters. If an issue cannot be resolved after examining these sources, decision makers should then consult scholarly articles and judicial opinions.

However, overburdened judges often rely on scholarly works as definitive evidence of customary international law or general principles instead of conducting independent assessments of primary sources.

**Customary International Humanitarian Law** addresses customary international law, and specifically, customary *International Humanitarian Law* (IHL). Customary law is “international custom, as evidence of a general practice accepted as law,” resulting from “a general and consistent practice of states followed by them from a sense of legal obligation.” Thus, a principle is considered customary law if many states across the world feel legally obliged to follow that principle. This sense of legal obligation is commonly referred to as *opinio juris*.

Traditionally, customary law is meant to reflect the world as it actually exists and is not intended to reflect aspirations or ideals. Knowing that international and domestic judges are likely to treat this listing similarly to the way American judges treat restatements of common law.

**RESTATEMENT (THIRD) OF THE FOREIGN RELATIONS LAW OF THE UNITED STATES** § 102 (1987) (recognizing as sources of international law treaties and agreements; customary law; and general principles of law); see Statute of the International Court of Justice art. 38, June 26, 1945, 59 Stat. 1055, 1060, T.S. No. 993 (recognizing that the International Court of Justice (ICJ) can use “judicial decisions and the teachings of the most highly qualified publicists of the various nations” to decide disputes).

There are a plethora of multilateral treaties which address the issue of IHL, but not all states are parties to every treaty and a majority of the treaties only pertain to international conflict. The division between international and non-international conflict dates to the Geneva Conventions, some of the few treaties to which every state is a party. The Geneva Conventions, with the exception of the very vague and general Common Article, only apply to international conflict.

KINGDOM OF WESTPHALIA

Napoleon created the Kingdom of Westphalia in December 1807 following the treaty of Tilsit, by amalgamating the territories of nearly two dozen German states. A majority of the people had originally been subjects of Prussia, Brunswick, Hannover, or the Hessian principalities. In many ways, Westphalia was to be the centerpiece of the new Confederation of the Rhine, and a showcase of the new, Napoleonic Germany, as such it was obliged to provide a 25,000 strong contingent to the Grande Armee in the event of war. Unlike the other major components of the Confederation, Westphalia was the only large German state that did not represent an extant, longstanding German dynasty.

The Emperor appointed his 23-year-old brother Jerome as king and arranged Jerome’s marriage to Princess Catherine of Württemberg. The new kingdom’s design, however, was entirely Napoleon’s, and the early administration overwhelmingly French. Napoleon gave Jerome Westphalia’s constitution with a stern reminder that it was a reflection of the emperor’s own “glory.” He monitored Jerome’s correspondence and micro-managed his diplomacy. He frequently vetoed Jerome’s picks for administrators, or intervened to
change them. Westphalian newspapers were closely monitored by French authorities, at Napoleon’s direct instructions. One Westphalian nobleman commented that, “the Emperor considers the kingdom not to be a sovereign state but rather an extension of France.”

Westphalia therefore came into the world already fraught with problems of loyalty: a foreign king; an imported foreign aristocracy with shaky claims on the land; an angry native former-aristocracy with good reason to plot against the status quo; a foreign language used in the administration of public affairs; and the burdens of imperial service.

The Westphalia army created to meet this requirement was closely modeled on that of France and by the end of 1808 comprised the royal garde grenadier and jäger battalions, the chevau-leger regiment and a garde-du-corps squadron. The line consisted of an elite jäger-carabinier battalion (normally attached to the Garde), six line infantry regiments each of two battalions, one light battalion, one cuirassier regiment, one chevau-leger regiment plus national guards and veterans units.

In July of 1808 the 2nd cuirassier, 7th and 8th Line infantry regiments and the 2nd light infantry battalion were raised. In 1810 the 1st and 2nd hussar regiments were raised, in 1811 the 3rd light infantry battalion and two line infantry regiments (2nd and 7th) added a third field battalion. In 1812 a new two battalion garde infantry regiment (fusiliers) was raised, together with the 9th line regiment, the 4th light battalion and the 2nd chevau-leger regiment.

Following the disastrous retreat from Russia less than 1,000 Westphalia survivors gathered at Thorn during January 1813. The garde-du-corps squadron, the grenadier garde, jäger-garde, cheval-legers-garde, the jäger-carabinier and 3rd light battalions, the 1st cheval-legers and the 1st & 2nd cuirassiers were all in Westphalia and disbanded when the end of the Kingdom came in September 1813.

Throughout its history, the dynasty, as well as being Emperors of the French, held various other titles and territories including; their ancestral nation the Kingdom of Italy, Kingdom of Spain, Kingdom of Westphalia, Kingdom of Holland and the Kingdom of Naples. The dynasty was in a position of power for around a decade until the Napoleonic Wars began to take their toll. Making very powerful enemies such as Austria, United Kingdom, Russia and Prussia, as well as royalist (particularly Bourbon) restoration movements in France, Spain, the Two Sicilies and Sardinia, the dynasty eventually collapsed under its own weight.
THE TREATY OF WESTPHALIA

The Peace of Westphalia, also known as the treaties of Münster and Osnabrück respectively, refers to the series of treaties that ended the Thirty Years' War, the Eighty Years' War, and "officially" recognized the United Provinces and Switzerland. The treaty was signed October 24, 1648, and meant an end to the long conflict between Catholic and Protestant forces.

The precedent is what was done after the Thirty Years War and the Peace of Westphalia. The end of the Thirty Years War was in 1648; it was a war which rampaged in waves, like tornadoes, for 30 years, involving many European countries, including Germany, the Hapsburg Empire, France, Sweden, Bohemia, and Denmark.

The Peace of Westphalia, when all the war parties came together, was the first time that a European community of sovereign states was established. And it was only possible because all of its members recognized each other as having equal legal standing, and guaranteed each other their independence. They had to recognize their international legal treaties as binding, if they wanted to be an international community of law.

The results of the treaty were wide ranging. Among other things, the Netherlands gained independence from Spain, ending the Eighty Years' War, and Sweden gained Pomerania, Wismar and Bremen-Verden. The power of the Holy Roman Emperor was broken, and the rulers of the German states were again able to determine the religion of their lands. The treaty also gave Calvinists legal recognition. Three new great Powers arose from this peace:
Sweden, the United Netherlands and France. Sweden's time as a Great Power was to be short lived, however.

Such principles exist in the treaties of 1648. Some were expressed for the first time in history. These negotiations lasted for four years, during 1644-48, and in the end, Protestants, Catholics, monarchies, and republican forms of government, were treated as having equal status in negotiations and in the treaty.

The Peace of Westphalia marked the end of the Holy Roman Empire as an effective institution and inaugurated the modern European state system. The chief participants in the negotiations were the allies Sweden and France; their opponents, Spain and the Holy Roman Empire; and the various parts of the empire together with the newly independent Netherlands. Earlier endeavors to bring about a general peace had been unsuccessful. The compact known as the Peace of Prague (May, 1635) marked a step in the direction of peace and signaled the belief of the Protestant powers that the Swedish forces on which they depended would not be able to maintain a preponderant role in Germany. The conditions of the compact were not in accord with Richelieu's design to break up the imperial power, however, and the war continued despite offers of mediation from the pope and the king of Denmark. Congresses were proposed and discarded.

It was not until Dec. 25, 1641, that a preliminary treaty provided for two concurrent conferences—at Münster and Osnabrück. The conferences, fixed for 1643, met in 1644 and began serious work in 1645. The treaties were signed Oct. 24, 1648. Through the French and Swedish "satisfactions" the power and influence of the Holy Roman Empire and of the house of Hapsburg were lessened. The sovereignty of the German states was recognized, and the empire continued only in name.

France, emerging as the dominant European power, had its sovereignty over three bishoprics (Metz, Toul, and Verdun) and over Pinerolo confirmed. Breisach was made over to France. Alsace was ceded despite ambiguity of title, and France was allowed to fortify a garrison at Philippsburg.

Sweden obtained W Pomerania, including Stettin and the island of Rügen; the archbishopric (but not the city) of Bremen and the adjoining bishopric of Verden; and Wismar and the island of Pöl. It was agreed that the Upper Palatinate and the old electoral vote should remain with Bavaria, while the Rhenish Palatinate, with a new electoral vote, was assigned to Charles Louis, the son of Frederick the Winter King.

The Swiss Confederation and the independent Netherlands were explicitly recognized. The elector of Brandenburg received compensation for Pomerania; the duke of Mecklenburg, for Pöl and part of Wismar. The outcome of the religious deliberations was significant. Territorial rulers continued to determine the religion of their subjects, but it was stipulated that subjects could worship as they had in 1624. Terms of forced emigration were eased; Calvinism was recognized; and rulers could allow full toleration, at their discretion.
Finally, religious questions could no longer be decided by a majority of the imperial estates. Future disputes were to be resolved by a compromise between the confessions. The era of religious warfare was over, and a general attempt had been made toward religious toleration.

The majority of the treaty can be attributed to the work of Cardinal Mazarin who was de facto leader of France at the time. France came out of the war in a far better position than any other Power and was able to dictate much of the treaty.

(Picture on right: Cardinal Jules Mazarin 1602–61, French statesman, cardinal of the Roman Catholic Church. His original name was Giulio Mazarini)

**Westphalia Sovereignty**

(From Wikipedia, the free encyclopedia)

"Westphalia sovereignty is the concept of nation-state sovereignty based on two principles: territoriality and the exclusion of external actors from domestic authority structures.

Many academics have asserted that the international system of states, multinational corporations and organizations which exists today began in 1648 at the Peace of Westphalia. Both the basis and the result of this view have been attacked by revisionist academics and politicians alike, with revisionists questioning the significance of the Peace, and commentators and politicians attacking the Westphalia System of sovereign nation-states."

**Modern views on the Westphalia System**

(From New World Encyclopedia
[http://www.newworldencyclopedia.org/entry/Peace_of_Westphalia](http://www.newworldencyclopedia.org/entry/Peace_of_Westphalia))

The Westphalia System is used as a shorthand by academics to describe the system of states which the world is made up of today.

In 1998 a symposium on the continuing political relevance of the Peace of Westphalia, then–NATO Secretary General Javier Solana said that "humanity and democracy [were] two principles essentially irrelevant to the original Westphalia order" and levied a criticism that "the Westphalia system had its limits. For one, the principle of sovereignty it relied on also produced the basis for rivalry, not community of states; exclusion, not integration."

In 2000, then–German foreign minister Joschka Fischer referred to the Peace of Westphalia in his Humboldt Speech, which argued that the system of European politics set up by Westphalia was obsolete: "The core of the concept of Europe after 1945 was and still is a rejection of the European balance-of-power principle and the hegemonic ambitions of individual states that had emerged following the Peace of Westphalia in 1648, a rejection which took the form of
closer meshing of vital interests and the transfer of nation-state sovereign rights to supranational European institutions."

In the aftermath of the March 11, 2004 Madrid terrorist attacks, Lewis ‘Atiyyatullah, who claims to represent the terrorist network al-Qaeda, declared that "the international system built-up by the West since the Treaty of Westphalia will collapse; and a new international system will rise under the leadership of a mighty Islamic state." It has also been claimed that globalization is bringing an evolution of the international system past the sovereign Westphalia state.

However, European nationalists and some American paleoconservatives such as Pat Buchanan hold a favorable view of the Westphalian state. Supporters of the Westphalian state oppose socialism and some forms of capitalism for undermining the nation-state. A major theme of Buchanan’s political career, for example, has been attacking globalization, critical theory, neoconservatism, and other philosophies he considers detrimental to today’s Western nations.
Monarchy is a form of government in which a monarch, usually a single person, is the head of state. Monarchy is when a king, queen, or emperor that rule the country. Monarchy is one of the oldest types of government and has been in continuous existence for most of recorded history.

Monarchy is one of the oldest forms of government, with echoes in the leadership of tribal chiefs. Many monarchs once claimed to rule by divine right, or at least by divine grace, ruling either by the will of the god(s) or even claiming to be (incarnated) gods themselves (Theocracy - a form of government in which God or a deity is recognized as the supreme civil ruler, the God's or deity's laws being interpreted by the ecclesiastical authorities). Monarchs have also been selected by election, either in a broad popular assembly), as in Germanic tribal states; or by a small body, such as in the Holy Roman Empire, and as in Malaysia and the United Arab Emirates today; or by dynastic succession; or by conquest; or a combination of any number of ways. In some early systems the monarch was overthrown or sacrificed when it became apparent that divine sanction had been withdrawn.

The term monarchy is also used to refer to the people (especially the dynasty, also known as royalty) and institutions that make up the royal or imperial establishment, or to the realm over which the monarch reigns. Monarchs serve as symbols of continuity and statehood. Today, the extent of a monarch's actual powers varies from monarchy to monarchy. In constitutional monarchies, wherein sovereignty rests formally with the crown but politically with 'the people' (usually the electorate, as represented by a parliament), the monarch now usually serves largely ceremonial functions, except in times of crisis. Many
monarchies are constituted by tradition or by codified law, so that the monarch has little real political power; in others the monarch holds some power but is limited from exercising it by popular opinion or precedent; in still others the monarch holds substantial power and may exercise it without limit. However, the majority of monarchs today are bound by rule of law rather than rule of human will.

Since 1800, most of the world’s monarchies have been abolished by dismemberment or annexation, or have been transformed into republics; most current countries that are monarchies are constitutional ones. Among the few states that retain aspects of absolute monarchy are Brunei, Oman, Qatar, Saudi Arabia, Swaziland and the Vatican City. In Jordan and Morocco, the monarch also retains considerable power. There are also recent (2003) developments in Liechtenstein, wherein the regnant prince was given the constitutional power to dismiss the government at will. Nepal had several swings between constitutional rule and direct rule related to the Maoist rebel movement and killings by a suicidal crown prince. In December 2007 the Nepalese government agreed to abolish the country’s monarchy after the Constituent Assembly elections in 2008.

Britain, Spain, Belgium, the Netherlands, Denmark, Sweden and Norway, they are all European countries, but they are also European remaining monarchies. That’s not counting one Grand Duchy (Luxembourg) and two principalities (Monaco and Liechtenstein). It’s a remarkable survival story despite revolutions, two world wars and the resulting global upheavals. Though they have little remaining political power, Europe’s royal houses retain a hold on social history, and in some cases Britain, Spain, the Netherlands on some relics of their earlier power. They are a puzzling phenomenon that’s deeply embedded in the national psyche.

De Monarchia is a treatise on secular and religious power by Dante Alighieri (1265-1321, was born into Florence). With this Latin text, the poet intervened in one of the most controversial subjects of his period: the relationship between secular authority (represented by the Holy Roman Emperor) and religious authority (represented by the Pope). Dante’s point of view is known on this problem, since during his political activity he had fought to defend the autonomy of the city-government of Florence from the temporal demands of Pope Boniface VIII.

Monarchy is first proved to be the true and rightful form of government.

Dante, who spent the last two decades of his life in exile because of the chaos among the petty states of Italy, saw nothing odd in also asserting that the empire is necessary for human freedom. Freedom is the perfect condition of man, the state he was designed for. The monarch could create the institutional basis for a society in which the most people would be able to approach this condition. This is because only the monarch could himself be entirely free;
having the greatest honor in the world, there would be nothing further for him to desire. Thus, being wholly disinterested, his reign would have no object other than the common good.

Dante tells us that the history of the rise of the Roman Empire had seemed an inexplicable wonder to him. Then he realized that the Roman people did not acquire the monarchy of the world by ferocity, but through right, guided by providence. The progress of the Roman people was at many points attended by miracles, like the history of the Hebrews. Thus we see that God approved of the empire; Christ Himself chose to be born in the "fullness of time," the peaceful age of Caesar Augustus.

The institution of monarchy in Thailand

The institution of monarchy in Thailand is in many ways unique, often difficulty for outsiders to fully comprehend. Not only does it have a history going back more than seven hundred years, but it also continues to function with extraordinary relevance and vitality in the contemporary world.

Although the 1932 Revolution brought an end to absolute monarchy, the institution today can be said to be more powerful than ever in the sense of providing a unifying element for the country – a focal point that bridges together people from all backgrounds and shades of political thoughts and gives them an intense awareness of being Thai.

The King of Thailand under the constitutional monarchy is the head of state and a symbolic figurehead for the people of Thailand. While his role in government is that of a figure head, Thailand's King receives a tremendous amount of respect from the citizens of Thailand.

The current King reigning in Thailand is King Bhumibol Adulyadej. King Bhumibol Adulyadej was born on December 5, 1927. He has been reigning as the current Thailand King since June 9, 1946. This long serving reign as King has lead to him being the world's longest serving current head of state as well as the longest reigning King Thailand has ever had. He is often referred to as "The Great" by the people of Thailand and those outside of Thailand.

As a head of state the monarchy of Thailand has powers and rights that do not deal directly with the political side of the government. The government side is handled by an elected government that honors the current day constitution of Thailand. Some of the powers that the reigning King still retains include being head of the Royal Thai Armed Forces, the power of pardon, and the royal assent. As King in Thailand he is also a defender of the Buddhist faith, which is the main religion throughout Thailand.
Brief Italian Monarchy

Until the 19th century, the peninsula we now call Italy was made up of many city-states. These independent nations exist under successions of various invading empires of the French, Turks, Germans, Austrians and Spanish. The individual states, although sharing a small geographical space, were each culturally unique. They spoke separate dialects, worshiped in different churches and had unique attitudes. The cultural movement of the 16th and 17th centuries created a sense of nationalism within the future Italy for the first time.

In 1796, Napoleon, the Emperor of France, began his invasion of Italy and eventually liberated the city-states from the various foreign rulers. He politically united them into the Kingdom of Italy, over which he proclaimed himself king. It is interesting to note that Napoleon was born Napoleone Buonaparte and later changed his name to the French Bonaparte, so he was actually Italian, not French. During his rule, Napoleon created Italy’s first centralized administrative, judicial and civil code. The feudalism that characterized prior centuries was virtually eliminated. The civil vital records for most regions began in 1809, during the Napoleonic era so we have Napoleon to thank for the many records we are able to discover today.

After Napoleon’s fall, Italy reverted to its reunification city-states and the European monarchs redrew their old boundaries. The north was ruled by the Austrian empire, the central region consisted of the Papal States and the south was ruled by Spain. Secret underground societies developed to encourage a free Italy. In the mid-1800s a movement called il Risorgimento (the resurrection) inspired a new Italy. During this political active decade between 1860 and 1870, il Risorgimento incited Victor Emmanuel II to unite the individual kingdoms into a single empire. By 1870, Italy as we know it was born.

This last major unification of Italy is important to genealogists because it played a major role in a sweeping emigration from Italy. While unification was suppose to have brought about better conditions, it was indirectly responsible for this massive emigration. Within a decade, massive deforestation had occurred in southern Italy. Top soil which was poor to begin with, was washed away by heavy rains. Raising crops was difficult in this environment. Malaria epidemics were very common. Hundreds of thousands of people died and many others were left too ill to work and support themselves. These conditions prompted the southern Italians to seek a better life in the Americas.
**African Monarchy**

Pharaohs ruled ancient Egypt over the course of three millennia (c. 3150 BCE to 31 BCE) until Egypt was absorbed by the Roman Empire. In the same time period, several kingdoms flourished in the nearby Nubia region. In the Horn of Africa, the Aksumite Empire (4th c. BCE - 1st c. BCE) and later the Ethiopian Empire (1270-1974) were ruled by a series of monarchs. Haile Selassie, the last Emperor of Ethiopia, was deposed in a coup d’etat. The Kanem Empire (700-1376) was in central Africa. Kingdoms such as the Kingdom of Kongo (1400–1914) existed in southern Africa. Other powerful African monarchs included the Oba of Benin who ruled over the Benin Empire with its capital at Benin in modern day Nigeria (unrelated to the modern day country of the Republic of Benin). The oba, (meaning king or ruler in the Yoruba language), at Oyo who had the title, Alaafin of Oyo, once lead the famous Yoruba Oyo empire. During the reign of Igbo born Jaja of Opobo, Opobo was a small but wealthy African kingdom, being one of the most lucrative palm oil centers of trade.

Europeans conquered, bought, or established African kingdoms and styled themselves as a monarch.

Royal descent plays an important role in many African societies; authority and property tend to be lineally derived. Among tribes which recognize a single ruler, the hereditary blood line of the rulers (who early European travelers described as kings, queens, princes, etc., using the terminology of European monarchy) is akin to a dynasty. Among groups which have less centralized power structures, dominant clans are still recognized. Oral history would be the primary method of transmitting genealogies, and both nobles and commoners base their status on descent. The royal blood is among the centralized power of all blood groups.

**American Monarchy**

(Emperor Montezuma II - Aztec Empire)

Monarchies existed among the indigenous peoples of the Americas long before the European colonization. Pre-Columbian titles used in the New World included Cacique (in Hispaniola and Puerto Rico) Tlatoani (Nahuatl term for the ruler of an altepetl, Aztec polity), Ajaw (Maya), Sapa Inca (Inca Empire), Morubixaba (Old Tupi for "chief").

When the Europeans arrived they referred to these tracts of land within territories of different aboriginal groups to be kingdoms, and the leaders of these groups were often referred to by the Europeans as Kings, particularly hereditary leaders. Many of the leaders were queens, but this
was not understood by the Europeans, who had no knowledge of the indigenous history or languages, much less an understanding of matrilineality.

Independent monarchs also emerged. Augustin I declared himself Emperor of Mexico in 1822, after colonization. Maximilian I ruled as Mexican emperor from 1863 to 1867. Two members of the House of Braganza, Pedro I and Pedro II, ruled Brazil as emperors from 1822 to 1889.

These American emperors were deposed due to complex issues, including pressure from the highly republican United States, which had declared itself independent of the British monarch in 1776. The British, worried about U.S. colonial expansion, invasion following the American Civil War, and the fact that the U.S. had aided the Mexican republican rebels in overthrowing Maximilian I, pushed for the union of the Canadian provinces into a country in 1867. With Confederation, Canada became a self-governing nation which was considered a kingdom in its own right, though it remained subordinate to the United Kingdom; thus, Victoria was monarch of Canada, but not sovereign of it. It was not until the passing of the Statute of Westminster that Canada was considered to be under a distinct Canadian Crown, separate to that the British, and not until 1953 that the Canadian monarch, at the time Elizabeth II, was titled by Canadian law as Queen of Canada.

Between 1931 and 1983 nine other previous British colonies attained independence as kingdoms, all, including Canada, in a personal union relationship under a shared monarch. Therefore, though today there are legally ten American monarchs, one person occupies each distinct position. See Canadian Confederation.

