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The constitutional economics of autocratic succession *

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Abstract. The paper extends and empirically tests Gordon Tullock's public choice theory of the nature of autocracy. A simple model of the relationship between constitutional rules governing succession in autocratic regimes and the occurrence of coups against autocrats is sketched. The model is applied to a case study of coups against monarchs in Denmark in the period ca. 935–1849. A clear connection is found between the specific constitutional rules governing succession and the frequency of coups. Specifically, the introduction of automatic hereditary succession in an autocracy provides stability and limits the number of coups conducted by contenders.

1. Introduction

Gordon Tullock's important contributions to the study of the economics of democratic decision-making are well known. Less so are his important contributions to the study of the economics of autocracy (Tullock, 1974, 1987a, 1987b), which so far have received only little attention.[1] This may seem paradoxical for at least two reasons. First of all, Tullock's analysis of autocracy is the first attempt to develop a comprehensive positive theory of the nature of autocracy. Secondly, autocratic regimes are, as Tullock (1987a: 364; 1987b: 1–2) has pointed out, so to speak, the order of the day. Throughout human history the majority of the people of the world have lived under the rule of autocrats, and even today a considerable part of the world's governments may be seen as approximating some form of autocracy.

The purpose of the present study is an attempt to extend and apply a particular aspect of Tullock's public choice theory of autocracy, namely that of *autocratic succession*, i.e., the process whereby one individual replaces another as head of an autocratic regime. Specifically, I will offer a tentative

reformulation of the model of autocratic succession implicit in Tullock's analysis and try to extend it with special attention to the possible relationship between the constitutional rules governing succession and the occurrence of coups against ruling autocrats. Second, I will apply this apply this perspective to a study of autocratic succession in the kingdom of Denmark over an approximately 900-year period. This will hopefully provide insight into the evolution of constitutional rules within one particular kind of autocracies, namely monarchies.

2. A simple model of autocratic succession

In his works on autocracy Tullock has sketched a theory of when and how an autocrat will be succeeded.[2] An autocrat is defined by Tullock in relatively broad terms: He is an individual who *de facto* is the ultimate decision-maker within a political regime. As such an autocrat is not necessarily someone, who does not have to pay attention to what others want, for example, those in an executive council, a parliament, the *estates general*, or the members of a particular socio-economic class, etc. Nor is it necessary someone who is unrestricted in terms of what decisions he can legally make. Rather an autocrat is simply a particular individual who *de facto* – and possibly *de jure* too – has the final word in the executive affairs of government. As such the concept covers a wide range of rulers, from an absolute, hereditary monarch to a benevolent dictator (Tullock, 1987b: Ch. 1). Indeed, in this way as different individuals as Adolf Hitler, Mikhail Gorbachev, Augusto Pinochet, King Louis XIV of France, Pope John Paul II and the imaginary "Paretian dictator" may all be seen as being autocrats.

In autocratic regimes a "succession" takes place, when one autocrat is replaced by another. This may practically take place in a number of ways, depending upon what constitutional rules govern succession, and upon whether the position as autocrat becomes vacant peacefully (e.g., by natural death, voluntary abdication or the expiration of a fixed term), or whether it does so at the initiative of someone else.[3] What we are concerned with here are those situations, where the autocrat is deposed through some form of a "coup". A coup is usually seen as being an attempt by one or more individuals to change the existing regime in an unconstitutional manner. For the present purposes, however, a coup is defined somewhat more narrowly as an event whereby a potential successor (alone or in cooperation with others) at his own initiative becomes the actual successor by replacing the existing autocrat with himself. The specific way in which such a forced succession may take place may be seen as potentially ranging from the relatively peaceful (imprisonment, deportation, etc.) to the less so (assassination, civil war, etc.).

2.1. *The calculus of succession*

The focus of the present study is upon the possible relationship between the character of the constitutional rules governing succession in autocratic regimes and the frequency of coups in such. As such we must consider the question of when a potential successor will attempt to overthrow a ruling autocrat? In order to answer this question it is necessary first to identify the calculus of such an individual. To do so we may assume that there are two relevant positions: That of being an autocrat (A) and that of being a potential successor (S). We may further assume that the potential successor has two available actions among which to choose, namely those contained in the set $A = \{O, P\}$, i.e., of either trying to overthrow the autocrat (O) or remaining passive and not attempting a coup (P). But in determining what the rational course of action would be for a potential successor, it is furthermore necessary to identify what the possible elements in his calculus would be. The potential successor may be seen as making a calculus of the expected payoff, which he might gain from overthrowing the autocrat (Π_o):

$$\Pi_o = B_a \theta(A|O) - C_t - C_o[(1 - \theta)(A|O)] \tag{1}$$

where this incudes the benefits of being the autocrat (B_a) as well as the probability