**Asia Royalty**

In China, "king" is the usual translation for the term wang ( wang ), the sovereign before the Qin dynasty and during the Ten Kingdoms period. During the early Han dynasty, China had a number of small kingdoms, each about the size of a county and subordinate to the Emperor of China. The Japanese monarchy is now the only monarchy to still use the title of Emperor.

Monarchs, as a consequence, have come to seem as obsolete as court jesters or princesses in towers. For nine out of 10 people in the world, royalty is the stuff of fairy tales.
Yet in much of Asia, royalty is still a fact of life, a constant and living presence. In Thailand, King Bhumibol Adulyadej is just such a presence. Recently, Thais marked, with genuine joy, the 60th anniversary of the King’s coronation—five days of dazzling celebrations attended by crowned heads from 25 nations.

Venerated partly through tradition and the law, but mainly for the way they are perceived to have dedicated themselves to improving the lives of the Thai people, it can be hard for foreigners to comprehend the relationship between the monarchy and the common people. King Bhumibol Adulyadej— the longest reigning monarch in the world - and his wife Queen Sirikit stand out as extraordinary exceptions.

Held in overwhelming affection by the vast majority of Thai citizens, they are viewed as symbols of national identity every bit as much as the flag or national anthem and pictures of the King and Queen adorn almost home and office building. They’ve travelled extensively to the remotest and most deprived parts of Thailand to find out and listen to the concerns of the rural poor and then endeavor to provide practical solutions. Despite having royal photographers, the King often takes photos himself to document what he finds and is frequently seen in royal photos with a camera around his neck.

The results are impressive - the King personally holds patents on a artificial rain making techniques for instance, and there's a long list of royal initiated projects to improve agriculture and farming conditions, education and health. The King is now nearly 82.(Year 2012).

**Type of monarchies**

**Absolute monarchy.** In an absolute monarchy, the monarch rules as an autocrat, with absolute power over the state and government—for example, the right to rule by decree, promulgate laws, and impose punishments. Absolute monarchies are not necessarily authoritarian; the enlightened absolutists of the Enlightenment were monarchs who allowed various freedoms.

The rise of absolute monarchies dates back to the seventeenth and eighteenth centuries, when several monarchs in western and Eastern Europe increased the power of their central governments. In doing so, these kings, emperors, or sultans secured their position as the supreme ruler and possessor of all power. They surrounded themselves with followers and advisors who were strong advocates of royal absolutism. For those that opposed their behavior and seizure of power they replied that they had been granted the divine right of kings.

In several countries an absolute monarchy appeared to be the only viable solution to dealing with the problems that plagued it. France, for example, had been torn apart from religious wars, the citizens had no respect for law and order, the feudal nobility had seized control and the finances of the central government were in chaos. Furthermore, French prestige was at an all time low and when Henry of Navarre became king he was determined to change all of this. Once in power he restored the authority of the central government, curtailed the power of the nobility, launched a comprehensive program of
economic reconstruction and dealt with the religious turmoil that had been tearing the country apart. His goal was to strengthen France and then have it become the supreme power in Europe. Unfortunately, he was never able to fulfill these dreams because he was assassinated as he was preparing for war. His vision for the future, however, was not entirely lost.

After the death of Henry IV, his wife and son, Louis XIII, became the new rulers of France. Although they proved to be very incapable leaders a prominent figure did emerge during their reign, Cardinal Richelieu. Similar to Henry IV, he sought "to make the royal power supreme in France and France supreme in Europe" (Sullivan 422). He followed this policy strictly and crushed any perceived threats to royal absolutism. However, it was not until the rule of Louis XIV that the French monarchy was able to secure formidable power. It was also during this time that the idea of divine right monarchy emerged. It was argued that the royal monarch was not only inspired by God, but also the image of God and was therefore only accountable to God. This idea soon spread throughout Europe and remained dominant during the late seventeenth and much of the eighteenth centuries.

Although quite different from Western Europe, this same pattern became evident in Eastern Europe. During the seventeenth and eighteenth centuries, most of the countries in eastern Europe were economically less developed than their western counterparts, the landed aristocracy was the dominant power, serfdom was more harsh than ever, and most areas lacked the strong central governments that were prevalent throughout much of western Europe by this time. All of this made the idea of an absolute monarchy even more favorable, especially in countries such as Prussia, Austria, and Russia. These countries strengthened their standing armies, gained new territories, improved commerce, dealt accordingly with religious problems, and made important compromises with the nobility and aristocracy. This was all made possible after the development of a strong national government and powerful monarchy in each of these countries.

**Limited monarchy.** In a limited monarchy, it is another form of monarchy in the early stage of constitutional monarchy when the constitution not yet formulated. The monarch has limited political power under a rule of law.

The Anglo-Saxon kings were never absolute monarchs in any case, since they were elected from among the Bretwalda, and always recognized that their powers were limited by the law and the powerful nobles. The Norman kings after 1066 were much more absolutist, and basically did whatever they wanted.

The first time the kings accepted any restriction on their powers was when King John put his seal on the Magna Carta in 1215, although that is basically a guarantee of the aristocracy’s rights rather than those of the ordinary people.

However the Stuart kings, James VI and I, and Charles I were great believers in the Divine Right of Kings, which basically meant that since they got their throne by authority of God, no human authority could interfere with their decisions - so Charles tried to rule without a Parliament for many years (though this caused him problems because only Parliament could authorize legitimate taxes), which
of course resulted in the Civil Wars of 1642-1648 and Charles I's execution in 1649, which rather limited the monarchy's powers. Charles II's restoration in 1660 put the monarchy back in control, but the Revolution of 1689 definitively decided that Parliament had the final say in deciding who could be king, when Parliament deposed James II and installed William and Mary as co-monarchs. Parliament further took the upper hand in 1702 when the Act of Succession defined exactly who could become monarch in future (Protestant heirs of the Electress Sophia of Hanover, who are not married to Catholics), which is the current succession rule. The last time a monarch rejected a law passed by Parliament was in about 1708 when Queen Anne refused to approve a law relating to the Scottish militia.

**Constitutional monarchy.** In a constitutional monarchy, the monarch is largely a ceremonial figurehead subject to a constitution. Sovereignty rests formally with and is carried out in name of The Crown, but politically rests with the people (electorate), as represented by the parliament or other legislature. Constitutional monarchs have limited political power, and are constituted by tradition and precedent, popular opinion, or by legal codes or statutes. They serve as symbols of continuity and the state and carry out largely ceremonial functions. Still, many constitutional monarchs retain certain privileges (inviolability, sovereign immunity, an official residence) and powers (to grant pardons, to appoint titles of nobility). Additionally, some monarchs retain reserve powers, such as to dismiss a prime minister, refuse to dissolve parliament, or withhold Royal Assent to legislation, effectively vetoing it.
SOVEREIGNTY

Sovereignty is the quality of having supreme, independent authority over a geographic area, such as a territory. It can be found in a power to rule and make law that rests on a political fact for which no pure legal explanation can be provided. In theoretical terms, the idea of "sovereignty", historically, from Socrates ((469-399 B.C.E.) to the English philosopher Thomas Hobbes (5 April 1588 – 4 December 1679), has always necessitated a moral imperative on the entity exercising it.

The Roman jurist Ulpian (c. 170 – 228) observed that:
The imperium of the people is transferred to the Emperor,
The Emperor is not bound by the law,

The Emperor's word is law. Emperor is the law making and abiding force. Ulpian was expressing the idea that the Emperor exercised a rather absolute form of sovereignty, although he did not use the term expressly. Ulpian's statements were known in medieval Europe.

In Medieval times, sometimes referred to as the Dark Ages, kings were sovereign. Ordinary people were vassals or subjects. People believed that kings had a divine right to rule their subjects. Sovereign immunity (protecting the sovereign from being sued) protected kings, as God's governmental representatives, from court challenges initiated by their subjects. Actually, absolute sovereign immunity was already being reduced in England as early as 1215 by documents such as the Magna Carta.
**Indivisibility**

Indivisibility has long been among the defining characteristics of sovereignty. As Hans J. Morgenthau once stated this point, “sovereignty over the same territory cannot reside simultaneously in two different authorities, that is, sovereignty is indivisible.” Sovereignty cannot be divided without ceasing to be sovereignty proper, and precisely this quality of being indivisible distinguishes sovereign authority from other forms of political power. Dividing sovereignty between two or more authorities within a given state would therefore be to dissolve that state into parts. The indivisibility of sovereignty is thus a necessary condition of the unity of the state.

**Absolutism**

Absolutism is a political theory and form of government where unlimited, complete power is held by a centralized sovereign individual, with no checks or balances from any other part of the nation or government. In effect, the ruling individual has ‘absolute’ power, with no legal, electoral or other challenges to that power. In practice, historians argue about whether Europe saw any true absolutist governments, or how far certain governments were absolute, but the term has been applied – rightly or wrongly - to various leaders, from the dictatorship of Hitler, to monarchs like Louis XIV of France, to Julius Caesar.

**Divine right of kings**

The divine right of kings, or divine-right theory of kingship, is a political and religious doctrine of royal and political legitimacy. It asserts that a monarch is subject to no earthly authority, deriving the right to rule directly from the will of God. The king is thus not subject to the will of his people, the aristocracy, or any other estate of the realm, including the Church. According to this doctrine, only God can judge an unjust king. The doctrine implies that any attempt to depose the king or to restrict his powers runs contrary to the will of God and may constitute a sacrilegious act.

**Divine right in Asian countries**

In China and East Asia, rulers justified their rule using a similar concept called the Mandate of Heaven. It was similar to the European notion of the divine right of kings in that both sought to legitimize rule from divine approval. However, while the divine right of kings granted unconditional legitimacy, the Mandate of Heaven was conditional on the just behavior of the ruler. Heaven would bless the authority of a just ruler, but would be displeased with a despotic ruler and would withdraw its mandate. The Mandate of Heaven would then transfer to those who would rule best.

Whereas revolution is never legitimate under the divine right of kings, the philosophy associated with the Mandate of Heaven approved of the overthrow of unjust rulers. In China, the right of rebellion against an unjust ruler had been a part of the political philosophy ever since the Zhou dynasty, whose rulers had used this philosophy to justify their overthrow of the previous Shang dynasty.
Chinese historians interpreted a successful revolt as evidence that the Mandate of Heaven had passed.

The rajas and sultans of the Malay States (now Malaysia and Brunei) as well as their predecessors, such as the Indonesian kingdom of Majapahit, also claimed divine right to rule. The sultan is mandated by God, and the sultan is expected to lead his country and people in religious matters, ceremonies as well as prayers. This divine right is called Daulat, and although presently, the notion of divine right is somewhat obsolete, one can still see banners and posters with pictures of the reigning sultan with words Daulat Tuanku, similar to the European proclamation of "Long lives the King", on streets and buildings. In Indonesia, especially on the island of Java, the sultan's divine right is more commonly known as the wahyu, or 'revelation', but it is not hereditary, and can be passed on to distant relatives.

**The concept of sovereignty to medieval Christendom**

But sovereignty was not an important concept in medieval times. Medieval monarchs were not sovereign, at least not strongly so, because they were constrained by, and shared power with, their feudal aristocracy. Furthermore, both were strongly constrained by custom.

Sovereignty existed during the Medieval Period as the de jure rights of nobility and royalty, and in the de facto capability of individuals to make their own choices in life. Throughout much of European history, the most important rival to sovereign claimants was the Church. The political authorities' efforts to collect taxes, make rules, and appoint officials were continually checked by religious institutions, which made rival claims to sovereign power or sought to protect their resources and jurisdictions from external interference.

Disputes between popes and emperors often can be restated in terms of sovereignty; but if the two sides had understood this term, they would have had no dispute over it. As Christians, both recognized that some things were Caesar's and others, God's. The emperor held sovereign power over those things secular and the pope was sovereign over those things deemed to be divine. But to admit divided sovereignty is to make the concept almost meaningless. The papal-imperial controversies were not about sovereignty but about political predominance.

Medieval political thought was inherently both constitutional and hierarchical. The rights and duties of kings were proper matters of dispute, but all agreed that they were bound by law—indeed, by different types of law: eternal, divine, natural, and positive law. Kings might claim to have the sole right to declare
what the positive law was, but they could not claim to create it. The idea of creating new law by statute was an idea new to the Renaissance. To claim that the king was above the law would previously have been a kind of blasphemy; and to claim that "law" meant only what the king or sovereign body in fact enforced would have appeared a trivial cynicism.

The idea that princes do not simply rule but do so legitimately, or by right, is recurrent in the history of Western political thought. When the earliest systematic commentator in the English common law tradition, Henri Bracton, wrote in the twelfth century: ‘a prince rules either by force or by law,’ he meant that law is not merely coercion but legitimate coercion. Rulers’ ability to justify their power, to demonstrate that it embodies right rather than sheer force, was pivotal for ensuring the continuity of political institutions. As later writers like Machiavelli understood all too well, almost anybody could usurp power but few could keep it— the conservation of political power demanded legitimacy.

Medieval politics moreover was not neatly divided into distinct spheres of competence, rank, or office. It was marked by multiplicity: one and the same person could hold multiple titles, or different rulers—that is, persons of different social, religious and political status—can have pretensions for the same title. This is reflected in the vocabulary of the medieval tradition. ‘Prince’ for example was a word applied to nobles of high standing but also to the emperor and even the pope. Its meaning originated in Roman law: princeps (‘first governor’) or ‘Roman emperor’. To be prince meant to be ‘one who governs others but who obeys none’—or what today we call a sovereign ruler. And it was not simply barons and dukes, but also popes and emperors as well as prelates who disputed among themselves the title of prince or the right of sovereign power.

In the classical Roman Empire, the emperor was supreme in civil matters but also in ecclesiastical ones—he legislated freely on religious questions, over the head of the pope. Imperial power was ‘absolute’ and the papacy could not dream to challenge it. But the situation changed when Germanic tribes stepped in to fill the institutional void left by the disappearance of Pax Romana.

Having accepted Catholicism around 800AD, Teutonic princes and their kings recognized the spiritual authority of the pope. This accounts for the traditionally strong connection between lay princely power and ecclesiastical princes (bishops and archbishops) in Germany in medieval times. After Teutonic peoples united into the new Carolingian empire and subsequently into the German empire, the German emperor initially commanded significant power vis-à-vis the pope, since, as before, and under the classical Roman principle, papal coronation was part of the ceremony for accession to the emperor's throne. But after the crisis of a weak popacy during the ninth and tenth centuries ended, the balance of power came to favor the Holy See. Popes started to interfere in politics as lay rulers. The pope for example began to demand, and on occasion was successful, the right to nominate candidates for the imperial election and finally, even to depose emperors.
Sovereignty and Rights in Medieval and Early Modern

“Jurisprudence: Law and Norms without a State - Kenneth Pennington Catholic University of America, Washington, D.C.”

Beginning in the eleventh century, European legal systems made the slow transition from customary, largely unwritten, law to legal systems in which law was incorporated into the written word. During this period, laws and customs were not only written down, but jurists began to comment on them systematically. The result was that Europe experienced a remarkable rebirth of jurisprudence after 500 years of being a land without jurists. The main institutional basis of this revival was the teaching of ancient Roman law, and afterwards, canon law, in the schools of Italy.

The first center of legal studies was Bologna. Pepo, Irnerius, and others begin to explicate the Emperor Justinian’s (535-565 A.D.) sixth-century compilation of Roman law, the *Corpus iuris civilis*, significant parts of which had lain dormant and unused during the intervening five centuries. Justinian’s *Corpus iuris civilis* became the *libri legales*, the textbooks that new schools of law used during the twelfth century. These *libri legales* became the cornerstones of a new jurisprudence.

Gratian began compiled his book, a *liber legalis* for ecclesiastical law in the early twelfth century, perhaps as early as 1120, and by 1140-1160, his book was being used as the fundamental compilation of canon law all over Europe. By the first decades of thirteenth century, Gratian’s book was supplemented by a large number of books that collected papal case law, the decretals. Papal case law provided a rich and varied set of problems that the jurists explored in their commentaries and in the classroom.

As a consequence of the establishment of authoritative *libri legales*, law became an academic and intellectual discipline in a very short time. Student demand was great. Knowledge of law became economic coin. Law schools began to pullulate in Italy, Southern France, and Spain during the twelfth and thirteenth centuries. The curriculum was exactly the same everywhere: Justinian’s *Corpus iuris civilis* and Gratian’s *Concordia discordantium canonum*, or, as it was more commonly called, the *Decretum*, with papal decretals. As the study of law became entrenched in the schools of Europe, students began to study and to receive degrees in both laws: They became ‘Doctores utriusque iuris.’

The jurists called the body of law that they studied, Roman and canon law, the *Ius commune*. It became the universal law of Europe from the early twelfth to the seventeenth century. During the reign of the *Ius commune*, teachers in the law schools throughout Europe not only used the same *libri legales* in their classrooms; they also used the same language of instruction: Latin. This *lingua franca* guaranteed that the focus of the law was universal and not particular. Liberated from the linguistic borders that limit intellectual horizons today, medieval students could attend any law school in Europe. One consequence of the schools’ curriculum was that they did not teach local customary or statutory law.
The nobility of a person might be either inherited or earned. Nobility in its most general and strict sense is an acknowledged preeminence that is hereditary, i.e., legitimate descendants (or all male descendants, in some societies) of nobles are nobles, unless explicitly stripped of the privilege. In this respect, nobility is distinguished from British peerage: the latter can be passed to only a single member of the family. Another confusion of the term nobility is with aristocracy. The latter term is often used (abused) in an informal way, but in the strict sense it is a political term related to a form of government.

Nobles typically commanded resources, such as food, money, or labor, from common members or nobles of lower rank of their societies, and could exercise religious or political power over them. Also, nobles typically, but not necessarily were entitled to land property, which was reflected in the title. For example, the title Earl of Chesterfield (The Earls of Chesterfield were an aristocratic family from Derbyshire, England. Their ancestral seat is Bretby Hall at Bretby, Derbyshire), and their family name is "Stanhope". Upon the death of the twelfth Earl, the title became extinct, as no more male descendants of the first Earl were living) tells about property, while the title Earl Cairns was created for a surname (The title of Earl Cairns was created in 1878 for Hugh Cairns, 1st Baron Cairns, the Lord Chancellor). However all the above is not obligatory; quite often nobility was associated only with social respect and certain social privileges. An example of the latter would be Polish Szlachta (Szlachta were the privileged class in Poland from the late middle ages up to 18th and to a lesser extent to the 19th century).

Yesterday like today all of those that were in the neighbored of the Royal Court were noble. Many of them inherited their titles at birth, some others by the king himself. This practice exists today but with a wider range because of many
changes in the International Protocol and Slavic Law or other Nobility´s rules. Now, more people can be honored.

In fact, after the last two World Wars, some royals and noble families were conscious that their number was decreasing. Changes had to be done to increase this number in a way to keep nobility well alive and active. For instance, even today, a non reigning Prince can transmit titles or create new one! It is also common practice today, that a nobleman marries a commoner. The wife will inherit her husband´s titles and their heirs too. In Middle Age it was not permitted and it was disgraceful to do so.

**The German Nobility** was the elite hereditary ruling class or aristocratic class from ca. 500 B.C. to the Holy Roman Empire and what is now Germany. In Germany, nobility and titles pertaining to it were bestowed on a person by sovereigns, and then passed down through legitimate children. In a few cases, families which had been noble as far back as historical records document, their ancient nobility was recognized rather than conferred by a sovereign. Noble rank was usually granted by letters patent on men, whereas women could legally become members of the nobility by marrying a nobleman. Nobility was always inherited equally by all legitimate descendants in the male line of the original man who had been ennobled. German noble titles were also usually inherited by all male-line descendants, although occasionally they descended by male primogeniture, especially in Prussia. Noble families were almost always bearing a coat of arms. Blazoning an escutcheon was no privilege of nobility, also non-noble free families could bear coats of arms and non-noble crests are recorded since the 14th c.

**The Italian Nobility** comprised individuals and their families of Italy recognized by sovereigns, such as the Holy Roman Emperor, the Holy See, Kings of Italy or certain other Italian kings and sovereigns as members of a class of persons officially enjoying hereditary privileges which distinguished them from other persons and families. They often held lands as fiefs and sometimes were endowed with hereditary titles. Medieval "Italy" was a set of separate states until 1870, and had many royal bloodlines. Italian royal families were often related through marriage to each other and to other European royal families.

Before Italian Unification in the mid-19th century, the existence of the Kingdom of Sardinia, the Kingdom of the Two Sicilies (before 1816: the Kingdom of Naples and the Kingdom of Sicily), the Grand Duchy of Tuscany, the Duchy of Parma, the Duchy of Modena, the Duchy of Savoy, the Duchy of Milan, the Papal States, various republics and the Austrian and French dependencies in Northern Italy led to parallel nobilities with different traditions and rules.

**The Papal Nobility.** During this period, throughout Italy, various influential families came to positions of power through the election of a family member as Pope or were elevated into the ranks of nobility through ecclesiastic promotion. These families freely intermarried with aristocratic nobility.

Like other noble families, those with both papal power and money were able to purchase comunes (township or municipality) or other tracts of land and elevate
family patriarchs and other relatives to noble titles. Hereditary patriarchs were appointed Duke, Marquis and even Prince of various 16th- and 17th-century principalities.

Popes commonly elevated members of prominent families to the position of Cardinal; especially second and third sons who would not otherwise inherit hereditary titles. Popes also elevated their own family members - especially nephews - to the special position of Cardinal-Nephew. Prominent families could purchase curial offices for their sons and regularly did, hoping that the son would rise through Church ranks to become a Bishop or a Cardinal, from which position they could dispense further titles and positions of authority to other family members.

In 1946, the Kingdom of Italy was replaced by a republic. Under the Italian Constitution adopted in 1948, titles of nobility are not legally recognized. Certain predicati (territorial designations) recognized before 1922 may be attached to surnames and used in legal documents, and in most cases these were historic feudal territories of noble families. A high court ruling in 1967 definitively established that the heraldic-nobiliary legislation of the Kingdom of Italy (1861–1946) is not current law.

**The Russian Nobility** arose in the 14th century and essentially governed Russia until the October Revolution of 1917. As in other countries, nobility was a status, a social category, but not a title. Nobility was transferred by inheritance or was bestowed by a fount of honor. Unlike the ancient nobility, which was exclusively hereditary, the remaining classes of nobility could be acquired. A newly designated noble was usually entitled to landownership. A loss of land did not automatically mean loss of nobility. In later Imperial Russia, higher ranks of state service were automatically granted nobility, not necessarily associated with landownership.

**The Georgia Nobility.** The Georgian nobility was largely organized on a military basis, the army being divided into several corps represented by "banners" (or drosha), each commanded by the great grandees of the realm. These grandees were petty sovereigns within their own domains, enjoying the power of life and death, but owing allegiance to the king.

The former Soviet republic of Georgia has a monarchic tradition that traces its origins to the Hellenistic period. The medieval Kingdom of Georgia ruled by the Bagrationi dynasty has left behind a legacy that lasts in Georgia even in modern times. The qualities and symbols associated with the Bagrationi monarchy have been crucial in the making of the Georgian nation and the subsequent construction of national history. Their rule ended with the annexation of Georgian lands by the Russian Empire early in the 19th century, although several branches of the dynasty survive to this day. The monarchic restoration was considered by various royalist groups throughout the 20th century. Although Georgia’s politics has been taking place in the framework of a presidential republic since the nation regained its independence from the Soviet Union in 1991, the debate on monarchy, particularly its constitutional form, has never actually ceased. The issue came up most recently amid a political crisis in late 2007.
The Spanish Nobility. Spanish nobles are persons who possess the legal status of hereditary nobility according to the laws and traditions of the Spanish monarchy. A system of titles and honors of Spain and of the former kingdoms that constitute it comprise the Spanish nobility. Some nobles possess various titles that may be inherited, but the creation and recognition of titles is legally a prerogative of the King of Spain.

Some noble titles and families still exist which have transmitted that status since time immemorial. Some aristocratic families use the nobiliary particle de before their family name. During the rule of General Francisco Franco, some new hereditary titles were conceded to individuals, and the titles granted by the Carlist pretenders were officially recognized.

Despite accession to Spain's throne of Juan Carlos I in 1975, the court of nobles holding positions and offices attached to the royal household was not restored. Noble titleholders are subjected to taxation, whereas under Spain's ancien régime they were exempt.

The Swedish Nobility has historically been a legally and/or socially privileged class in Sweden, part of the so-called frälse (derivation from Old Swedish meaning free neck). The archaic term for nobility, frälse, also included the clergy a classification defined by tax exemptions and representation in the diet. Today, the nobility is still very much a part of Swedish society but they do not maintain many of their former privileges. They still do possess some privileges such as the protection by law of their family names, titles and coats of arms. The Swedish nobility consists of both "introduced" (introducerad adel) and "unintroduced" nobility (ointroducerad adel), the latter has not been "introduced" at the House of Nobility (Riddarhuset).

The House of Nobility also has a special tax for all noblemen over the age of 18. Belonging to the nobility in present day Sweden still carries some social privileges, and is of certain social and historical significance.

The Albanian Nobility was an elite hereditary ruling class in Albania, parts of the western Balkans and later in parts of the Ottoman world. The Albanian nobility was composed of landowners of vast areas, often in allegiance to states like the Byzantine Empire, various Serbian states, the Republic of Venice, the Ottoman Empire and the Kingdom of Naples in addition to the Albanian principalities. They often used Byzantine, Latin or Slavic titles, such as sebastokrator, despot, dux, Conte and zupan.

The Mexican nobility refers to the titled nobles and untitled gentry families of Mexico. Most of the descendants of these families still live in Mexico today, but some can be found in Europe and other countries. With the victories of the Mexican Republics over the monarichies of the First Mexican Empire, headed by Agustín I, and the Second Mexican Empire, under Maximilian I—and the writing of the Mexican Constitution of 1917—titles of nobility in Mexico were legally abolished.
Nobility in Eastern countries

Medieval Japan developed a feudal system similar to the European system, where land was held in exchange for military service. The daimyo class, or hereditary landowning nobles, had great social and political power. Like their European counterparts, they commanded private armies made up of samurai, an elite warrior class; for long periods, these held real power without a real central government and often plunged the country into a state of civil war. Although there are differences, the daimyo class can be compared to European peers, and the samurai to European knights, but with important differences, such as the distinction between the European code of chivalry and the Japanese code of bushido. These feudal titles and ranks were abolished in Japan with the Meiji Restoration of 1868 and replaced by the kazoku, a five-rank peerage system after the British example which granted seats in the upper house of the Imperial Diet, but this too was abolished in 1947, following Japan's defeat in World War II.

Many other non-Western nations have had noble or aristocratic classes of various kinds: these are so diverse that it is somewhat misleading to try to translate them all into western feudal terminology. For the feudal hierarchy on the Indian subcontinent, see princely state.

In some Islamic countries, there are no definite nobility titles, but the closest to that are given the title Syed or Sayyid. This exclusive title, given only to certain descendants, literally means, 'Sir' or 'Lord'. There are no special rights concerning the title: they are considered more religious than the general population, and many people come to them for first-hand religious questions. In Iran, the nobility titles are Mirza, Khan, ed-Dowleh, Shahzada, and so forth. These titles do not exist in the present day. An aristocratic family is now recognized by family name (often derived from the post hold by their ancestors, considering the fact that family names in Iran only appeared in the beginning of the 20th century).

In East Asia the system was often modeled on imperial China, the leading culture, where the emperor conferred degrees of nobility, which were not permanent but decreased a rank each generation. Descendants of the Emperor formed the highest class of Ancient Chinese nobility, status based on ranks of the Empress or concubine (as the Emperor was polygamous), and numerous titles such as Taizi (Prince, Princess) were designated. Due to the complex shifts in dynastic rules, a succession of rules was introduced.

China had a feudal system in the Shang and Zhou dynasties, but the system gave way to a more bureaucratic system beginning in the Qin dynasty (221 BC). This continued through the Song Dynasty.

Dynasties established by the minority non-Han rulers via violent conquest in the later years disrupted this ancient system of social class within Han society, to conform to a racist and ethnic policy, where variously, the Mongols and the Manchus were accorded higher "genteel" status over the Han majority that they controlled.
By the Qing dynasty, many titles have been corrupted through abuse and perversion of the origin Qin system. Titles of nobility were still granted by the emperor, but served merely as honorifics based on a loose system of favors to the Qing emperor and Manchu interests: under a centralized system, governance in the empire was the responsibility of the Confucian-educated scholar-officials and local gentry. The literati were accorded gentry status based on lineage and for male citizens; advancement in status was possible via success in the top three positions in imperial examinations.

The establishment of titles was abolished with the establishment of the People's Republic of China in 1949 as part of a larger effort to abolish feudal influences on Chinese society.

In tribal societies, such as and the Polynesian Island states, the system of often (semi-)hereditary tribal chiefs can also be compared to a form of noble class; in Tonga, after Tongan contact with Western nations, the traditional system of chiefs developed into a Western-style monarchy with a hereditary class of barons, even adopting that English title.

**Tradition of Western European justice**

The commentaries are aroused on tradition of Western European justice, history and philosophy as well as the law of nations which affirms that under certain circumstances former ruling families possess permanent, never ending and inalienable rights, the right to legal and rightful sovereignty and the right to honor and be honored as such. These are the same rights accorded to any authentic governments in exile.

However, these special rights can be permanently lost. And if lost, they die forever or become extinct and cannot be retrieved, rehabilitated or reconstituted unless a higher secular sovereign with appropriate jurisdiction rights over the territory in question exists and restores it.

The aristocratic influence was still profound in European society. The *nouveau noble*-nouveau riche felt ill at ease in his new social condition if he did not strive to assimilate, at least in part, its profile and manners. He rarely gained easy admittance to many of the salons. This exerted an aristocratizing pressure upon him that was reinforced by the attitude of the common people.

**Nobility Influence Today**

The 20th century saw a large number of monarchies dismantled. Notable examples are Imperial China (1911, became the Republic of China and later the People's Republic of China); the Russian Empire (1917, became the Soviet Union); German Empire (1918, became a democratic republic); Austria-Hungary (1919), and the Ottoman Empire (fell apart as consequence of defeat in World War I, 1923). After the end of World War II several more joined the club: Bulgaria (1945); Yugoslavia (1945); Italy (1946); and Romania (1947). Greece and a few African and Asian states (Egypt, Iraq, Iran, Libya, Afghanistan, Vietnam) became republics during the second half of the century.
The aristocratic spirit transcended frontiers. For the nobleman Europe was the homeland. Italian plasterers and painters, German musicians, and French cabinetmakers traveled for high commissions. There were variations reflecting local traditions: the Baroque style was interpreted distinctively in Austria, Italy, Spain, and France. But high style reveals certain underlying principles and convictions. The same is true of the intellectual life of Europe, reflecting as it did two main sources, French and English. It was especially to France that the two most powerful rulers of Eastern Europe, Frederick II and Catherine II, looked for mentors in thought and style. The French language, deliberately purified from the time of Richelieu and the foundation of the Academy, was well adapted to the clear expression of ideas. The salons stimulated the discussion of ideas and engendered a distinctive style. Feminine insights there contributed to a rational culture that was also responsive to the claims of sensibility.

Today, many European Nobles are dispersed throughout the world, and have important careers, incorporating their rich culture into their American everyday lives. Every Noble is a volunteer that must enlarge, expand, promote, and improve, by its commanding presence the high value goals and missions to make a real difference in their newly adopted Country with special and unique worthwhile professions: professors, market analysts, mayors, auctioneers, mortgage brokers, bankers, military, actors and artists, charity volunteers and many other vital professions.

**Nobility in USA**

It seems impossible to calculate how many noblemen lost or abandoned their titles and went to America. Probably there were far less than ten thousands of them, as compared to some 10 million German immigrants during the 19th century, so the story may be true in fewer than one in a thousand emigration cases.

However, many Americans are likely descended from European noble families through an illegitimate descent of one of the emigrants' ancestors, which occurred many generations ago and may not even have been known to the emigrant himself.

Due to primogeniture, many colonists of high social status were younger children of English aristocratic families who came to America looking for land because, given their birth order, they could not inherit. Many of these immigrants maintained high standing where they settled. They could often claim royal descent through a female line or illegitimate descent. Many Americans descend from these 17th-century British colonists who had royal descent.

There were at least 650 colonists with traceable royal ancestry, and 387 left descendants in America. These colonists with royal descent settled in every state, but a large majority lived in Massachusetts or Virginia. Several families, who settled in those states, over the two hundred years or more since the colonial land grants, interlinked their branches to the point that almost everyone was somehow related to everyone else.
Many other Nobles have inherited their Titles after becoming US citizens and as of now there is no law that would have the Government bases any action against the said Nobles, if one was even taken. Article I Section 9 Clause 8 of the Constitution clearly forbids the Granting or use of Titles in the USA but does not state a way to enforce the above law, quoted below:

**The Title of Nobility Clause in USA**

The title of nobility clause is a provision in Article I, Section 9, Clause 8 of the United States Constitution that forbids the United States from granting titles of nobility and restricts members of the government from receiving gifts from foreign states without the consent of the United States Congress. This clause is also sometimes called the "federal" Nobility Clause, because a similar clause in Article I, Section 10, Clause 1 bars the states (rather than the federal government) from granting titles of nobility. The Title of Nobility Clause is also one of the clauses that is sometimes called the "Emolument Clause".

Section nine and ten of the Constitution of the United States of America in no way forbids or disallows Titles of Nobility but merely disallows the granting of Titles of Nobility by the government of the United States.

“Therefore, according to the Constitution, the State is not interested whether a person has an ancient or new noble title, and does not forbid the title being born and used in public and private relations, nor is the abuse of noble titles considered a crime”.

From domestic American tradition: From the 1890s onwards, the American genealogists became aware of the fact that many Americans had noble ancestors. This coincides with the foundation of several lineage-societies: Order of the Crown in America, 1898; The Baronial Order of Magna Charta, 1898, The National Society of Americans of Royal Descent, 1908, and others.


In 1993, Gary Boyd Roberts wrote *The Royal Descents of 600 Immigrants to the American Colonies or Charles H. Browning* the United States: as compared with Browning, the method followed is the same but well known figures of today were added, such as most of the Presidents of the United States. Another difference is the inclusion of several European aristocratic recent immigrants such as Arnaud de Borchgrave, Wernher von Braun, Egon von Fürstenberg, Ted

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3 [http://my-bankruptcy-help.com/?b=Article_One_of_the_United_States_Constitution#Section_10:_Limits_on_the_States](http://my-bankruptcy-help.com/?b=Article_One_of_the_United_States_Constitution#Section_10:_Limits_on_the_States)
Morgan, Catherine Oxenberg and Brooke Shield. It can be estimated that as many as 150 million Americans have traceable royal European descent. Gary Boyd Roberts, an expert on royal descent, most Americans with significant New England Yankee, Mid-Atlantic Quaker, or Southern planter ancestry are descended from medieval kings, especially those of England, Scotland, and France. Some Americans may have royal descents through immigrants who had an illegitimate descent from European royalty.

Royal descent is now recognized as common among residents as in other countries. At one time, publications on this matter stressed royal connections for only a few families. One example included James Pierpont and other.

(Rev. James Pierpont, 1711. Born January 4, 1659, Roxbury, Massachusetts; died November 22, 1714, New Haven, Connecticut) was a Congregationalist minister who is credited with the founding of Yale University in the United States).

**Africa royal descent**

Royal descent plays an important role in many African societies; authority and property tend to be lineally derived. Among tribes which recognize a single ruler, the hereditary blood line of the rulers (who early European travelers described as kings, queens, princes, etc., using the terminology of European monarchy) is akin to a dynasty. Among groups which have less centralized power structures, dominant clans are still recognized. Oral history would be the primary method of transmitting genealogies, and both nobles and commoners base their status on descent. The royal blood is among the centralized power of all blood groups.

**Sovereign Claims**

Are there means today of establishing new nobilities—with new hierarchies and modalities that correspond to new functions—so long as they aim to attain some degree of that plenitude of excellence linked to hereditary continuity, which characterizes the nobility still recognized as such today.

The claim to sovereignty comes from a questionable descent. If the somewhat unsound claims of lineal rights from the House of David are true, then there are at least 20,000,000 people today who can claim David to be their illustrious ancestor. This includes people in Ethiopia from the Queen of Sheba, the Royal House of Georgia, the Kings of all Europe and the Crown royal descendants of Great Britain, where it is estimated that about 80% of the upper middle class can rightfully claim descent from King Edward I.
Charlemagne was the first Holy Roman Emperor, crowned by Pope Leo III in 800 AD: he is today considered as the founder of Europe and also as the ancestor of all kings of Europe.

If the Carolingian dynasty was extinct in the male line with Herbert IV, Count of Soissons in 1080, the Carolingian emperors and kings fathered all the dynasties of the time in the female line, from the Capet of France to the Kings of England, from the Kings in Spain to the Kings of Hungary and the Russian Tsars.

Considering that most people believe that royal genealogies are concerning only royal people, few people realize that the descendant of Charlemagne includes thousands of people in Belgium, England, France, Germany, etc and also in the USA.

It is estimated that 80% of the original stock of Europe are descended from Charlemagne and Mohammad. Being a descendant of a royal house does not confer royalty or sovereignty, or at least 100,000,000 Europeans could so claim. It would, of course, be absurd to believe that all these people are royals and sovereigns. Royalty is exclusive, not inclusive of almost every person who lives in Europe today.

Being a descendant of illustrious ancestors does not confer a right to title or royal rights. It only means one has royal or noble ancestors and nothing else.
The defined nobiliary law as "national legislation", or international or national customs, regulating nobiliary issues. In many cases this is not codified, but rather a set of rules and traditions having gained acceptance".

In principle, nobiliary law should govern matters such as inheritance of titles, but varying practices in different regions create difficulties. In the Two Sicilies, for example, succession through female lines was not unknown, but in the Kingdom of Italy, where it was not automatic, a decree or descript was necessary to permit it. Today, the heirs to the kings are reluctant to issue decrees in matters of this kind.

Examples of some of the more important issues regulated by nobiliary law are: Claims to nobility (surname, coat of arms, title) by non-noble persons. This could, but must not, include: children with one or two noble parents but born out of wedlock; stepchildren to noble parents; children to a noble lady in an agnatic family, etc.:

a. Claims to nobility by noble persons, where the claims cannot be automatically verified. This could be e.g. the inheritance of a noble title in a junior line of the family when the senior line becomes extinct.

b. Borderline cases, such as which among the ancient patrician families were, and were not, to be numbered among the nobility. Or the reactivation of a family's nobility after some time of voluntary or involuntary loss of nobility
c. The naturalization of foreign nobility, which is the assimilation of immigrant nobility into the domestic nobility, usually with the purpose of ensuring the foreign nobility the same privileges as the domestic.

d. Heraldry, and more specifically the use of certain symbols usually reserved for the nobility, such as coronets of nobiliary rank, the use of supporters, etc. Also marshaling of arms, that is the proper combination of two or more coats of arms due to marriage between two noble families, and similar issues may be regulated.

The legal basis of titles and honors

In the UK, titles and honors are not merely matters of social convention. There is, for example, a defined procedure for determining whether somebody is a baronet, and a correct answer to whether a member of one Order of Chivalry takes social precedence over a member of another. These issues are determined by what is known as nobiliary law. Questions of nobiliary law may be difficult to answer, particularly because some rulings are of great antiquity and not easy to follow. However, they are, for the most part, questions which do have definite answers which can be researched, rather than matters of social preference.

On the whole, nobiliary law is not to be found in statute. Although there is a small body of statute law which applies to titles and honors, the creation, recognition, and grant of titles of honor is technically one of the prerogative powers of the Crown. Prerogative powers are the vestiges of the archaic powers of the monarch to rule by proclamation, rather by the procedures of Parliament. In practice, the exercise of prerogative powers is now by `the Crown', which is that uniquely English constitutional phenomenon in which the monarch acts on the "instructions" of the Government of the day. So, in practice, new titles are conferred by the Queen or by the Prime Minister of the day. In theory, it lies in the power of the Crown to create not just new title-holders, but whole new titles. This has happened in the past, of course -- in the immediate post-Conquest era there was only the rank of baron; all the other classes of peerage are more recent creations.

Regulations governing titles and honors are usually formally instituted by letters patent or royal warrant, signed by the monarch, and in many cases countersigned by a minister to indicate that ministerial advice has been given.

This Act makes it a criminal offence to offer, or to accept, money or other reward to obtain the grant of a dignity or title of honor. In the medieval past, however, there is no doubt that noble status was attendant on wealth, particularly in the form of land. A person who had acquired a sufficiently large estate could petition the monarch for a peerage. In practice, Prime Ministers do reward their long-term supporters with honors and peerages, and this support may take the form of money.

Although peerages cannot be bought or sold in the UK, titles of nobility may have been salable in other jurisdictions. You may sometimes come across people offering to sell French and German titles. Apart from pointing out that these
titles would confer no particular status in English law. Of course, since the reform of the House of Lords a hereditary English peerage probably carries no more extensive legal rights in the UK than does a hereditary French one.

In some countries the nobility is a subject of public law (Belgium, Finland, Netherlands, and in Spain only regarding the titled nobility). In other countries this is not the case, and then the nobility may have organized itself in one or more associations in order to have an institution to handle nobiliary issues. It is therefore of the utmost importance for every noble family to define and clarify under which legislation, or under which set of rules or regulations whether codified or not, they are a subject.

Nobiliary law is a complex and multi-faceted subject. It is often necessary to do extensive research in order to establish which rules apply to a specific noble family. A starting place can be to collect relevant literature from (or about) the country where the family is known (or believed) to have been ennobled (or first recognized as noble).

The most important thing to remember about nobiliary law is that it is not the same as public law. It may well be possible, according to national legislation, for a non-noble person to assume a noble surname, but this does not make him member of the nobility. A person can only be a member of the nobility if they are so according to nobiliary law, whether this is in harmony with public law or not.
By the 18th century, absolute monarchy changed into the enlightened despotism of rulers such as Frederick II of Prussia (reigned 1740–86) and Catherine II the Great of Russia (reigned 1762–96), but rule by one person failed to meet the needs of the modern world. The French Revolution destroyed absolute monarchy in France, and World War I led to the collapse of the royal families of Russia, Germany, and Austria-Hungary. The Manchu dynasty fell in China in 1912, and the emperors of Japan abandoned divine rule after World War II.

There are twelve monarchies in Europe today; ten of these are states whose head of state (a monarch) inherits his or her office, and usually keeps it for life or until they abdicate. The head of state in the State of the Vatican City, the pope, is elected at the papal conclave. The joint heads of state of Andorra are the elected President of France and the appointed Bishop of Urgell. At the dawn of the 20th century, France, Switzerland and San Marino were the only European nations to have a republican form of government. The ascent of republicanism to the political mainstream started only at the beginning of the 20th century, facilitated by the toppling of various European monarchies through war or revolution; as at the beginning of the 21st century, most of the states in Europe are republics with either a directly or indirectly elected head of state.

Europe's monarchies are: the Principality of Andorra (technically a semi-elective diarchy), the Kingdom of Belgium, the Kingdom of Denmark, the Principality of Liechtenstein, the Grand Duchy of Luxembourg, the Principality of Monaco, the Kingdom of the Netherlands, the Kingdom of
Norway, the Kingdom of Spain, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland and the State of the Vatican City (elective monarchy, styled a theocracy).

Revolution filled the air at the end of the 1800s and beginning of the 1900s, destroying many ancient monarchies. The majority of the revolting nations replaced their thrones with communist governments. You may be surprised to know that while democracy plods on from day to day, the heads of the Royal families deposed, continue to use their titles, claim their thrones, and interact with other ex-royals on a regular basis. In the case of a regnant head of state, such questions may be referring to the realm of assumption. Where a monarchy, whose last sovereign is deceased, has been replaced by a republican state, and where traditional cultural and dynastic institutions, such orders of knighthood, etc., are concerned.

The general opinion is to consider as authentic nobles only those who are effectively registered. But that is not exact, as these registers were partial and incomplete in the past as they are today and, no doubt, will be tomorrow. We must remember that each ruling Sovereign House obliged its subjects of noble status to submit to certain regulations regarding the recognition of their noble titles, and were only confirmed if they fulfilled certain conditions, which were usually not very economically or ideologically favorable for the person concerned. This meant, that the payment or otherwise of the tax became the discriminating factor to recognize a title, despite the full right to it, and therefore it was frequent that persons were excluded from the lists, which are still published by private associations.

The reigning European royal families are all related in some way or another. As a great great granddaughter of Queen Victoria, Queen Elizabeth II of the United Kingdom is related to the heads of most other reigning and non-reigning European royal houses.

Back in the days, monarchs would only marry off their royal offspring to other monarchs to form alliances and treaties between two nations. As a result, every royal member from different royal houses across Europe is all distant relative through birth or marriage.

Over the past centuries, monarchies have had an unwritten rule that required the monarch and those in the line of succession to marry a spouse from a royal or at least noble family. In most cases, royal families arranged marriages to strengthen the power or influence of the royal house by making strategic alliances, and they did not take an individual’s personal feelings or preferences into consideration. This attitude started to change a few decades ago, with more and more monarchs deciding to marry for love regardless of the status of their spouse, and allowing their heirs to do the same.

As a result, commoners joined the royal circle and had to become familiar with the arcane rites and mystique that have always surrounded kings and queens, as well as the stress of living their lives in public and being the subject of relentless attention from the media.
While many of the current kings and queens fell in love with a royal or noble spouse, some decided to marry a commoner despite the prevailing royal preference for equal marriages. Some of the commoners who married into the current generation of rulers - Grand Duchess Maria Teresa of Luxembourg, Queen Sonja of Norway, and Empress Michiko of Japan. Other commoners - Queen Silvia of Sweden, Queen Rania of Jordan, and Lalla Salma of Morocco.

To look at the example of women who married into royal houses as commoners, we can see clearly that, regardless of their origins, the right person must be at the right place at the right time. Success or failure depends very much on the present circumstances of the monarchy, the monarchy's background and history, the attitude of the royal house and the public, and the traits of the future spouse.

But most of the royal families usually associate within the "inner aristocrat circle" and the very "elite and privilege class" these groups of people would only include other royal families (both reigning and non-reigning). A non-reigning monarch or heir to a pretender throne is still an “aristocrat” and still consider a royal member.

A royal house or royal dynasty consists of usually more than one monarch who is related to one another, as well as their non-reigning descendants and spouses. Monarchs of the same realm who are not related to one another are usually deemed to belong to different houses, and each house is designated by a name which distinguishes it from other houses. Strictly, a "royal house" is a dynasty whose members reign while bearing the title of king or queen, although it has become common to refer to any family which legally exercises sovereignty by hereditary right as a royal family, and its members as "royalty" or "royals".

Ruling families often consist of a senior and several junior branches, which are akin, but may have deviate, in descent from a common ancestor many generations ago. The name used to refer to a royal house may or may not also be used by its members as a surname. Rather, members of dynasties are usually referred to by their titles, which may or may not also be hereditary.

Historically royal intermarriage has often brought multiple thrones to a sovereign's family. Sometimes the grant of an estate, titles, offices, or other things of value to the younger male children of a sovereign, who would otherwise have no inheritance under the system of primogeniture. It was common in much of Europe that appanages granted to cadet branches, cadet have become the nucleus of an independent monarchy—or an incentive to acquire one. Younger sons – cadets – inherited less wealth and authority to pass to future generations of descendants.

Members of the same patrilineage (or agnatic kinship is a system in which one belongs to one's father's lineage. It generally involves the inheritance of property, names or titles through the male line as well) may therefore come to rule entirely different countries and espouse national loyalties or cultural ties to nations other than the one ruled by the first monarch in the family—yet they may still acknowledge bonds based on membership in the same dynasty (e.g. Bourbon Family Compact ( [http://en.wikipedia.org/wiki/Pacte_de_Famille](http://en.wikipedia.org/wiki/Pacte_de_Famille))
and may still inherit thrones or bequeath assets based upon that kinship, sometimes centuries later.

In families and cultures in which this was not the custom or law, as in feudal Germany, equal distribution of the family's holdings among descendants was eventually apt to so fragment the inheritance as to render it too small to sustain the descendants at the socio-economic level of their forefather. Moreover, brothers and their descendants sometimes quarreled over their allocations, or even became estranged. While masculine primogeniture became a common way of keeping the family's wealth intact and reducing familial disputes, it did so at the expense of younger sons and their descendants. Both before and after adoption of inheritance by primogeniture, younger brothers sometimes vied with older brothers to be chosen their father's heir or, after the choice was made, sought to usurp the elder's birthright.

Although recognition of a noble class is most common in monarchies, nobility has historically existed in some republics, such as the Dutch Provinces, Genoa and Venice, and it remains part of the legal social structure of some non-hereditary regimes, such as San Marino and Vatican City. Special hereditary titles may distinguish nobles from non-nobles, although in many nations, the nobility is untitled, and in others, hereditary titles may not indicate membership in the noble class.

The phrase "to be a blue blood" means to have descended from noble or aristocratic ancestors.

While noble status formerly conferred significant privileges in most jurisdictions, by the 21st century it had become a largely honorary dignity in most societies, although a few, residual privileges may still be preserved legally (e.g. Netherlands, Spain, UK) and some Asian, Pacific and African cultures continue to attach considerable significance to formal, hereditary rank or titles.

Various republics, including the United States, former Iron Curtain (http://en.wikipedia.org/wiki/Iron_Curtain), and countries, Greece, Mexico and Austria have expressly abolished the granting and/or use of titles of nobility to or by their citizens. This is distinct from countries which have not abolished the right to inherit (formerly) noble titles, but which do not grant legal recognition or protection to them, such as Germany and Italy, although Germany recognizes their use as legal surnames. Still other countries and authorities allow their use, but forbid attachment of any privilege thereto, e.g. Finland, France, Norway and the European Union, although French law also protects lawful titles against usurpation, while Norway allows the use of traditional titles by official members of the royal house.
Today, almost all countries have a working government that is presided over by Presidents and or Prime Ministers. There are many monarchs around the world who hold important government posts or military commands, even though they no longer rule over their subjects.

Even if some monarchy has been long abolished, there are royal families of the world that exist and are treated with respect and honor. Some royal families like the Albania, Georgia, French, Greek, Chinese, Russian and Scottish are known as “Pretenders to the Throne”. The pretender is a claimant to an abolished throne or to a throne that has been occupied by someone else.

In fact, those sentences that ascertained that the various descendents in the different dynasties held the native right of pretender to the throne granted them the prerogative of granting noble titles and knighthoods in the Orders that their Sovereign House belonged to.

Non-regnant dynasties, whether in Italy, Germany or elsewhere, play a role in maintaining the cultural and historical identity of Old World peoples. Though hardly essential to the fabric of society, they represent not only peoples but even places. Control of dynastic orders of chivalry is at the root of certain dynastic quarrels. Some of these institutions are very old, and have a canonical position in Church law. Nowadays the few "military-religious" orders serve chiefly philanthropic purposes.

Dethroned European dynasties continued to enforce their house laws until after World War I, even though they had no legal authority to do so. Some continued doing so through the 20th century (Bourbon-Sicily, Prussia, Wurttemberg). Governments in extant monarchies, without calling the legal mechanisms house laws, have generally strengthened their control over the marriages of members of their royal families since the second half of the 20th century. Previously a prince could often morganatically marry a woman not deemed acceptable as a royal consort, relegating her and their children to a sub-royal status. That is rarely an option anymore. In most Western European monarchies of today, a prince must renounce or forfeit membership in the royal family if his chosen spouse is not deemed suitable.
Nobility in Italy

An entirely different state of affairs exists in Italy. The abolition of the Papal States, the Kingdom of the Two Sicilies, the Grand Duchy of Tuscany, the Duchies of Parma and Modena, and the incorporation of the Austrian dependencies in Northern Italy into a united Italian Kingdom, led to the establishment of a new national nobility, with an attempt (not wholly successful) to impose a uniform nobiliary law.

Italian nobiliary practices cannot be compared directly to those of other countries, such as Scotland or Russia. Even within Italy, regional differences must be considered because until circa 1870 the nation did not exist as a politically unified state.

Until the 19th century, the peninsula we now call Italy was made up of many city-states. These independent nations exist under successions of various invading empires of the French, Turks, Germans, Austrians and Spanish. The individual states, although sharing a small geographical space, were each culturally unique. They spoke separate dialects, worshiped in different churches and had unique attitudes. The cultural movement of the 16th and 17th centuries created a sense of nationalism within the future Italy for the first time.

The Nobility of Italy reflects the fact that medieval "Italy" was a set of separate states until 1870 and had many royal bloodlines. The Italian royal families were often related through marriage to each other and to other European royal families. We must realize than less that 150 years ago Italy was comprised of about 10 separate small countries, and as result, great-great grandfather was not "Italian", but Piemontese, Toscano, Veneziano, Modenese, Parmigiano, a subject of the Pope, or Napoletano – Siciliano, etc.

Prior to Italian Unification, the existence of the Kingdom of Sardinia, the Kingdom of the Two Sicilies (which before 1816 was split in Kingdom of Naples and Kingdom of Sicily), the Grand Duchy of Tuscany, the Duchy of Parma the Duchy of Modena, the Duchy of Savoy, the Duchy of Milan, the Papal States, various republics and the Austrian dependencies in Northern Italy led to parallel nobilities with different traditions and rules.

Although a democratic republic since 1946, Italy boasts two non-regnant royal families as well as three non-regnant grand ducal houses, each of which bestows honors upon Italian citizens. Three sovereign governments exist entirely within Italian borders, and each bestows honors as well. Few Italians are hereditary knights bachelor, forming a kind of Italian baronet age. Indeed, for a nation having no throne, and entertaining no serious plans for the re institution of a
monarchy, the Italian Republic is endowed with a plethora of gentlemen entitled to the ancient address "Cavaliere" (Knight).

**Pretender to a Throne**

This concept has always been taken on by the ex-reigning Houses who have lost their throne further to final occupation of the territory: in this case, as the situation of debellatio is not applied, the figure of the Pretender Prince to the throne has emerged.

The Pretender to a Throne, that is a juridical person legally recognized by the International Laws, can act when the debellatio lacks, that is, the losing of the sovereignty. Every Sovereign has to carry on the royal power apart from the way in which he has been deposed. In this way all the titles pertain to the Sovereign and to his descendants, they maintain their nature even if the Sovereign lost the real sovereignty of a Land: we have not to forget that the Sovereignty makes part of the Family Estate (even if it has lost the jus imperii – power to command -, the jus gladii – right to have the obedience of the people – and the jus majestatis – the right to have respect and honors).

A Sovereign can be deprived of his Throne and exiled by a Land, but he can never lose His native quality: in this context take the origin the Pretendant to a Throne. In fact he maintains all his rights to the sovereignty and he can exercise it even if his juridical-institutional status has been changed.

From Professor Doctor W. Baroni Santos, Doctor D'état in Nobility Law by The University of Reims in France, in his book "Treaty of Heraldry / Nobility Law Vol. I, Book II, chapter I "Jurisprudence of Nobility" page 197:

"A "Chief of Name and Arms", a title attributed to a Claimant, being by juris sanguinis (law of blood) "heir apparent" of a defunct throne, as long as has not formalized a voluntary act of resignation and acquiescence [formalized, not assumed or presumed] to the new political order of the state, according to the classic expression "subito la debellatio", retains, in all its fullness, the sovereign prerogatives of Fons Honorum (Fountain of Honors) and Jus Majestatis (right to majestic dignity). It is a fortiori, the source of nobility and honor, and may, without restrictions, create nobles and arm knights."

If we do not want to consider Vittorio Emanuele of Savoy as having lost the rank of Pretender to the Throne further to the above dispositions, even if we want to recognize the Prince has the right to the position of Pretender to the Throne further to the lack of debellatio by his father, King Umberto II - the ceasing of the effects of the XIII transitory and final disposition of the Republican Constitution has a double effect.

A Court sentence of the Republican Italy (Pretoria de Vico Del Gargano, Repubblica Italiana sentence number 217/49) corroborates the above mentioned:

"(...) it's IRRELEVANT if that Imperial family in no longer ruling FOR CENTURIES, because the deposition don't harm the sovereign prerogatives
even if the sovereign renounces, spontaneously, to the throne. In substance, in this case, the Sovereign does not cease to be King, even living in exile or IN PRIVATE LIFE (WITHOUT CLAIMING HIS SOVEREIGNTY), because his prerogatives are, itself, by birth and CANNOT BE EXTINGUISHED, but remains and may be transmitted in time, from generation to generation."

Professor Emilio Furno, an advocate in the Supreme Court of Appeal, writes as follows ("The Legitimacy of Non-National Orders", Rivista Penale, No.1, January 1961, pp. 46-70):

“There are not a few judgments, civil and criminal, albeit some very recent, all of which tend as a rule to the acceptance of traditional principles re-enunciated not long since. The issue is that of innate nobility - Jure sanguinis - which looks into the prerogatives known as jus majestatis and jus honorum and which argues that the holder of such prerogatives is a subject of international law with all the logical consequences of that situation. That is to say, a deposed Sovereign may legitimately confer titles of nobility, with or without predicates, and the honorifics which pertain to his heraldic patrimony as head of his dynasty.

The qualities which render a deposed Sovereign a subject of international law are undeniable and in fact constitute an absolute personal right of which the subject may never divest himself and which needs no ratification or recognition on the part of any other authority whatsoever. A reigning Sovereign or Head of State may use the term recognition in order to demonstrate the existence of such a right, but the term would be a mere declaration and not a constitutive act”.

To the superficial objection that involved transmission through a female line (as also in the case of the title of Prince of Emmanuel) it may be replied (cf. V. Powell-Smith: In the Matter of the Sovereign Order of New Aragon and in the Matter of the Government of Antigua and Barbuda, Submission, 1982) that the Salic Law did not run in Aragon and that thus succession could be through a female line and that the same applies to Sicily (G. Galuppi: The Present State of the Nobility of Messina, Milan, 188 I, pp. 1 -23). This is also shown by the Constitutions In Aliquibus of King Federico II of Sicily which admitted succession in the female line (Constitutiones Regni Sicilae, liber 3, tit.26).

It is undeniable that the Salic Law applied generally in the Kingdom of the Two Sicilies, but as far as Sicily was concerned its application was subject to the traditional limitations, even under the Bourbon dynasty. Further evidence of this is given in the express recommendations of the Royal Commission on Titles of Nobility (2nd February 1860) and in the Decree of King Francesco II of the Two Sicilies (16th September 1860) both of which support the transmission in the female line of the title of Prince of Emmanuel.

It is a general principle of nobiliary law that the head of a dynasty which formerly reigned retains jure sanguinis, that is by hereditary right, the faculty of conferring chivalric and nobiliary honours, known as the jus honorum (in the act of so conferring them he is called fons honorum, fount of honours) and retains his sovereign rights irrespective of political changes or territorial
considerations. These rights are called rights of pretension from which arises the term Pretender, which indicates that he maintains and / or exercises those rights and enjoys them in perpetuity (cf. Renato de Francesco: The Legitimacy and Validity in Italy of Non-National Chivalric Orders, ed. Ferrari, Rome, p.10).

According to Salvioli (History of Italian Law, Utet, 1930, p.272) sovereignty as an element of state power sprang from the struggle of the kings against the great feudatories and owes its character of necessity to the resulting concentration of the powers of the state in the hands of the monarch. « Born of feudal origins, this power continued to bear the imprint of the personal property of the Prince, whence derives its transmissibility by hereditary right in perpetuity ». By this doctrine the Prince logically retains his sovereignty always (suprema potestas, whence supremitas, sovereignty) even when he is no longer reigning.

Since all power is thus centered in the sovereign, he possesses the political authority, jus imperii, the civil and military power, jus gladii, the right to respect and to the honours of his rank, jus majestatis, and finally the right to confer honors and privileges, jus honorum (G.B. Ugo, Bascapè, Gorino-Causa, Nasalli Rocca, Zeininguer and de Francesco).

A sovereign, whether actually reigning or a Pretender, may not only confer in particular his dynastic Orders, but may also create new ones and revive those which were founded by his ancestors (this principle has been determined by the Italian Supreme Court of Appeal) without taking into consideration the fact that by the vicissitudes of succession or of politics some of those Orders may have passed in to the hands of another dynasty.

There is no doubt a Sovereign in exile and his legitimate successor and Head of the Family maintains the jus majestatis and the jus honorum rights; that is the right to grant nobiliary and honorific titles of Knight Orders that made part of the personal dynastic Family’s Estate. No usurper or subsequent government has the lawful power or authority to take away a family’s absolute royal or sovereign prerogatives. The Head of the Princely House has the prerogative of the \textit{fons honorum}.

\textbf{Fons Honorum}

In practice the \textit{ius honorum} (right to grant honours, notably nobility) is materialized in a \textit{fons honorum}. In the monarchies it’s confided to the Sovereign on hereditary basis, as emperor, king, prince, grand duke, etc... In case of deposition, the deposed sovereign or a pretender to the throne who succeeds him by hereditary right (\textit{ius sanguinis}) stays possessor of \textit{fons honorum}. Although in general unknown, presidents of republics are also possessors of \textit{fons honorum} for the time of their mandate. In the officially democratic systems of government, it is the people themselves who are truly sovereign and who possess \textit{ius honorum}, the right to grant honours which are granted in their name by a \textit{fons honorum} which is confided to a constitutional sovereign or a president of a republic.

The extent and contents of \textit{fons honorum} (according to particular traditions, epochs, places and customs), include honorary distinctions of merit or other
titles. This encompasses orders of knighthood, nobility, titles of nobility linked or not to a peerage, noble titles devoid of nobility *stricto sensu*, recognized coat of arms, etc...

In recent decades a degree of confusion seems to have developed over whom may bestow honors; this is at least partly due to the emergence of hundreds of false orders.

Today the legitimate founts of honor who may bestow knighthood are the lawful heads of existing states, heads of non-reigning royal (sovereign) dynasties recognized at the time of the Congress of Vienna in 1814 (hence the numerous German dynasties but not the many soi-disant "pretenders" to the long-vacant Throne of Constantinople), the Holy See (the Papacy), certain de jure governments in exile, a few Orthodox Christian patriarchs and bishops, and the grand masters of a few historical military-religious orders of chivalry (the Order of Malta most notably).

We should also observe that these institutions, when they belonged to the dynastic wealth of previously reigning families, were able to reaffirm their position not only historically but also legally.

In fact, international law recognizes the institution of a non reigning sovereign, which arises if the *debellatio* is missing, i.e. the loss of sovereignty by waiving right to one’s functions and relative prerogatives involved with exercising power, because the sovereign, no matter how he is dethroned, maintains the right to certain manifestations of reigning power: thus sovereign titles are due to the sovereign as such and his descendents, and remain thus even when he has lost his sovereignty over land, because sovereignty belongs to the family wealth (even if it is deprived of the *jus gladii*, i.e. the right to obedience by the subjects; the *jus majestatis*, i.e. the right to respect and honors due his rank; and the *jus imperii*, i.e. the power of command).

This means that a sovereign could be dethroned and banished from the country, but he could never lose his native qualities: thus the pretender to the throne arises, who maintains intact all the sovereignty rights as long as their application does not obstacle the changed juridical-institutional position, while the others are suspended. Among the conserved rights is the *jus honorum*, i.e. the right to grant noble titles and ranks of knightly orders possessed or inherited that are part of the personal and dynastic wealth of the lineage.

When a knightly order conforms to international law, it has the legitimate right to grant honors on a par with any national State.

Republics generally abstain from granting nobility and titles of nobility. Nevertheless there are several remarkable exceptions in the instances of the ancient republics of Bologna, Genoa, Florence, Venice, and also today the «Republic of San Marino » of which the Head of State has always retained the prerogative of granting titles of nobility. But that is a dormant right. Likewise sometimes the French Republic exceptionally recognizes titles of nobility, and might decide as all republics to grant nobility, as the Republic of San Marino in the XXth century, but today dormant in the XXIth century.
The Sovereign was and is the first and most exclusive right and honor (quod principi placuit legis habet valorem), and all highest powers are centered in this figure. These are also called the “prerogatives of the crown” and can be summarized as follows:

a) *Jus imperii*, i.e. power of command;
b) *Jus gladii*, i.e., right to obedience by his subjects;
c) *Jus majestatis*, i.e., right to receive defense and honors;
d) *Jus honorum*, i.e., right to award, grant honors, noble and knightly dignities, or to invest others with the power to grant said honors.

In current public law, sovereignty lies with the State or, as we all know, with the people legally organized to govern a land. By saying people, we mean “all” the people, in the same way it is organized in nature with the various classes being distinct from each other, each one formed of groups of similar, able or unable, gregarious or leaders, favored or frowned upon by fortune or society.

The concession of a noble title in Italy is not a prerogative of the State today, but is for virtue of the merits recognized of the person by the prerogatives and discretion of the pretender prince to the throne.

The recognition is granted to people who have distinguished themselves for their actions in favor of the Sovereign House, for independent valorous or charitable deeds, and for the recognition of private or public good deeds, which have touched the sensitivity of the Pretender Prince, and do not depend on the relationships with the public or the country the person belongs to.

This concept has always been taken on by the ex-reigning Houses who have lost their throne further to final occupation of the territory: in this case, as the situation of *debellatio* is not applied, the figure of the Pretender Prince to the throne has emerged.

*(Picture: Napoléon Bonaparte* French General, First Consul and Emperor, b. 15 August 1769 (Ajaccio (Corsica), France), d. 5 May 1821 (St. Helena Island). Napoleon's father Carlo Buonaparte and his mother Letizia Ramolino came from ancient nobility of the Italian region of Tuscany. The family had emigrated to Corsica in the 16th century, when the island was under the control of the Italian city-state of Genoa.

A noble who wishes to freely use his title, has no need to be recognized and, less still, to be registered in the Gold Book or other “Official” Lists of Italian nobility. The fact the person is not registered does not mean he cannot continue to use his title, as long as it is true, thus reaching a clear distinction between “existing title” and “recognized title”.

What counts is the effective concession of the title and legal possession by the person or family; possession which must be proved by historic, genealogical, legal and canon documentation. The person must possess the appointment deed
(letters patent and decree) that proves the claimed right to nobility, so that he does not need to be recognized and, less still, to be registered in the various lists.

Noble titles granted by the Head of Name and Arms of a Dynasty, to be received and born, do not require any registration in the registers of the ex “Heraldic Consulta”, nor in the various Official Lists, or lists in the current Gold Books held by private associations (The Heraldic Council), as those noted pursuant to the Order of the Italian Nobiliary State refer exclusively to titles granted or recognized by the Savoy Family and subsequently those by the Vatican, recognized further to the Agreement of 11th February 1929.

We do not consider requesting some Royal Family that they should be registered /certified with us or to any Commissions on Nobility to be considered genuine, there is NO need for any genuine Royal, Noble or Order to need any kind of registration/certification with any organization to be considered genuine, as International Law covers them, along with many laws of countries that they are still or once ruled over. If they are genuine or not, that comes with Birthright and the knowledge of who they are and their places in history.

Traditional ranks among European royalty, peers, and nobility are rooted in Late Antiquity and the Middle Ages. Although they vary over time and between geographic regions, for example, one region's prince might be equal to another's grand duke.

It is worth mentioning also that the princely families, with the sovereign attributes, requires NO RECOGNITION by the government of their country of origin, or submit any record in countries where its members settle in residence. The dynastic and political independence is based on the sovereignty itself, which guides their social existence and regardless OF ANY LEGAL RECOGNITION, with respect to dynastic and private affairs."

**To conclude**

"a) Nobility is the only emanation of Royal, Imperial and Serene prerogative and to be more precise, Sovereign;

b) Once a noble title has been acquired with relative predicate and arms, it is not lost if it is not used or a term lapses, as it is a part of the unavoidable wealth of the person;

c) The predicate should be an integral part of the surname;

d) “Noble Titles” should not be confused with the “Sovereign Titles”, even if their qualification (e.g. Prince) could be the same, and we must remember that the former are subject to special regulations (regarding their recognition, succession, etc.), the latter do not require any formalities, as they are native. This way the concept of nobility, today without any conceit or privilege, becomes part of sociology as a refinement of the human race in its continued future, with the aim of holding high the banner of the country’s history, which is the symbol
of respect for traditions, undeniable life force and source of energy in any evolution of time, society and institutions”.

**Source:** (Consiglio Araldico Italiano - Istituto M.se Vittorio Spreti Piazzale Stazione, 6 - 35131 Padova / Italia).

The Sovereign abandons the country, but he does not lose his rights to sovereignty, or to be precise, he conserves intact certain prerogatives, which he can still exercise, while others are suspended. Without doubt, among the prerogatives he conserves intact there is *Jus honorum*, the right to grant noble titles and honors in knightly orders that are part of the wealth of the Crown.

If a current noble title is deserved and born well, it is equal to those received in past centuries, as anything is current in the moment it is acquired: this noble title is emanated by the Sovereign prerogative (*rex nobilem tantum facere potest*), and the Sovereign is in the position of an “object” faced with a “subject”; therefore the noble title does not have “antique” origins but “dative”. Its use and transmission are governed by the investiture deed through the “Letters Patent”.

Therefore a Princely House, previously Sovereign, is always considered a Dynasty and the current Head of Name and Arms conserves the titles, prerogatives, and dues of the last dethroned sovereign, with the name of Pretender Prince, previously Royal Highness, Imperial Highness, or Serene Highness.

**The International Arbitration Tribunal**

In the XIV transitory disposition of the Italian Constitution, noble titles have never been abolished, simply they are not recognized, but the fact they are not recognized just means that republicans are not interested in titles, that they are private wealth before being historic. The Constitutional Assembly could not deprive citizens of an inborn right, because it would be the same as if a law were approved in the future that cancelled certain surnames.

Therefore the ordinary Magistracy is the only authority which, regarding the safeguard of the most jealously kept and delicate of human rights – our name – has the task and power to ascertain the legal noble *status* of a person, and declare the right to include the *status* in the surname, as established by the XIV transitory and final disposition of the Constitutional Decree.
The International Arbitration Tribunal, established under Italian and International law, issues a sentence ascertaining the right to noble titles, predicates and legitimacy of the noble coat of arms.

The sentence issued by the International Arbitration Tribunal is a first-degree sentence under Italian law, once an execution decree has been issued by the President of an ordinary tribunal, pursuant to art. 825 of the Italian Civil Procedure Code. The extract of the sentence and the decree by the president of the ordinary tribunal are published in the Official Gazette.

This sentence is irrevocable under Italian Law, and can be executed, within the limits established by international law, within those States that signed the New York Convention on 10th June 1958. Likewise the sentence establishes that on the confirmation and baptism certificates, the title and predicate can be included.

The nobility of Italy, like those of the rest of Europe, were the war leaders of their tribes and the closest relatives to them. At first this was not hereditary, but by the 5th or 6th century, the European tribes were beginning to recognize descent as the primary claim to any important position (although in England until the Norman Invasion, kings were chosen by the witan, a sort of parliament of nobles, from several contenders).

Things were establishing by the 9th century, and many of the titles we have now were being used by the early middle ages, as in most of Western Europe. Most Italian nobility took their surnames from their ancestral seats. In the case of Italy, you got names like di Monteverde (=from Monteverde), which indicate a noble origin. Peasants got names that indicated their job (Ferraro=smith) or their appearance (Barba=beard) or their fathers (di Giulio). Then there were the titles, which indicated the hierarchy of nobility, such as Re (king), Principe (prince) Duca (duke) Conte (count) but in Italy, there was rarely a cut off point where a noble title could no longer be used. So if you were the great-grandson of the youngest son of a count, you were still a count. In England, you lose your title after 2 generations if you are not in direct line. Some of the bearers of very old titles today are holding them by this right, not because they have any claims to the ancestral lands.
A dynasty is a sequence of rulers considered members of the same family. Historians traditionally consider many “sovereign states” history within a framework of successive dynasties, e.g., China, Ancient Egypt and the Persian Empire. Much of European political history is dominated by dynasties such as the Carolingians, the Capetians, the Bourbons, the Stuarts, the Hohenzollerns, the Habsburgs, and the Romanovs. Until the 19th century, it was taken for granted that a legitimate function of a monarch was to aggrandize his dynasty; that is, to increase the territory, wealth and power of family members.

In hereditary monarchies the order of succession determines who the new monarch becomes when the incumbent sovereign dies or vacates the throne. Such orders of succession generally specify a selection process, by law or tradition, which is applied to indicate which relative of the previous monarch, or other person, has the strongest claim to succeed, and will therefore assume the throne when the vacancy occurs.

Often, the line of succession is restricted to persons of the blood royal that is, to those legally recognized as born into or descended from the reigning dynasty or a previous sovereign. The persons in line to succeed to the throne are called “dynasts”. Constitutions, statutes, house laws, and norms may regulate the sequence and eligibility of potential successors to the throne.

A dynasty is also often called a house (e.g., House of Saud and the House of Windsor) and may be described as imperial, royal, ducal or comital depending upon the chief title borne by its rulers. Dynasty is also used to refer to the era
during which a family reigned, as well as events, trends and artifacts of that period (e.g. "Ming dynasty vase"). In such cases, often "dynasty" is dropped, while the name is used adjectivally; e.g., Tudor style, Ottoman expansion, Romanov decadence, etc.

In historical and monarchist references to formerly reigning families, dynastic describes a family member who would have succession rights if the monarchy's rules were still in force. For example, after the 1914 assassinations of Archduke Franz Ferdinand of Austria and his morganatic wife Sophie von Hohenberg, their son Max was bypassed for the Austrian throne because he was not a Habsburg dynast. Even since abolition of the Austrian monarchy, Max and his descendants have not been considered the rightful pretenders by Austrian monarchists, nor have they claimed that position.

On the other hand, the German aristocrat Ernst August, Prince of Hanover (born 1954), a male-line descendant of George III of the United Kingdom, possesses no legal British name, titles or styles (although he is entitled to re-claim the once – royal dukedom of Cumberland), was born in the line of succession to the British crown and is bound by Britain's Royal Marriages Act 1772. Thus, in 1999 he requested and obtained formal permission from Elizabeth II to marry the Roman Catholic Princess Caroline of Monaco. But immediately upon marriage he forfeited his right to the British throne because the English Act of Settlement 1701 dictates that dynasts who marry Roman Catholics are considered "dead" for the purpose of succession.

Historically, there have been differences in systems of succession, mainly revolving around the question of whether succession is limited only to males, or if females are also eligible to succeed. Agnatic succession refers to systems where females are neither allowed to succeed nor to transmit the succession rights to their male descendants (see Salic Law). An agnate is a kinsman with whom one has a common ancestor by descent in unbroken male line. Cognatic previously referred to any succession to the throne or other inheritance which allows both males and females to be heirs, although in modern usage it specifically refers to equal succession by seniority regardless of gender.

House law or House laws are rules that govern a royal family or dynasty in matters of eligibility for succession to a throne, membership in a dynasty, exercise of a regency, or entitlement to dynastic rank, titles and styles. Prevalent in European monarchies during the nineteenth century, few countries have house laws any longer, so that they are, as a category of law, of more historical than current significance.

Some dynasties have codified house laws, which then form a distinct section of the laws of the realm, e.g., Monaco, Liechtenstein and, formerly, most of Germany's monarchies, as well as Austria and Russia. Other monarchies had few laws regulating royal life. In still others, whatever laws existed was not gathered in any particular section of the nation's laws. In Germany where many dynasties reigned as more or less independent sovereigns, laws governing dynastic rights constituted a distinct branch of jurisprudence called private princely law.
Article 2 of the Constitution of Japan provides that "The Imperial Throne shall be dynastic and succeeded to in accordance with the Imperial Household Law passed by the Diet." The Imperial Household Law of 1947 enacted by the 92nd and last session of the Imperial Diet retained the exclusion on female dynasts found in the 1889 law. The government of Prime Minister Yoshida Shigeru hastily cobbled together the legislation to bring the Imperial House in compliance with the American-written Constitution of Japan that went into effect in May 1947. In an effort to control the size of the imperial family, the law stipulates that only legitimate male descendants in the male line can be dynasts; that naishinnō (imperial princesses) and nyōō (princesses) lose their status as imperial family-members if they marry outside the imperial family; that shinno (imperial princes), other than the crown prince, ō (princes), unmarried imperial princesses and princesses, and the widows of imperial princes and princesses may, upon their own request or in the event of special circumstances, renounce their membership in the imperial family with approval of the Imperial House Council; and that the Emperor and other members of the imperial family may not adopt children.

The panel dealing with the succession issue recommended on October 25, 2005 amending the law to allow females of the male line of imperial descent to ascend the Japanese throne. On January 20, 2006, Prime Minister Junichiro Koizumi devoted part of his annual keynote speech to the controversy, pledging to submit a bill allowing women to ascend the throne to ensure that the succession continues in the future in a stable manner. Shortly after the announcement that Princess Kiko was pregnant with her third child, Koizumi suspended such plans. Her son, Prince Hisahito, is the third in line to the throne under the current law of succession. On January 3, 2007, Prime Minister Shinzo Abe announced that he would drop the proposal to alter the Imperial Household Law.

**Dynastic orders**

A dynastic order of knighthood is an order belonging to the heraldic patrimony of a dynasty, often held by ancient right. These differ from military, religious, and orders of merit belonging to a particular state, having been instituted to reward personal services rendered to a sovereign, dynasty, or an ancient family of princely rank. An example of this difference is seen between the Royal Victorian Order, which is a personal gift of the sovereign (and thus is a dynastic order), and the Order of the British Empire, which is bestowed by the sovereign on the basis of recommendations by the Prime Minister (and thus is a national order).

**Domain of the sovereign**

Dynastic orders are the exclusive domain of a sovereign and are thus bestowed by the monarch without the advice of the political leadership (prime minister or cabinet). For instance, a recent report by the British government mentioned that there is "one remaining exercise that has been identified of the Monarch’s truly personal, executive prerogative: that is, the conferment of certain honours that remain within her gift (the Orders of Merit, of the Garter, of the Thistle and the Royal Victorian Order)." Generally, Dynastic or House Orders are granted by the monarch for whatever reason the monarch may deem appropriate whereas
other orders, often called Merit Orders, are granted on the recommendation of government officials to recognize individual accomplishments or services to the nation.

The term Dynastic Order is also used for those orders which continue to be bestowed by former monarchs and their descendants after they have been removed from power. For instance, the website of Duarte Pio de Bragança, a pretender to the throne of Portugal using the title Duke of Braganza, asserts that the Order of the Immaculate Conception of Vila Viçosa, "being a Dynastic Order of the House of Bragança and not an Order of State, continued to be conferred by the last King Dom Manuel II, in the exile." On the basis of his succession to King Manuel II, Duarte Pio continues to award those orders of the Kingdom of Portugal which were not taken over by the Portuguese Republic.

The Portuguese Republic views things somewhat differently, regarding all the royal orders as extinct following the 5 October 1910 revolution with some of them revived in republican form in 1918. For official purposes, Portugal simply ignores the orders awarded by the royal pretender, Duarte Pio. Although no one is prosecuted for accepting orders from Dom Duarte, including himself, Portuguese law requires government permission to accept any official award, either from Portugal or foreign powers, and the awards of Dom Duarte simply do not appear anywhere on either list.

A similar situation exists in Italy where the Republican Government regards the orders of the former kings to have been abolished but the last king's heir continues to award them. The Italian situation differs from that in Portugal in that Italy forbids the public wearing of the former royal orders in Italy. Nevertheless, the last Italian Crown Prince Vittorio Emanuele di Savoia widely distributes the orders that he claims to have inherited from his father. As is the situation in Portugal, the Italian pretender asserts that control of the Savoy dynastic orders exists separate from the Kingdom of Italy so that he retains the right to award the orders, and accompanying privileges, despite his recognition that "the Italian throne was formally abolished by referendum in 1946 and a republic was instituted in its place.

Various dynastic orders

There are many dynastic orders of knighthood, which exist primarily in Europe. Today, dynastic orders include those still bestowed by a reigning monarch, those bestowed by a head of a royal house in exile, and those that have become extinct. Although it is sometimes asserted that the heads of former reigning houses retain the right to their dynastic orders but cannot create new ones, that view is challenged by others who believe that the power to create orders remains with a dynasty forever. In a few cases, formerly reigning families are accused of "fudging" the issue by claiming to revive long extinct orders or by changing non-dynastic state orders into dynastic ones. One example of this is the Order of Saint Michael of the Wing which is sometimes described as a revival of a long dormant order last awarded in the eighteenth century but also described as a new order created in 2004. Another example concerns the Royal Order of Francis I of the Kingdom of the Two Sicilies. One branch of the family (led by Prince Carlo, Duke of Castro) claims that the Order of Francis I was attached to
the crown not the state, and thus awards its as a dynastic order. The other branch (led by Infante Carlos, Duke of Calabria) regards the Order of Francis I as a state order that became extinct when the Borbon-Two Sicilies royal family accepted the abolition of their monarchy and the state's inclusion in the Kingdom of Italy. Finally, there is the example of a Russian pretender Maria Vladimirovna who published a decree on 20 August 2010 to create the entirely new The Imperial Order of the Holy Great Martyr Anastasia.

One of the most important attributes of such argument to bear in mind is the reality that a lawful sovereign successor state is the only authority fully empowered to recognize the head of a non-regnant royal dynasty that once ruled its territory.

To think of royalty is also to think of dynasty, and that, by definition, involves families, including marriages and wedding ceremonies. In this century there have been notable weddings of reigning monarchs and of their children. There have, obviously, also been many weddings within the dispossessed royal houses of Europe.

Non-regnant dynasties, whether in Italy, Germany or elsewhere, play a role in maintaining the cultural and historical identity of Old World peoples. They represent not only peoples but even places. Control of dynastic orders of chivalry is at the root of certain dynastic quarrels. Some of these institutions are very old, and have a canonical position in Church law.

**Bestowed by non-reigning head of a house**

The Order of St. George (Bavaria-Wittelsbach)  
The Order of St. Hubert (Bavaria-Wittelsbach)  
The Imperial Ethiopian Order of Saint Mary of Zion (Ethiopia)  
The Order of the Holy Spirit (France)  
The Order of Saint Michael (France)  
The House Order of Hohenzollern (Hohenzollern, Germany)  
The Imperial Austrian Order of Elizabeth (Habsburg-Lorraine)  
The Noble Order of the Golden Fleece (Habsburg-Lorraine)  
The Order of the Starry Cross (Habsburg-Lorraine)  
The Order of Saint Stephen of Hungary (Hungary)  
The Order of Prince Danilo I (Montenegro)  
The Order of Petrovic Njegos (Montenegro)  
The Order of Saint Peter of Cetinje (Montenegro)  
The Order of Saint George of Parma (Parma)  
The Order of the Saint Louis for Civil Merit (Parma)  
The Order of the Immaculate Conception of Vila Viçosa (Portugal, House of Braganza)  
The Order of Saint Isabel (Portugal, House of Braganza)  
The Order of Saint Michael of the Wing (Portugal, House of Braganza)  
The Order of Carol I (Romania, order founded in 1906 and discontinued with King Michael's abdication in 1947, and then revived by him on 5 January 2005 as a dynastic order)  
The Order of the Crown (Romania), founded as a state order it was revived by King Michael I as a Dynastic Order in 2011.
The Order of Saint Anna (Imperial House of Russia)
The Order of Saint Nicholas the Wonderworker (Imperial House of Russia, a new order created in exile on 1 August 1929 by the pretender Cyril Vladimirovich, a cousin of the last Tsar, Nicholas II of Russia)
The Royal Order of the Intare (Rwanda)
The Supreme Order of the Most Holy Annunciation (Savoy)
The Order of Saints Maurice and Lazarus (Savoy)
The Order of Parfaite Amitié (Thurn and Taxis)
The Order of Saint Joseph (Tuscany)
The Sacred Military Constantinian Order of St. George (Two Sicilies)
The Royal & Illustrious Order of St. Januarius (Two Sicilies)
The Royal Order of the Crown of the Georgian Kingdom (Georgia, Bagrationi-Gruzinsky Royal House)
The Royal Order of King David (Georgia, Bagrationi-Gruzinsky Royal House)
The Royal Order of King Erekle II (Georgia, Bagrationi-Gruzinsky Royal House)

**Salic Law**

The King of the Franks, in the midst of the Military Chiefs who formed his armed Court, dictates the Salic Law (Code of the Barbaric Laws).--Fac-simile of a Miniature in the "Chronicles of St. Denis," a Manuscript of the Fourteenth Century (Library of the Arsenal).

The Salic Law (Lat. Lex Salica) was a body of law codified to govern the Salian Franks in the early 5th century during the reign of Clovis I. It was the basis for the laws of Charlemagne, but by the 12th century, both the Frankish kings and their laws were no more.

This set of laws determined matters such as inheritance, crime, murder, and so forth in a kingdom with diverse groups and ethnicities.

The laws went into extreme details concerning damages to be paid in fines for injuries to person or to goods, such as slaves, and for theft and unproven insults. One third of the fine went to court costs. Interpretation of the laws was put in charge of a jury of peers.

The great detail of the laws and what we retain of their interpretations give interesting insights in Frankish society.

**Female inheritance**

One provision of the Salic Law continued to play a role in European politics during the Middle Ages and beyond. Concerning the inheritance of land, the Salic Law provided. But of Salic land no portion of the inheritance shall come to a woman: but the whole inheritance of the land shall come to the male sex.

As actually interpreted by the Salian Franks, the law simply prohibited women from inheriting Salic land, and under Chilperic I, the law was actually amended to permit inheritance of land by a daughter if a man had no surviving sons.
However, during the Hundred Years' War\textsuperscript{4}, French jurists resurrected the long-defunct Salic Law and re-interpreted it to forbid not only inheritance by a woman, but inheritance through a female line in order to disqualify the claim of the descendants of Edward III of England on the French throne.

Notwithstanding the Salic Law, when Francis II of Brittany died in 1488 without male issue, his daughter Anne succeeded him and ruled as duchess of Brittany until her death in 1514.

This law by no means covered all matters of inheritance -- only those lands considered "Salic" - and there is still debate as to the legal definition of this word. Only several hundred years later, under the Capetian kings of France and their English contemporaries who held lands in France, did Salic law become a rationale for enforcing or debating succession. By then somewhat anachronistic (there were no Salic lands, since the Salian monarchy was long dead), the law was resurrected by Philip V to support his claim to the throne by removing his niece Jeanne from the succession, following the death of his nephew John. When the Capetian line ended, the law was contested by England, providing a putative motive for the Hundred Years' War.

Shakespeare uses the Salic law as a plot device in his play Henry V, and states that it was upheld by the French to bar the claim of Henry V from the throne of France. The play Henry V starts with the Archbishop of Canterbury being asked if Henry’s claim can be upheld despite the law. The Archbishop says that it is not a French law but a German one.

The Salic law is responsible for some interesting chapters of history. The Carlist Wars occurred in Spain over the question of whether the heir to the throne should be a woman or a male relative. The War of the Austrian Succession was triggered by the Pragmatic Sanction in which Charles VI of Austria, who himself had inherited the Austrian patrimony over his nieces because of Salic Law, attempted to ensure the succession of/ to forward the inheritance directly to his own daughter Maria Theresa of Austria.

The British and Hanoverian thrones separated after the death of King William IV of the United Kingdom and of Hanover. Hanover practiced the Salic law, while Britain did not. King William's niece Victoria ascended the throne of Great Britain and Ireland, but the throne of Hanover went to William's brother Ernest, Duke of Cumberland; Salic law was also an important issue in the Schleswig-Holstein question.

In the Channel Islands (the only part of the former duchy of Normandy still held by the British Crown) Queen Elizabeth II is traditionally ascribed the title of

\textsuperscript{4} (The Hundred Years' War was a 116-year-long armed conflict between England and France, beginning in 1337 and ending in 1453. Although the Hundred Years' War spanned the reigns of five English and five French (Valois) kings, this period was not one of continuous warfare, but was a series of peaks and valleys of conflict abroad and internal strife at home. The war was significant because of new weapons and tactics that ended the age of chivalry, the first standing armies in Europe since the Roman Empire, changes in the roles of nobles and peasants, and overall key developments in the early growth of nations and new monarchies).
Duke (never Duchess) of Normandy. The influence of Salic law is presumed to explain why she is toasted as "The Queen our Duke." The argument would similarly apply in the Isle of Man where she holds the title of Lord of Man.

Legitimist Royal Lines

Frequent dynastic viewpoint presented over the years by self-styled scholars of dynastic history and laws have cited only "selective" evidence, conveniently omitting facts which might adjudicate the credibility of the cases being advanced. These examinations are strengthening by various tactics, such as the presentation of source documents outside of their proper historical context. Such persons may deliberately omit unfavorable facts, or present inaccurate interpretations and translations from foreign languages. This approach differs fundamentally from that employed in a court of law, or before the government of a democratic state, where opposing sides are permitted to submit their evidence before the juridical authority empowered to render a decision supported by legal statute and practice.

Where interfamilial disputes are involved, a natural consideration is the credibility of those supporters by whom cases are persistently advanced on behalf of non traditionalist royals whose claims to dynastic Head of the House are not generally accepted in their own ancestral realms or by their own royal family.

The circumstances that determine the legitimacy and general acceptance of an individual's claim to Head of the House of a non regnant dynasty must be based on more than a pseudo researcher justification presented outside the jurisdiction of a competent authority.

Anyone who closely examines not only the legalistic ideas advanced by the self-proclaimed "experts" in dynastic law, but also their ethnic and religious backgrounds, may find it peculiar that some of the most dialogue of these "experts" have absolutely no ancestral connection to a country they advocate.

A nation's decision to grant such recognition is based on the advice of informed scholar's expert in such matters, as opposed to theories espoused by self-styled "scholars" in a foreign country.

Saxe-Gessaphe is the name of a family descended in the female line from former kings of Saxony, a member of which has been recognized by the pretender to that throne as eventual heir to the deposed dynasty's rights. The claim is contested by an agnatic descendant of the former royal house, and both claims are clouded by conflicting interpretations of the dynastic laws which governed the succession to the throne of Saxony, and by familial dispute.

German pretenders

Revolution filled the air at the end of the 1800s and beginning of the 1900s, destroying many ancient monarchies. The majority of the revolting nations replaced their thrones with communist governments. While democracy plods on from day to day, the heads of the Royal Families deposed, continue to use their titles, claim their thrones, and interact with other ex-royals on a regular basis.
Line of succession to the former Italian throne

The Italian monarchy was abolished in June 1946 following a referendum which established a republic. The present pretender is in dispute between Vittorio Emanuele, Prince of Naples and Amedeo, 5th Duke of Aosta.

(Picture: Vittorio Emanuele)

The Duke of Aosta's attempt in 2006 to assume the headship of the house, and his, and his sons assumption of the name "di Savoia" and the arms of the Royal House of Savoy and that of the Prince of Piedmont, the Prince of Naples and his son filed a lawsuit against the Aosta branch. The lawsuit was successful with the court of Arezzo ruling in February 2010 that the Duke of Aosta and his son must pay damages totaling 50,000 Euros to their cousins and cease use of the arms of the Royal House and those of the Prince of Piedmont. They were also forbidden to use the name "di Savoia", instead they must resume the name "di Savoia-Aosta". The Duke of Aosta is appealing the ruling.

The Italian Republic, according to constitutional laws, recognizes Vittorio Emanuele di Savoia as Head of the Royal House of Italy. Vittorio Emanuele is the son of the last King Umberto II and was regarded as the head of the house of Savoy unopposed until the 7 July 2006 when the Duke of Aosta declared himself to be the head of the house and Duke of Savoy.

Line of succession to the former Albanian throne

Crown Prince Leka of Albania (Leka I Zogu), (born April 5, 1939 - November 30, 2011, the Royal Palace, Tirana) is the only son of King Zog I and Queen Geraldine. He was christened Crown Prince Skander at birth. He is the pretender to the Albanian throne. He is known, and is often referred to by many people including monarchists and members of the media, as King Leka I. King Zog I was forced into exile only two days after the birth of Leka and soon officially replaced on the throne of Albania by Victor Emmanuel III of Italy but without having abdicated.

Prince Leka began life in exile in various countries. After travelling across Europe, the royal family settled in England, first at The Ritz in London, then moving for a very short period in 1941 to Sunninghill near Ascot in Berkshire, and then in 1941 to Parmoor House, Parmoor, near Frieth.

Leka became heir apparent of the throne on 5 April 1957. At the death of King Zog I in 1961, Leka was proclaimed King of the Albanians by a convened Albanian National Assembly-in-Exile, in a function room at the Hotel Bristol, Paris. He also holds the position of Sovereign Grand Master of the Orders of Scanderbeg, Fidelity and Bravery.
The dynasty was founded by Zogu the Great who migrated from Kosovo in the late 15th century. His son, Zogu the Small was then appointed Governor of Mati by the Ottoman Sultan, with the position of Governor then becoming hereditary among the Zogu clan. The ancestral home of the Zogu was Castle Burgajet.

The most famous member of the dynasty is Zog I, Skanderbeg III, who in 1928 was proclaimed King of the Albanians and ruled until the Italian invasion in 1939. King Zog fled the country with the all powers (legislative and executive) given by the Albanian Parliament. All members of parliament unanimously granted to King the full powers and the authority to represent Albania inside and outside until the day when Albania would be free (See « Histoire de l’Albanie et de sa Maison Royale 1443-2007 » (5 Volumes), Patrice Najbor, JePublie, Paris, 2008, pp.720 à 722).

Since the death of King Zog in 1961, the contender and head of the House of Zogu was Zog’s son Leka, Crown Prince of Albania, until his death in 2011. Leka has one son, Prince Leka II of Albania (b. 1982) - the current contender.

According to the Statute of 1928 of the Albanian Monarchy, the Heir of the royal crown is the oldest son of the Royal Family. Thus, His Royal Highness Crown Prince Leka II is proclaimed successor of the Royal crown, by His Majesty the King, after He accomplishes the age of 18 years of age. HRH Leka II, Prince of the Albanians was announced Inheritor of the crown in 2000, upon the oath He committed in front of HM Leka I, King of the Albanians, in Johannesburg.

Prince Leka (II) of Albania (Leka Anwar Zog Reza Baudouin Msiziwe Zogu, born March 26, 1982, Johannesburg, South Africa, "Sandton Clinic". The clinic was proclaimed for 24 hours "Albanian territory", by the South African government South Africa) is the only child of Leka, Crown Prince of Albania and the late Susan Cullen-Ward.

Prince Leka is graduated from the Sandhurst Royal Military Academy in the United Kingdom while also receiving a Degree in Diplomacy and International Relations from the University Iliria in Prishtina, Kosova. He has attended the Defense Academy and became an expert on Issues related to National Security.

Prince Leka was an official at the Albanian Ministry for Foreign Affairs from 2006 until 2009. After that he served as Advisor to the Minister of Interior from 2009 until 2012 and he is now Political Advisor of the new Albanian President of Republic.

Title: His Royal Highness Crown Prince Leka, Anwar, Zog, Baudoin, Msiziwe of the Albanians, Leka II Zogu. Prince Leka is the only heir to the Albanians throne.
Line of succession to the former Georgia throne

The Georgian royal family of the Bagratons practiced masculine primogeniture, legitimate sons and their descendants taking precedence over daughters and natural sons, and their descendants. But when there was no males in the royal house then female could ascend the throne, consequently the royal line was continued through the female line. When Georgian female heir-to-the-throne got married, the Georgian Dynastic Law of “Zedsidzeoba” (“Georgian Law on marriage concerning “Consort son-in-law”), was applied.

The nation of Georgia was first unified as a kingdom under the Bagrationi dynasty in the 9th to 10th century, arising from a number of predecessor states of ancient Colchis and Iberia. The kingdom of Georgia flourished during the 10th to 12th centuries, what was interrupted during of the Mongol invasions of Georgia in XIII century. Georgia rose up again in prosper at times of King Giorgi V “the magnificent” (1318-1346). He even has once again regained influence on the empire of Trabzon, this political situation remained till the last King of undivided kingdom - Giorgi VIII (1446-1466).

After of eight times invasion of the Tamerlane in Georgia, kingdom was fragmented into a number of petty kingdoms and principalities in 1490, but after the rule of the father and son, Kings Teimuraz II and Erekle II Georgia started to strengthen. Under the King Erekle II in 1763 two separated kingdoms of Kartli and Kakheti had been united. Later in 1790 under the same King Erekle was signed a treaty named treaty of Iverians (Georgians). Important is that by this treaty king of imereti, the Prince of Mengrelia and the Prince of Guria recognized King Erekle II as sovereign over them.

HRH Prince Nugzar has strong superior over representatives of all Bagratons as he descends both in the male line from the last king of the united Georgia Giorgi VIII (1446-1466) (After the whom the country was divided into parts) and also from the last king of Georgia, George XII, who died in 1800.

In 2006 a memorandum was signed by all representatives of society "House of Bagrationi", including Royal and princely branches, according to which Nugzar Bagrationi-Gruzinski is recognized as heir to the throne. The memorandum rests upon the legal, historical and genealogical basics; historical-legal documents of the historians of the Academy of Sciences; recognitions of the Georgian genealogical society and the assembly of the Georgian nobility; the historical-legal documents preserved in the archives of the Georgian and Russian state archives; recognitions of all Russian Monarchy Centre and the scientific board of the Moscow Memorial Museum of the Russian Imperial Name and the Peter-Paul Imperial Society.
HRH Crown Prince Nugzar has only two daughters, elder Princess Anna of Georgia and Princess Maia of Georgia. Princess Anna is the heir to the throne of Georgia after her father – HRH Prince Nugzar. She has two daughters from the first marriage which was implemented in full compliance with the Georgian Dynastic Law. Thus these children - HRH Princess Irine (b.2003) and HRH Princess Mariam (b.2007) have the royal name of Bagrationi-Gruzinskis and who are the dynasts of the royal house of Georgia.

The second marriage of H.R.H. Princess Anna of Georgia with Prince David on 8 February of 2009 should also be recognized to be in accordance with the Georgian dynastic law of “Zedsidzeoba”. It is important to mention that under the Georgian Dynastic Law this marriage does not give Prince David any sovereignty. Under this law, Prince David would be recognized solely as the Prince consort for H.R.H. Princess Anna of Georgia.

Accordingly, the born child from this marriage would inherit royal rights from the line of his mother. It is important to note that by Georgian Dynastic Law a male descendent of the Royal House has priority over any females in the line of succession.

Thus, if above mentioned marriage will fit the Dynastic Law then Prince Giorgi will surpass his older sisters in the line of succession - Were Prince Giorgi to become a dynast, he would be the heir apparent to the throne after his mother.

**Line of succession to the former Greek throne**

The claimant of the throne of the last Greek kingdom is Constantine II, who ruled as King from 1964 until the abolition of the monarchy in 1973. The sixth and last monarch of the House of Schleswig-Holstein-Sonderburg-Glücksburg (a branch of the House of Oldenburg), whose designated heir is his son Pavlos, Crown Prince of Greece. Constantine has never officially abdicated and remains a pretender to the Greek throne. He has continued to live abroad since 1967, but enters and leaves his native country freely and has a house on the coastal resort of Saronida, a village and a community in Attica 45 km from Athens.

The House of Schleswig-Holstein-Sonderburg-Glücksburg known as the House of Glücksburg (or House of Glücksborg) for short, is a German ducal house, junior branches of which include the royal house of Denmark and Norway, the deposed royal house of Greece, and the heir to the thrones of the commonwealth realms (although in the latter case, they are, by royal proclamation, declared to be members of the House of Windsor). The family is named after Glücksburg in northernmost Germany, and is a cadet branch of the House of Oldenburg that is descended from King Christian I of Denmark. However, as the elder line of the House of Oldenburg and the line of the House of Schleswig-Holstein-Sonderburg-Augustenburg became extinct in 1863 and 1931, respectively, the House of Glücksburg is now the senior surviving branch of the House of Oldenburg.
Line of succession to the former French throne

The establishment of the First Republic, on 22 of September 1793, and the execution of Louis XVI led to the king's son becoming pretender, styled as Louis XVII. As Louis XVII was a child and imprisoned in Paris by the revolutionaries, his uncle, the Comte de Provence, proclaimed himself regent in his nephew's name. After Louis XVII died in 1795, the Comte de Provence became pretender himself, as Louis XVIII.

Louis XVIII was restored to the throne in 1814, and was succeeded by his brother Charles X in 1824. Charles X was, however, forced into exile by the July Revolution (The French Revolution of 1830, also known as the July Revolution). Charles X and his son, the Dauphin Louis-Antoine, abdicated their claims in favor of Charles's grandson, Henry, Duke of Bordeaux. However, their cousin the Duke of Orléans, a descendant of Louis XIV's younger brother, usurped the throne as Louis Philippe I.

In 1848, Louis Philippe himself was overthrown by the February Revolution (The February Revolution of 1917 was the first of two revolutions in Russia in 1917) and himself abdicated the throne in favor of his young grandson, the Count of Paris. However, a republic was proclaimed, leaving the Count of Paris, like his cousin Chambord, merely a pretender to a no longer existing crown.

In addition to several claims to the historic royal throne of France, there has also been a pretender to the imperial throne of France created first by Napoleon Bonaparte in 1804 and recreated by his nephew Louis-Napoléon Bonaparte (20 April 1808 – 9 January 1873) was the President of the French Second Republic and as Napoleon III. This claim today rests in the person of Charles, Prince Napoléon (Charles Marie Jérôme Victor Napoléon Bonaparte) (born 19 October 1950) is a French politician, descendant of the Jérôme-Napoléon Bonaparte, French Prince, King of Westphalia, 1st Prince of Montfort (15 November 1784 – 24 June 1860) was the youngest brother of Napoleon who made him king of Westphalia (1807–1813).

The Pretenders to the French throne:

| Prince Louis Alphonse of Bourbon | Duke of Anjou, Prince Henri Philippe Pierre Marie d’Orléans | Charles, Prince Napoléon |
Line of succession to the former Prussia throne

The House of Hohenzollern is a noble family and royal dynasty of electors, kings and emperors of Prussia, Germany and Romania. It originated in the area around the town of Hechingen in Swabia during the 11th century. They took their name from their ancestral home, the Burg Hohenzollern castle near Hechingen.

Since the abolition of the Germany monarchy in 1918, the heads of the House of Hohenzollern have claimed to be the titular Kings of Prussian and Germany Emperors. These claims are linked by the Constitution of the former (2nd) German Empire: according to this, whoever was King of Prussia, although that Empire was abolished, was also German Emperor.

George Friedrich (born in 1976) is the great-great-grandson of William II (Emperor from 1888 to 1918) and is the head of the House of Hohenzollern. He succeeded his grandfather, Prince Louis Ferdinand I of Prussia as head of the House of Hohenzollern in 1994. As head of the house he is occasionally styled His Royal Highness The Prince of Prussia, or alternatively His Imperial and Royal Highness The Prince of Prussia.

The Law of Germany does not recognize princely titles, but German civil law these titles are considered to be a part of a person’s surname. Two of his uncles took him to court over his position as head of the House of Hohenzollern, and after many cases, the Federal Constitutional Court of Germany stated that Georg Friedrich was the full heir of his grandfather and that the two uncles were entitled to a small portion of the Prussian inheritance.

Line of succession to the former Russia throne

Grand Duchess Maria Vladimirovna is regarded by Russian monarchists as the Head of the Imperial Family of Russia and Titular Empress and Autocrat of All the Russia since 1992. Throughout her life she has used as her title and style of pretension Her Imperial Highness Grand Duchess Maria Vladimirovna of Russia. She was born in 1953, the daughter of Grand Duke Vladimir Cyrillovich of Russia, considered by some as the Head of the Imperial Family of Russia and Titular Emperor of Russia.

Since 1917 the Russian Imperial House is forced to be in exile, but continues to exist according to its unshakable / firm juridical and historical basis.
Line of succession to the former Austria/Hungary throne

Otto, Crown Prince of Austria or Otto von Habsburg (born 20 November 1912 as Archduke Franz Joseph Otto Robert Maria Anton Karl Max Heinrich Sixtus Xaver Felix Renatus Ludwig Gaetan Pius Ignatius of Austria) is the current head of the Habsburg family and the eldest son of Karl of Austria, the last Emperor of Austria and last King of Hungary, and his wife, Zita of Bourbon-Parma.

Otto lives in Bavaria in Germany, and is a German, Austrian, Croatian, and Hungarian citizen. Although his official name in Germany is Otto von Habsburg, he is referred to as Otto Habsburg-Lothringen by Austrian authorities. He is also often known as Archduke Otto of Austria, Crown Prince Otto of Austria, and in Hungary, simply as Habsburg Otto. Otto passed away on July 14, 2011.


Line of succession to the former Portugal throne

Duarte Pio is the 24th Duke of Braganza (Portuguese Duque de Bragança) and the pretender to the throne of Portugal. He was born in Berne, Switzerland, the eldest son of Duarte Nuno, Duke of Braganza and his wife Maria Francisca de Orleans e Bragança, princess of Brazil.

At the time of his birth Duarte’s family was banned from entering Portugal by the laws of exile of December 19, 1834 and October 15, 1910. Although Portugal had been a republic since 1910, Duarte’s parents sought to assure the child’s eventual rights of succession to the Portuguese throne, which required Portuguese nationality, by arranging for his birth to take place in the Portuguese embassy in Berne. Duarte’s godparents were Pope Pius XII and Queen Amélie of Portugal, the mother of Manuel II, the last reigning king of Portugal.

On May 27, 1950 the National Assembly repealed the laws of exile of December 19, 1834 and October 15, 1910. In 1951 Duarte visited Portugal for the first time accompanied by his aunt the Infanta Filippa. In 1952 he moved to Portugal permanently with his parents and brothers. On May 13, 1995, Duarte married Isabel de Herédia, a Portuguese businesswoman. This was the first marriage of a member of the Portuguese royal family to take place in Portugal since the marriage of King Luis I in 1862. At the marriage were present representatives of most European royal houses.
Line of succession to the former Romania throne

Michael I, King of the Romanians, Prince of Hohenzollern (born October 25, 1921), reigned as King of the Romanians from July 20, 1927 to June 8, 1930, and again from September 6, 1940 until forced to abdicate by the Communists on December 30, 1947. A great-great-grandson of Queen Victoria and a third cousin of Queen Elizabeth II, he is one of the last surviving heads of state from World War II, the other being Simeon II of Bulgaria. In November 1947 Michael traveled to London for the wedding of the future Queen Elizabeth II, occasion during which he met Princess Anne of Bourbon-Parma, who was to become his wife.

After his return to Romania, Michael was forced to abdicate, on December 30, 1947. The Communists announced the abolition of the monarchy and its replacement by a people’s republic and broadcasted the King’s pre-recorded radio proclamation of his own abdication. On January 3, 1948 Michael was forced to leave the country. In March 1948 he denounced his abdication as forced and illegal.

Line of succession to the former Bulgaria throne

Tsar Simeon II of Bulgaria or Simeon of Saxe-Coburg and Gotha (born June 16, 1937) was head of state as the Tsar of Bulgaria, Tsar Simeon II, from 1943 to 1946. He served as Prime Minister of Bulgaria from 2001 until August 2005. His legal name as a Bulgarian citizen, and the one he uses as a politician, is Simeon Borisov Sakskoburggotski. He is still mostly referred to as Tsar Simeon II, or simply “The King”.

Simeon II is one of the last living heads of state from the World War II era and he is also the only monarch in history who later became head of the government through land-slide victory in democratic nation-wide elections, after 55 years of exile imposed on his family by the communists. It was a first for Bulgaria, for Europe, and for the world. Simeon II is the only living person on Earth who still has, since he never abdicated, the title of Tsar (ancient Slavic modification of the Latin ‘Caesar’).

Line of succession to the former Japan throne

The Emperor of Japan is "the symbol of the state and of the unity of the people" according to the 1947 Constitution of Japan, which dissolved the Empire of Japan when it was adopted by the Postwar Japanese government. He is a ceremonial figurehead under a form of constitutional monarchy and is head of the Japanese Imperial Family with functions as head of state.

The Emperor is called the Tennō (天皇) in Japanese, literally meaning "heavenly sovereign". He is also referred to in English as the Mikado (帝) of Japan. Currently the Emperor of Japan is the only remaining monarch in the world reigning under the title of emperor.
The constitution provides for a parliamentary system of government and
 guarantees certain fundamental rights. Under its terms the Emperor of Japan is
 "the symbol of the State and of the unity of the people" and exercises a purely
 ceremonial role without the possession of sovereignty.

**List of Non-Reigning Monarchies (as per year 2012)**

A **non-sovereign monarchy** is one in which the head of the monarchical
 polity (whether a geographic territory or an ethnic group), and the polity itself,
 are subject to a temporal authority higher than their own. The constituent states
 of the German Empire provide a historical example; a contemporary one is the
 Zulu King, whose power derives from the Constitution of South Africa.
 This does not purport to be an exhaustive list, but we trust that it is
 comprehensive. Dates, if listed, indicate the year in which the individual became
 claimant.

### ALPHABETICAL ORDER BY COUNTRY

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<th>Country</th>
<th>Monarch</th>
<th>Heir</th>
<th>Notes</th>
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<tr>
<td><strong>AFGHANISTAN</strong></td>
<td>HM King Mohammed Zahir Shah* (1933- )</td>
<td>HRH Crown Prince Ahmed Shah Khan</td>
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| **ALBANIA** | HM King Leka I (throne assumed in exile**) (1961-) | HRH Crown Prince Leka II of Albania | Heir: HRH Crown Prince Leka II of Albania  
 died on November 30, 2011 |
| **ASHANTI** | HM Asantehene Osei Tutu II (1999- ) | Ghana |  |
| **AUSTRIA:** | HIRH Archduke Otto (1922- July 14, 2011)  
Heir: HIRH Archduke Karl of Austria-Hungary |
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<td><strong>BAVARIA:</strong></td>
<td>HRH Duke Franz (1996- )</td>
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| **BRAZIL:** | HIRH Prince Dom Luiz de Orleans e Braganga  
-- Heir: HIRH Prince Dom Bertrand de Orleans e Braganga (brother)  
(Prince Pedro Carlos is genealogically senior but grandson of a prince who renounced his claims) |
| **BUGANDA:** | HM Kabaka Mutebi II (III) (1969-) |
| **BULGARIA:** | HM King Simeon II (1943-)  
Heir: HRH Crown Prince Kardam of Bulgaria, Prince of Tirnovo |
| **BURUNDI:** | Princess Rose Paula Iribagiza  
Heir: Prince Charles Muhirwa |
<p>| <strong>CHINA (Ch'ing):</strong> | Prince Yu Yan is recognized by some |</p>
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<td>Heir: HRH Prince Muhammad Ali, Prince of Said</td>
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<td><strong>ETHIOPIA</strong></td>
<td>HIM Emperor Amha Selassie I (throne assumed in exile) (1975- ) [deceased 1997...no formal succession announced]</td>
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<td>Heir: HIH Crown Prince Zara Yakob of Ethiopia</td>
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<td><strong>FRANCE (Empire)</strong></td>
<td>HIH Prince Jean Christophe Bonaparte (The Prince Napoleon) (1997-) designated in his grandfather's will; disputed by his father Prince Charles Bonapart</td>
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<tr>
<td><strong>FRANCE (Kingdom)</strong></td>
<td>HRH Prince Henri, Count of Paris (1999-) (son of the preceding claimant, previously known as Count of Clermont) (Legitimist claimant: HRH Prince Luis Alfonso de Borbon, known to French legitimists as the Duke of Anjou and Bourbon or Louis XX)</td>
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<td><strong>GEORGIA</strong></td>
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<td>GREECE:</td>
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<td>INDIA:</td>
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<td>IRAN</td>
<td>HIM Shah Reza II (throne assumed in exile)</td>
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<td>ITALY</td>
<td>HRH Prince Victor Emanuel, Prince of Naples, Duke of Savoy</td>
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<td>ITALY</td>
<td>HRH Prince Amedeo, Duke of Aosta, Duke of Savoy</td>
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<tr>
<td>Italy</td>
<td>HRH Archduke Sigismund, Grand Duke of Tuscany</td>
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<tr>
<td>Two Sicilies</td>
<td>HRH Prince Charles de Bourbon, Duke of Castro and Calabria</td>
</tr>
<tr>
<td>Country</td>
<td>Title</td>
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<tr>
<td><strong>Italy</strong></td>
<td><strong>Two Sicilies</strong></td>
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<tr>
<td><strong>Italy</strong></td>
<td><strong>Parma</strong></td>
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<tr>
<td></td>
<td>Prince Carlos Hugo, the Duke of Parma, passed away in Barcelona of prostate cancer. He was 80 years old.</td>
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<tr>
<td><strong>Korea</strong></td>
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<td><strong>Libya</strong></td>
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<td><strong>Mexico</strong></td>
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<td><strong>Modena</strong></td>
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<td><strong>Montenegro</strong></td>
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<td><strong>Mustang</strong></td>
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<tr>
<td>Country</td>
<td>Monarch</td>
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<tr>
<td>NEPAL</td>
<td>H.M. King Gyanendra Bir Bikram Shah Dev (2001-)</td>
</tr>
<tr>
<td>POLAND</td>
<td>the Polish monarchy was elective, not hereditary, and thus there is no individual claimant [the Polish monarchy was at partition in 1795 set to become hereditary in a branch of the Saxon dynasty now extinct]</td>
</tr>
<tr>
<td>PORTUGAL</td>
<td>HRH Prince Dom Duarte, Duke of Braganza (1978-)</td>
</tr>
<tr>
<td>PRUSSIA</td>
<td>HIRH Prince Georg Friedrich+ (1994-)</td>
</tr>
<tr>
<td>RUSSIA</td>
<td>HIH Grand Duchess Maria Wladimirovna (1992-)</td>
</tr>
<tr>
<td></td>
<td>HH Prince Nicholas Romanoff or Romanovsky-Cheremeteff also asserts a claim to be Head of the House of Romanoff</td>
</tr>
<tr>
<td>Country</td>
<td>Title</td>
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<tr>
<td>--------------</td>
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</tr>
<tr>
<td>Saxony</td>
<td>HRH Prince Maria Emanuel, Margrave of Meissen (1968- )</td>
</tr>
<tr>
<td>Turkey</td>
<td>(Ottoman Empire): succession unclear on death of Prince Ertogrul Osman in 2009, Prince Dundar and Prince Osman Bayezid are claimants</td>
</tr>
<tr>
<td>Wurttemberg</td>
<td>HRH Prince Carl, Duke of Wurttemberg (1975- ) Heir: HRH Prince Friedrich</td>
</tr>
<tr>
<td>Xhosa</td>
<td>HM King Maxhoba Sandile</td>
</tr>
<tr>
<td>Yemen</td>
<td>HRH Crown Prince Ahmad al-Ghani (1996- )</td>
</tr>
</tbody>
</table>

**RWANDA:** HM King Kigeli V

ZANZIBAR: HH Sultan Jamshid bin Abdullah (1963- )

ZULUS: HM King Goodwill Zwelithini (1972- )

For a comprehensive list of pretenders, please visit: http://en.wikipedia.org/wiki/List_of_current_pretenders

TRADITIONAL LEADERS

Especially in Africa and Asia, most local Kings and Queens are limited to a status of a recognized traditional leader of an indigenous people or a group of peoples. Their ancestors signed treaties with the colonial governments and ceded their powers to the new rulers, accepting a leadership position within
religion and society only. In exchange, the new authorities agreed to recognize them as Kings or Queens and leaders of their people, within their jurisdiction. They still appear as Kings and Queens according to their traditions and as authorized by the said agreements. They are Honorary Kings so to speak and as such absolutely genuine.

However, although they are acknowledged by the government as traditional leaderships of indigenous peoples or ecclesiastical leaders, they lack the fundament for any kingdom: genuine Royalty or sovereignty. Under international and national law, the sovereignty and Royalty was permanently lost by signing said papers. Although the authorities tend to cooperate with these traditional leaderships, they are, in most cases, not a formal part of the hosting government system nor are they authorized to exercise any real governmental powers.

**Pretenders of the Sultanate of Sulu**

The Sultan of Sulu is a traditional Muslim king and ecclesiastical titular head that governs over most Muslims in the Sulu Archipelago in the Philippines. The Sultanate also used to govern the state of Sabah in Malaysia.

While the sultanate is not an internationally recognized entity it enjoys some autonomy and influence in the Philippines, particularly among the Muslim population of the country. The office was recognized by the government in Manila until 1936, then again from 1950-1986. The centre of government of the Sulu Sultanate kingdom was in Jolo. During their rule, Jolo became the centre of the Sulu Sultanate government and the centre of port trading.

**Dynastic dispute**

There are about 90 rival Sultans, making it probably the most contested position in the world. This is even more curious if we remind that the kingdom ceased to exist in 1962 leaving the position of the Sultan as a purely ecclesiastical and traditional leader only.

Most of the claimants are either impostors or are descendants of Sultans or rival Sultans whose heirs did not ascend the throne. In the last decades, political groups and the government took influence in the crowning of rival Sultans, occupational authorities supported rivals in World War II to get a legitimating for their actions as much as modern rebels seek an ecclesiastic and “Royal” blessing for their fight against the government.

It must be kept in mind that since 1962, there is no law of succession in force anymore, neither under international nor under national law. Sultans from different families were recognized by the local and national authorities as the holders of the honorific and ecclesiastical office, since then. However, the traditional laws of succession are kept in high value and only legitimate heirs of former recognized Sultans are acknowledged and taken serious by the government and the people.
Names of the different serious pretenders that received a kind of recognition by the government or are heirs of a recognized Sultan and some additional information can be found in the Almanach de Bruxelles.

**Titles and awards**

The title of Sultan is an honorific, chartered by the carpenter agreement and acknowledged by the Philippine government as the title of the titular head of Islam and the traditional leader of the Tausug people. The Sultan does neither possess Royalty nor sovereignty under Philippine and international law.

The Sultanate grants honorific titles to persons working within the leadership, corresponding to the ancient governmental, noble and royal titles used in the kingdom when it was a de facto or de jure sovereign entity. These titles are named traditional titles and the bearers are named traditional leaders by the Sultanate. These titles are purely honorific and must not be understood or even used as titles of nobility or Royalty under international law. While the kingdom expired under law, the Sultans still exercise influence in society and are strongly working for the reestablishment of their authority in the Philippines giving the whole thing a political dimension.

The government chartered the practice of awarding such titles under the National Commission on Indigenous Peoples Administrative Order No.1 – Series of 1998 (Footnote 28) in Rule IV, Section 2, and the REPUBLIC ACT NO. 8371 THE INDIGENOUS PEOPLES’ RIGHTS ACT OF 1997:


**Philippine Constitution expressly forbade the enactment of any law granting titles of royalty or nobility under Section 31, Article V1.**

[http://www.chanrobles.com/philsupremelaw2.html#.UDArwKDNmjc](http://www.chanrobles.com/philsupremelaw2.html#.UDArwKDNmjc)

**The Constituent Kingdom of Uganda**

Uganda, as a landlocked African nation, experienced colonialism only in the late 19th century, well after European interests had taken control in most other regions of Africa. In the late 19th century it became a protectorate under the British, and unlike many other colonies, the kingdoms and nations within the protectorate retained a wide degree of self-determination. For example, many of the Bantu kings that ruled in the south continued to rule despite the British interests controlling many economic and inter-kingdom affairs. (Like most of Africa’s nations, Uganda’s political boundaries are nonsensical when looking at the peoples that make up its border. Because of this, many aspects of late-nineteenth century African society and the ancient political system survived the colonial experience in Uganda, despite being wiped out in most other parts of the continent.

Perhaps ironically, the Bantu kingdoms that survived the British did not survive their departure. When Uganda became independent in 1963 and abolished
commonwealth monarchy, it then proceeded in 1967 to abolish the remaining monarchies. In 1993, the government of President Museveni permitted the Bantu kingdoms to reincorporate, to the extent they were “cultural institutions,” not political institutions. Of course, politics is inevitable in everything—but the real meaning of the restoration of the kingdoms was that the kings have no powers to tax, and receive little funding from the government, requiring them to survive on their own business acumen and their connections.

**Uganda**

**Bunyoro-Kitara**: HM King Solomon Gafabusa Iguru

His Majesty King Rukirabasaja Agutamba Solomon Gafabusa Iguru the First, from the Royal Biito Dynasty is the Forty-ninth Omukama of Bunyoro-Kitara. He is the twenty-seventh King (Omukama) of one of the most powerful Kingdoms in the history of Africa.

**Uganda**

**Buganda**: HM Kabaka Rodney Muwenda Mutebi II

Ronald Edward Frederick Muwenda Kimera Mutebi II (born 13 April 1955) is the reigning Kabaka of the Kingdom of Buganda, a kingdom in modern-day Uganda. He is the thirty-sixth (36th) Kabaka of Buganda.

**Uganda**

**Busoga**: His Royal Highness Isebantu Kyabazinga (HRH Henry Wako Muloki)

But in 1995, the government restored monarchies in Uganda with promulgation of the new constitution of the Republic of Uganda; Article 246(1) On February 11, 1995, H.R.H Henry Wako Muloki was reinstated Kyabazinga Isebantu of Busoga.

**Uganda**

**Toro**: HM King Oyo Nyimba Kabambaiguru Rukidi IV

The accession of King Oyo to his father's throne marked the beginning of a challenging and exciting period for the people of Toro. At the infant age of three-and-one half years old, King Oyo of Toro earned a place in the Guinness Book of World Records as the youngest reigning monarch.
His Majesty Omukama (King) Rukirabasaija Agutamba Solomon Gafabusa Iguru I

His Majesty Omukama (King) Rukirabasaija Agutamba Solomon Gafabusa Iguru I. On July 24, 1993, the Republic of Uganda constitutionally re-established the traditional kingdoms that thrived in ancient times but had been abolished by a dictator in 1967. Unlike the broad political power and rights the ancient kings held, the new kings have no political power per se. However, they serve as titular heads of the various regional governments in Uganda, as codified in 8(a) of the Fifth Schedule of the Article 178 of the Constitution of the Republic of Uganda (2005 Amendment). In addition, His Majesty King Solomon Iguru was specifically recognized as the rightful King of Bunyoro-Kitara by the Supreme Court of Uganda (see Civil Appeal 18/94 Prince J.D.C. Mpuga Rukidi vs. Prince Solomon Iguru and Hon. Henry Kajura and All Members of the Committee of Coronation of Prince Solomon Iguru of April 25, 1994). Similar to other reigning monarchs, the traditional kings currently serve as "cultural figures" or "traditional leaders" and are barred from engaging in politics. His Majesty the Omukama is the 49th Omukama of The Kingdom of Bunyoro-Kitara and 27th Omukama in The Babiito Dynasty.

Because his ancestors never renounced their rights, never abdicated the kingdom, never ceded sovereignty, suffered exile rather than capitulate and concede anything, they maintained their original royal status and sovereign rights. This is very significant as King Solomon is not simply a constitutional king. He is also the heir to a dynasty that has kept all its ancient rights intact.
The backgrounds of the succession cases raise important issues concerning the modern nobility under three main categories: the relationship of the monarch to law and legal process; relationship within noble kin groups; and the overall status of the nobility in contemporary society.

The nobility has never fallen from its age-old splendor, and does not cease to exercise his prestige on peoples. The nobles illustrate the emergence of an essentially modern culture, one still familiar to us, within a deeply traditional social order. For sixteenth- and seventeenth-century nobles, that traditional order rested on ideas about inheritance and familial continuity. Property and political rights descended from the past, and so too did personal qualities, a dual inheritance from the individual family and the larger aristocratic order. Most nobles simply assumed these values, and their use in ideological debate persisted into the eighteenth century. Such persistence is not surprising, for these ideas implied a powerful coherence between the realm of nature and that of the social order. Nobles could view their behavior and their political powers as reflections of the world's natural order; they could view individual qualities and choices as reflections of the family's qualities and needs.

The concept of nobility as social status is not short-live that occurs in one person and dies out with him, but requires the assumption of a noble tradition, consolidated in the course of several generations. Even in our time granting ex novo a noble title is moral and real recognition of particular merit, and is concretized with the perpetual finishing, transmissible via hereditary. On the basis of legality and of the granting of such an attribute, the ex novo assumes
then title, predicate, coat of arms and distinctive qualifications heraldry acceptation.

The title can be granted supporting directly to the name of the person; or bound to predicate that references a locality located in territory which dominated the grantor dynasty, which still legally is considered pretender those domains.

One might assume that the outcomes of specific succession disputes themselves could lower the formal esteem in which some nobles are generally held, but this is not so. An individual who wins a title is given the same formal respects as the previous holder who has lost it, but these are the respects vested in a noble title holding office, as opposed to a title holder himself.

The concession of a noble title is not the prerogative of the State, rather they are granted in virtue of the merits recognized the person by power, prerogative, the crown and the discretion of the Pretender Prince to the throne who holds the Fons and Jus Honorum. This concept has always been followed by Reigning Dynasties who lost their throne further to final occupation of the land and, therefore, without debellatio, and therefore the figure of the Pretender prince arose. If a noble title nowadays was well earned and worn with honor, it has the same value as those titles of the past, as anything is effective in the moment it is acquired; i.e. as the noble title is emanated by Sovereign prerogative (rex nobilem tantum facere potest), we have an “object” Sovereign faced with a “subject”; this means the noble title is not of antique or native origin, rather dative.

The granting of the title is attributed to people, who have distinguished themselves in actions geared in favor of Sovereign House, acts of charity, merit obtained privately or publicly but who have touched the sensibilities of the Pretender; the granting of the title is independent relationships established with public affairs and the home of the appellant.

The use of the title and its transmission, are governed by the Act of investiture, called letters patent.

The right to grand noble titles

First and exclusive rights and honors was and is the Sovereign. All the higher powers are polarized in the sovereign, and their complex are denoted by the expression "Crown prerogative", which can be summarized in the following features: jus imperii – power of command; jus gladii – right to obedience; jus majestatis: right to receive defense and honours; jus honorum: right to award, grant honours, noble dignities and Knighthoods.

The complex of powers called "Crown prerogative" has not been lost by Rulers who lost his throne after the final occupation of the territory. For this particular case, rather, it is called a Royal pretender. The Claimant abandons the soil patrio, but doesn’t lose the sovereignty rights. There is no doubt that, among the rights that the Claimant continues to exercise, both including the jus honorum, i.e. the right to confer noble titles and honorary degrees of orders that belong to his personal and dynastic inheritance.
Noble titles that may be conceded ex novo or claimed are: Prince, Duke, Marquis, Count, Viscount, Baron, Nobleman, Patrician, Byzantine Patrician, Sir, Hereditary Knight; these titles can be transmitted to their children or, compatibly with the entitled person’s wishes, to other members or otherwise of the Dynasty or, if preferred, to the male or female agnation. The same goes with Letters Patent or equivalent titles of renewal, recognition, amnesty and consent, including the claim to Arms, qualifications and treatment or lucubration with ex novo outlining of the coat of arms.

According to the Constitution (Italy for example), the State is not interested whether someone has an antique or new noble title, and does not prohibit its exhibition and use in public and private relationships, nor is the abuse of noble titles considered a crime. This note was necessary to avoid damaging the historic dignity once held by the family – where the title is a demographic remainder – or, in the case of the concession of ex novo noble titles, the historic biography of the person. Likewise a noble title may be transmitted by refute, before a Notary, which means transferring to others, outside the direct succession line, personal, native, granted, recognized, renewed noble titles or titles that a person has inherited; approval is required from all the intermediate heirs for refute to be allowed, i.e. those who would have earned the title through the deed of concession.

The amount of the historic, nobiliary, heraldic, knightly research, including the studies and researches for coats of arms, predicates, the pro veritate opinion, dissertations and the notary authentication of the Letters Patent and/or amnesty of antique or ex novo titles, emanated by the Sovereign body – subject to international public law, will be discussed in a private meeting with the maximum guarantee of secrecy.

The unreliability of official list of Italian nobility

The Savoy, even before the advent of fascism, resorted to this much coercive form, via the established by law high gabelles (taxes) from Consulta Araldica del Regno (Heraldic Consultation of the Kingdom). Many nobles gave up then to enroll in the Golden Books regional or national; the most available were forced to sell off palaces, villas and estates to pay recognition to each title of their relevance. It clarified that the existence of the title is documented by his concession, while its recognition is a bureaucratic formality. Those lists are just an example of legalized injustice, as noble being tied up not only the granting of title but also to the fact that it is in the ability to pay the award.

Most medieval Italian heralds were independent; one would never think to associate them with particular houses. Later, when Italy's rulers established courts of chivalry to regulate the use of arms, the courts—and the rulers—were too often foreign ones. Italy had far too many small duchies to allow for widespread heraldic control, and there were no Visitations.
Thus, we find in Italy today no fewer than half a dozen unrelated families bearing the famous arms "azure a bend or". Doubtless the Lombard and Sicilian families sharing these arms never envisioned the day when both would be subjects of the same monarch, much less citizens of the same republic. Because the lawful possession of an ancient coat of arms by a family of distinta civiltad (distinguished gentility) constitutes lesser nobility in Italy, many nobili (landed, untitled nobles) and patrizi (patricians) lay claim to their rank in this manner. This is significant because the group that Italians consider the "gentry" is little more than a largely non armigerous bourgeoisie emerged during the nineteenth century and today provides the vast majority of the political and commercial elite. The bearing of arms takes on even greater importance because Italian lacks onomastic prefixes (such as the French de and German von) designating noble origins.

With the abolition of the Consults Araldica (Heraldry Consultation) by the Republic, a non-official body Colleggio Araldico (Heraldry College) patronized by the House of Savoy assumed certain heraldic functions—primarily the recording of various families' titles and arms. In practice, the role served by Colleggio Araldico is aptly compared to that of Burke's and Debrett's in England. The Libro d'Oro della Nobiltá Italiana (Golden Book of the Italian Nobility) issued every few years by Colleggio Araldico lists blazons and concise pedigrees of titled families who remit a fee to defray high publication costs—this in addition to the price of the volume itself.

Hence, numerous names are absent from its pages, having become casualties of the economy or mere oversight. Prominent heraldic scholars, notably Count Guelfi Camaiani and Count Coccia Urbani, both Florentines, assist Italians with armorial claims. Grants of arms are only rarely devised by the two royal houses, and the Italian government exercises no authority in armorial.

The Golden Book of Italian nobility

The golden Book of Italian nobility is an official register kept in the State Central State in Rome compiled by Consulta Araldica (Heraldry Consultation) of the Kingdom of Italy, a government body established in 1869 at the Ministry of the Interior.

The same contains all the families that had the inscription measures of grace and justice, every family has one or more pages, in which are noted: the country of origin, usual residence of the family, noble titles and responsibilities with indications of provenance and transferability, royal and government measures, description of the shield and part of the genealogy documented, for the record the names of direct descendants was simply the presentation of acts of civil status of the collateral, provided the connection to the founder had occurred after the finishing of the family, had to provide documentation of marital status, but was also required the consent of the person (or its assignees, if deceased) who had received the first entry of the family. Otherwise, he was also the most frequent case for tax
reasons; you must ask a new decree of recognition. It follows that enrollment in the "Golden Book" was a simple administrative act and against the related measures could appeal to the council of state on legal grounds.

To gain entry in the "Golden Book", in addition to submitting the application, you must have paid their administrative fees, obtaining registration with the Court of Auditors, after which the relevant decree was sent to law. The mere fact of belonging to a noble family was not only necessary, but it also required the positive opinions of the prefectural authorities who had approached the police, and many other things.

One must remember that each Sovereign House that emerged to the throne required all noble subjects to comply with specific provisions of recognition; the titles of nobility were then confirmed only by conditions not always consistent or conducive to ideological or economic opportunities.

A title of nobility is by no means subject to international standardization, but rather to national and local differences. A title of nobility, as it is used today, is in most cases honorific, that is, it does only carry honorific privileges. These honorific rights include the rights to be recognized as a nobleman/ noblewoman and belonging to the class of the nobility, the right to, where appropriate, use the title in question, the right to use noble arms with proper noble insignia, and the right by common law to certain appropriate predicates.

"The historical evidence of an ancestor's nobiliary title is usually obvious and can be confirmed through juridical investigation because of documents creating or recognizing the rank. It is necessary to establish (genealogically) one's descent from a titled nobleman claimed as an ancestor-whether a father or great-great-grandfather-if a claim is to be based upon demonstrable fact rather than whimsical fancy or familial "tradition." (Luigi Mendola is one of the world's foremost experts on Italian heraldry and feudal history).

François Velde writes about the French situation:

*Nowadays, anyone descended from a count uses the style of count (although "le comte Pierre de X" is distinguished from "Pierre, comte de X" who is the real title-holder). That makes it seem like many counts. Since there are only about 1000 authentic titles, the share of titles/peerages to population is similar to England.*

In Germany, since the Weimar Republic, all titles are considered part of one's last name. Thus, a real title holder can "adopt" an adult, and the otherwise unrelated person then can become "Joe Schmuck Duke of Saxony".

Then there is the matter of how the nobility of a previous state was incorporated into that of a successor state or regime. This particularly applies to Germany as well as Italy, but also applies to the case of the United Kingdom and in France, how titles granted after the ancient regime is handled.
**The nobiliary element in the Catholic Church**  
(by Jan-Olov von Wowern - Free article)

“The oldest still surviving hierarchies are those of the nobility, the Church and the military. What is perhaps not commonly known is how they correspond with each other. Below is an outline of the correspondence between the catholic hierarchy of the Holy Roman Catholic Church and that of the nobility.

All noblemen are dependent on a Prince or Monarch for their noble rank. Catholic priests have since time immemorial held rank equivalent to that of an untitled nobleman, it is from a nobiliary standpoint interesting to reflect upon the Lateran Pacts of 1929 between the Holy See and Italy. The Vatican City State is recognized as a sovereign country and the Supreme Pontiff as its Sovereign, in this capacity equal to the King of Italy. Article 21 of the "Conciliation Treaty “states that "All Cardinals shall enjoy, in Italy, the honours due to Princes of the Blood".

(For the text, see [http://www.aloha.net/~mikesch/treaty.htm](http://www.aloha.net/~mikesch/treaty.htm)).

**Picture above right: Pietro Gasparri** (May 5, 1852 – November 18, 1934) was a Roman Catholic archbishop, diplomat and politician in the Roman Curia and signatory of the Lateran Pacts.

This means that the two top levels of the noble hierarchy are defined, and they correspond to equal ranks of the priesthood. The other steps follow by extrapolation in the only way possible.

<table>
<thead>
<tr>
<th>Catholic Hierarchy</th>
<th>Noble hierarchy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pope</td>
<td>Monarch</td>
</tr>
<tr>
<td>Cardinal</td>
<td>Prince</td>
</tr>
<tr>
<td>Archbishop</td>
<td>Duke/Marquis</td>
</tr>
<tr>
<td>Bishop / Aux. Bishop</td>
<td>Count/Baron</td>
</tr>
<tr>
<td>Monsignore/Priest</td>
<td>Noble</td>
</tr>
</tbody>
</table>

Of course a number of details may be argued. It should however be noted that other codification exists as well. In the Almanach de Gota, all Cardinals are listed as having the rank of Prince ([http://www.almanachdegotha.com/](http://www.almanachdegotha.com/)). In his book "The Holy See and the International Order", that most distinguished diplomat of the Holy See H.E. Archbishop Hyginus Eugene Cardinale has devoted part of a chapter to "Armorial bearings, attire and titles of Catholic priests".

It should further be noted that the nobiliary hierarchy is usually regarded as logarithmic. The step between noble and Baron is often regarded as greater than that between Baron and Count, etc. I am not competent to judge if this is also

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the case with the catholic hierarchy of the Church, but it will be evident that for a number of reasons it is only possibly to make approximations when trying to bring the rank systems above in harmony with each other”.

Cardinal Gasparri and Benito Mussolini (seated) after exchanging treaty ratifications in the Hall of Congregations, the Vatican, June 7th, 1929).

Popes have granted a number of nobiliary titles to deserving subjects during the course of the centuries. According to the Lateran Pacts of 1929, in the Concordat Art 42, "Italy shall admit the recognition of titles of nobility conferred by the Supreme Pontiff, even after 1870, and of those that shall be conferred in the future". In 1947 the Constitution of the Italian Republic abolished the use of nobiliary titles, in the sense that they are placed outside the legal system of the Republic (see the excellent article by the Italian lawyer Gherardo Guelfi Camaiani at http://www.dirittonobiliare.com/titoli.html).

Although the Italian Republic has abolished all noble titles, only permitting the use of *predicati* (the territorial designation added to a name) created before the institution of Fascism in 1922, it is compelled by the terms of the Lateran Treaty not to intervene in the conferment of titles created by the Papacy. The successors to Pope Pius XII have generally avoided creating titles and Paul VI abolished all the rights and privileges of the Roman nobility at the Papal Court. The Vatican has continued to intervene periodically, however, in determining the destination of titles extinct in the male line but historically able to pass by female succession, or deciding between co-heiresses, and the present Pontiff, very discreetly, has granted a handful of noble titles to Italians.

The title of Count Palatine was conferred, recently, by the Cardinal Vicar of Rome and confirmed in a letter from the Papal Secretariat of State. Information on the Papal nobility today has been provided to this author by the Most Rev Monsignor Karel Kasteel, of the office of the Cardinal Camerlengo (conversation, 1993).
A dynastic order of knighthood is an order belonging to the heraldic patrimony of a dynasty held by ancient right. These differ from military, religious, and orders of merit belonging to a particular state, having been instituted to reward personal services rendered to a sovereign, dynasty, or an ancient family of princely rank. An example of this difference is seen between the Royal Victorian Order, which is a personal gift of the sovereign (and thus is a dynastic order), and the Order of the British Empire, which is bestowed by the sovereign on the basis of recommendations by the Prime Minister (and thus is a national order).

Dynastic orders are the exclusive domain of a sovereign and are consequently bestowed by the monarch without the advice of the political leadership (prime minister or cabinet). For instance, a recent report by the British government mentioned that there is "one remaining exercise that has been identified of the Monarch’s truly personal, executive prerogative: that is, the conferment of certain honors that remain within her gift." Generally, Dynastic or House Orders are granted by the monarch for whatever reason the monarch may deem appropriate whereas other orders, often called Merit Orders, are granted on the recommendation of government officials to recognize individual accomplishments or services to the nation.

A distinction between dynastic Orders and state Orders is virtually unknown in the common law world, and would appear to be only applicable where there is a legal distinction between the state and the legal person of the Sovereign.
Archbishop Hyginus Eugene Cardinale⁶ has given what may be called the classic civil law definition of dynastic Orders:

“Dynastic Orders of Knighthood are a category of Orders belonging to the heraldic patrimony of a dynasty, often held by ancient right. They are sometime s called Family Orders, in that they are strictly related to a Royal Family or House. They differ from the early military and religious Orders and from the later Orders of Merit belonging to a particular State, having been instituted to reward personal services rendered to a dynasty or an ancient Family of princely rank”.

A similar situation exists in Italy where the Republican Government regards the orders of the former kings to have been abolished but the last king’s heir continues to award them. Italy forbids the public wearing of the former royal orders in Italy. Nevertheless, the last Italian Crown Prince Vittorio Emanuele di Savoia widely distributes the orders that he claims to have inherited from his father. The Italian pretender asserts that control of the Savoy dynastic orders exists separate from the Kingdom of Italy so that he retains the right to award the orders, and accompanying privileges, despite his recognition that "the Italian throne was formally abolished by referendum in 1946 and a republic was instituted in its place”.

Archbishop Cardinale has observed that:

"Dynastic Orders of Knighthood are the exclusive property of a Sovereign, and they remain such even if he goes into exile, and are transmissible to his legitimate successor and Head of the Family. Jurists generally believe that even if a Sovereign abdicates of his own free will, he does not renounce his right to the Grand Mastership of an existing Dynastic Order belonging to his Family, unless he does so explicitly. But even then his renunciation will be of a personal character and such as not to involve his successors who have an inborn right to the Grand Mastership and cannot be deprived of it. A Sovereign in exile and his legitimate successor and Head of the Family continue to enjoy the ius collationis (the right to confer honours) and therefore may bestow honours in full legitimacy, provided the Order has not become extinct. They cannot however found new Dynastic Orders. No authority can deprive them of the right to confer honours, since this prerogative belongs to them as a lawful personal property iure sanguinis (by right of blood), and both its possession and exercise are inviolable".

A sovereign, whether actually reigning or a Pretender, may not only confer in particular his dynastic Orders, but may also create new ones and revive those which were founded by his ancestors (this principle has been determined by the Italian Supreme Court of Appeal) without taking into consideration the fact that by the vicissitudes of succession or of politics some of those Orders may have passed in to the hands of another dynasty.

⁶ Late Archbishop Hyginus Eugene Cardinale, a Vatican diplomat with a particular interest in Papal orders

“...there is no valid reason, legal or historical, to define Sovereign status by reference to 1814 or any date at all. The Congress of Vienna merely effected the settlement of Europe after the Napoleonic Wars, and nothing more. Changes in the political structure of Europe have occurred since the Congress of Vienna: for example, the establishment of the Balkan kingdoms and the unification of Italy and the sovereigns of these kingdoms acted as fontes honorum. The purpose of the Congress of Vienna was to reorganize the territorial boundaries of European states. Certain states, the existence of which had been effectively terminated by Napoleonic settlement were not re-established but were integrated into larger units, the sovereign princes willingly accepting such an arrangement which retained their rights as princes but removed their former territorial rights (the case being of numerous small German principalities). The rights of fontes honorum not represented or discussed at the Congress (because they had no interest in its decisions which related to de facto territorial adjustments) could not have been affected by what was decided at the Congress or later arguments ex silentio on the question”.

The absence of a territory is not a determining factor; its possession is in fact subject to political vicissitudes, which have no bearing on the rights and the legitimacy of the pretension of a Pretender. In his case the concept of a population of subjects is replaced by that of the supporters who, by one means or another, uphold his cause. The international context is subject to political assessments and to the relative policies of governments, which in a changed view of the state (the will of the people has replaced the divine right of sovereigns) do not recognize the pretensions of once reigning Sovereign Houses unless they enter into the perspectives of the pursuit of the well defined ends of international politics.

It is clear that henceforth, as it has been for some time, modern states will not recognize either Pretenders or non-national Orders of chivalry. That does not mean to say in the case of many Orders or of formerly reigning Sovereign Houses that they are condemned to a limbo of parchment and tinsel.

Although not an international court, the following legal conclusion reflects knowledge of perpetual sovereignty. The learned Italian judge officially recognized that:

“Among those rights [of a former ruling house inherited by the successors is] the faculty to ennoble, to grant and confirm coats of arms, to bestow titles drawn from places over which their ancestors had exercised their sovereign powers, and also the right to found, re-establish, reform and exercise the Grand Magistracy of the Orders of Chivalry conferred by their family, which may be handed down from father to son as an irrepressible [or unending] birthright." (The United Court of Bari, The Republic of Italy, Sig. Dr. Giovanni de Gioca, March 13, 1952”

The legitimate claimants to the Headship of formerly reigning families can assume the prerogative to award their Royal or Dynastic Orders. These may, for example, include the right to create or confirm titles of nobility, provided such creations conform to the legal requirements established before the fall of the Monarchy. It may not always be possible for a Head of a Dynasty to comply with the precise requirements of the Monarchical law because of the disappearance of an historic office or position.

Whether these awards have any validity outside the realm of private law would depend on the attitude of other Sovereign states. As several reigning Heads of State having accepted the Austrian Order of the Golden Fleece, it is recognized by the Austrian Republic, the exercise of that particular prerogative can be considered as having been recognized in public law.

German Law seems to acknowledge the right of the heads of formerly reigning families to award their Orders and several states have recognized, in the past, titles created by exiled Sovereigns whom they accorded some form of recognition.

**Old Dynastic Orders**

Several orders bestowed today by non-regnant dynasties, though regarded as "dynastic," have military-religious origins. The Savoy's Order of Saints Maurice and Lazarus is the union of a twelfth-century order (Saint Lazarus) founded by lepers and a later order of a quasi-monastic nature (Saint Maurice), which in their new unified form fought marauding pirates menacing Piedmontese commerce in the Mediterranean. The Order of Saint Stephen (Tuscany) served a similar purpose. The Constantinian Order of Saint George (Naples and Parma) was founded by some Byzantine exiles in Venice to combat Turkish expansion into the Balkans and especially Albania. These three orders were eventually enlisted in the ideological struggle later called the Counter Reformation. In Spain the older "monastic-military" orders are in a similar category; the orders of Alcantara, Calatrava and Montesa were founded as military forces to fight the Moors, and the Order of Saint James (Santiago) was established to protect pilgrims to the shrine of Saint James from attacks by the Moors.

**The origins of knighthood**

The origins of knighthood are said to date back to ancient Rome, where there was a knightly class Ordo Equestris (an order of mounted nobles).

Ordo is applied to any body of men, who form a distinct class in the community, either by possessing distinct privileges, pursuing certain trades or professions, or any other way. Thus whole sacerdotal body at Rome is spoken as an Ordo.
A knighthood (or a damehood, its female equivalent) is one of the highest honors an individual in the United Kingdom can achieve.

While in past centuries knighthood used to be awarded solely for military merit, today it recognizes significant contributions to national life. Recipients today range from actors to scientists, and from school head teachers to industrialists.

A knighthood cannot be bought and it carries no military obligations to the Sovereign.

The Queen (or a member of the Royal Family acting on her behalf) confers knighthood in Britain, either at a public Investiture or privately. The ceremony involves the ceremonial dubbing of the knight by The Queen, and the presentation of insignia.

By tradition, clergy receiving a knighthood are not dubbed, as the use of a sword is thought inappropriate for their calling. Foreign citizens occasionally receive honorary knighthoods; they are not dubbed, and they do not use the style 'Sir'. In ceremony of knighting, the knight-elect kneels on a knighting-stool in front of The Queen, who then lays the sword blade on the knight's right and then left shoulder. After he has been dubbed, the new knight stands up, and The Queen invests the knight with the insignia of the Order to which he has been appointed.

Contrary to popular belief, the words 'Arise, Sir ...' are not used.

http://www.royal.gov.uk/MonarchUK/Honours/Knighthoods.aspx

Contemporary Pontiff Knighthood Orders

The Holy See has awarded the distinction of knighthood since the early medieval period. Such honors originally conferred nobility, personal or hereditary according to the rank, but today the Papal Orders are a means by which the Holy Father might personally distinguish those who have particularly served the Church and society.

The Papal Orders are awarded in the name of the Supreme Pontiff and are given both as awards of His Holiness of the Roman Catholic church and also as Sovereign of the Vatican city State. Membership at one time was conferred by Papal Bull, or by Apostolic Letter, signed by the Pope himself, but since the reforms made in the structure of these Orders at the beginning of the 20th century, the diplomas have been signed by the Cardinal Secretary of State.

The contemporary Pontiff Knighthood Orders are subdivided between civil and military Orders.

Those Military are: The Supreme Order of Christ and that of The Golden Spur. Those Civil are: The Order of Piano, Saint Gregory The Great and Pope Saint Sylvester, who don’t have a military tradition, in fact the uniform has no military insignia, and resembles a diplomatic uniform.
The first two mentioned: The Supreme Order of Christ and that of The Golden Spur are awarded by The Pope himself, the others are awarded by the Apostolic Delegate.

The bestowing of Pontiff Honor is in the role of the Pope, as he is the supreme Head of The Vatican State in a territorial, spiritual and international nature. Between 1870 and 1929 The Holy See had no control over territory but maintained the international spiritual nature has and the tradition of giving honor.


The Honors given by the Apostolic Delegate are: The Order of The Equestrian Holy Sepulchre of Jerusalem and The Order of the Teutonic Knights of Saint Maria.

**Legitimate Order of Chivalry**

The authenticity or legitimacy of an order of chivalry and knighthood stems from its *fons honorum* (fount of honor). To be considered as legitimate, such an order must not only have a *fons honorum*, but that *fons honorum* must meet certain criteria in order to have the historical authority to “make knights” as it were.

In actuality most of the old orders are in fact revivals of previous orders, or were founded in the 19th and even 20th centuries. For example, the British *Order of St. John of Jerusalem Knights of Malta* was driven from Malta by Napoleon in the late 1700s only to splinter and reconstitute themselves in the 19th century. *The Order of St. Lazarus* was abolished on July 31, 1791, by a decree of the National Assembly signed by the King of France, and was only revived in the early 20th century and was only officially granted its charter in 1888 by Queen Victoria.

From the Middle Ages onwards, the Holy Roman Empire (HRE) was divided into about 300 entities each with practically sovereign rights, which were represented in the imperial parliament (Reichstag), and some 1500 minor lordships that had no other sovereign than the emperor.

The territories of the Imperial Knights (Reichsritterschaft) were immediately depending from the emperor (as kind of a protector). The Imperial Knights were divided into several chapters (Kreise): Swabia, Franconia, Rhenish, Alsatian chapter, the chapters were divided into cantons (Kantone).

In addition, there were many ecclesiastical institutions with limited sovereignty within the secular territories; they practiced jurisdiction and collected taxes in their small territories.

In the Italian peninsula coexists four different sovereign states, that is, the Italian Republic, the State of Vatican City, the Republic of San Marino and the
Sovereign Military Order of Malta. The honors awarded by these three institutions, together with the Orders of the House of Savoy and the Houses of pre-unification states are part of the chivalrous and noble heritage of the Italians and represent the only legitimate Chivalric Orders historically and legally.

**Bogus Order?**

The term "bogus" was so abused by Arthur Fox-Davies, who thought that any arms which were not delivered on parchment by a royal official were "bogus"; thus relegating 90% of heraldry into inexistence. Only people who would reject as "bogus" any such organization might be offended by the choice of certain orders. It is considered valid and undisputable from a legal point of view only a grant of honors or nobiliary titles coming from a Sovereign or non Reigning Sovereign on the throne or a State sovereign.

**Arthur Charles Fox-Davies** (28 February 1871 – 19 May 1928) was a British author on heraldry. By profession, he was a barrister but he also worked as a journalist and novelist. Born in Bristol, he was the second son of Thomas Edmond Davies (later Fox-Davies) of Coalbrookdale, Shropshire.

Heraldic writings. Fox-Davies' writing on heraldry is characterized by a passionate attachment to heraldry as art, history and also as law. He was something of a polemicist, and issued one of his most controversial works, *The Right to Bear Arms*, under the pseudonym X. However, he always supported his arguments with specific historical and manuscript evidence. He was the editor of the *Genealogical Magazine* from 1895-1906.

"It should also be clear that, whereas national laws aim to provide clear-cut definitions or criteria, their validity extends only to their own borders. One country may well be indifferent to, or even recognize, what another calls bogus. A case in point is the various orders of Saint John recognized by their national governments (Britain, Germany, and Netherlands) but not by others (France) or, until the early 1960s, by the Catholic Order itself. [http://www.heraldica.org/topics/orders/legitim.htm](http://www.heraldica.org/topics/orders/legitim.htm)

The Military and Hospitaller Order of St. Lazarus of Jerusalem. Mons. Cardinale decided in 1981 that it would be in the interest of all concerned to declare the Order of St. Lazarus non existent. He was provoked into doing so by one person who claimed to be a leading figure in the Order, and whose conduct towards Archbishop Cardinale and the Holy See was objectionable.

The criteria upon which chivalric orders are judged are being questioned inside the Roman Curia. The fact that the Military and Hospitaller Order of St. Lazarus of Jerusalem has members belonging to various Christian denominations, makes it impossible to judge it solely on Catholic criteria, in spite of the fact that the Order has had a Catholic Patriarch as its Spiritual Protector since 1841, and
today a number of Cardinals and high dignitaries of the Roman Curia are Spiritual Counselors to various Grand Priorities.

One of the arguments brought forward to bolster the claim of authenticity of an 'order' is the importance of its Hospitaler works throughout the world. Is it necessary to state that support given to charitable activities, as worthy as that may be, does not constitute in any way proof of the historical legitimacy of an order of chivalry. Should philanthropy be a criterion of legitimacy, then the Shriners, The Independent Order of Odd Fellows or the Knights of Columbus and others could also raise the same pretensions.

There are a number of orders of knighthood, such as the Knights of Columbus, which have no background in chivalry, but are nonetheless worthwhile organizations. These are usually fraternal organizations. People in these organizations can be called knights, but it is not quite the same thing as being granted a title by monarch or historical order of chivalry.

The Knights of Columbus is the world's largest Catholic fraternal service organization. Founded in the United States in 1882, it is named in honor of Christopher Columbus.

There are more than 1.8 million members in 15,000 councils, with nearly 200 councils on college campuses. Membership is limited to "practical Catholic" men aged 18 or older.

The Shriners, The Ancient Arabic Order of the Nobles of the Mystic Shrine, also commonly known as Shriners and abbreviated A.A.O.N.M.S., established in 1870, is an appendant body to Freemasonry, based in the United States. In 2010, the Ancient Arabic Order of the Nobles of the Mystic Shrine, as well as Shriners North America, changed its name to Shriners International, now covering nearly 200 temples (chapters) across the North America, South America, Europe, and Southeast Asia.

In the United States, as in other republics, the government awards decorations for valor and meritorious service but has no legal provision for orders of knighthood as such. Chivalric bodies are treated as private associations, registered as such with the state in which they have headquarters. The most sought-after status for American groups is that of a non-profit, tax-exempt charitable institution. Such status ignores whether or not a body is an authentic chivalrous order. In these circumstances it is easy to see why there has been indiscriminate use and abuse of the term, order of knighthood.

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7 [http://www.shrinersinternational.org/](http://www.shrinersinternational.org/)
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The International Commission and Association on Nobility, Office 4.


COMMENTARY

THE INTERNATIONAL COMMISSION AND ASSOCIATION ON NOBILITY (TICAN)

http://www.nobility-association.com/

The International Commission and Association on Nobility was established in January 2008 to unite and honor in its membership those persons who represent the contemporary Nobility which remains latent but hidden in the shadows. This Association is based on the ideals of chivalry, nobility, aristocracy and for the Defense of International Nobility. It also includes a number of Honorary Members. It was founded by Don Salvatore Ferdinando Antonio Caputo.

The International Commission and Association on Nobility is a nobility and monarchist organization with educational goals and purposes: to give unity to monarchists and nobilities, enabling them to meet and contact other monarchists; to promulgate information about and foster interest in monarchy, monarchies, and royalty; to generally educate the public on these subjects; to advance the political theory, history, and philosophy of monarchy, to further theories of modern monarchy, and to promote and defend the theory of monarchy as a superior governmental form.

The nobiliary and chivalry distinctions represented – and fortunately represent again - a display and an expression of Institutions that have been founded in the History. They have left lasting traces of memorable events, a heritage of cultural and religious traditions that today, after many centuries are still alive. We have not to forget, that the Aristocracy, the Chivalry, together with the moral nobility, ever have been able to confirm their own role in any age, in a social background, as their origin goes back till ancient ages and it is tied up to the civil, politic and religious Nation development.

We do not believe that the change of the institutional regime can “cancel” history, and not still attach today an undeniable historic importance to titles of nobility and, therefore of chivalry; whatever opinion one may have on the subject, one thing that is certain is that, faced with the phenomenon of the real existence of these ideas and suggestions, the law cannot disregard them but must study and regulate any effects and friction that may arise there from.
It is the official position at the Commission that the legitimacy of the remaining reigning monarchs of the world is not to be called into question. The Commission intends to stay neutral on the issue of juridical recognition of disputed successions in former monarchies and concerning non-reigning royals of non-reigning and Sovereign Houses.

TICAN is an organization promoting the goals of Royalty. This is fit by even those pretenders who face rivals. In our opinion to let legitimate pretenders join us is satisfactory for as long as they are really. For example, in France are different branches that can make a very valid claim to the throne.

Keeping out all Royal Houses who face rivals means, we must keep out Italy, Georgia, Ethiopia, France, Korea, Russia, Serbia, Two Sicilies and others. This seems most of the Royal Houses that are prominent in Chivalry and the worlds of volunteers in Royalty.

Really many of the Houses face rivalry. In fact, uncontested Royal Houses do grant orders of knighthood to foreign royals, even if they are facing rivals. They are, therefore building relation to these houses. Example is the Order of Annam of the uncontested Vietnamese house or King Kigeli of Rwanda’s Orders or the ICOC (International Commission on Orders of Chivalry) that lists Orders of Houses.

The International Commission and Association on Nobility supports heraldic research, genealogy, and a promulgation of historic and cultural values. The Commission has no authority to grant coats of arms, but stands ready to help others with petitions.

We are very grateful to those who make this organization possible and help us get the word out to thousands of people and hope more will join us so we can more fully fulfill our worldwide goals and ideals. You are welcome to contact us, make contributions and/or become a part of this significant cause.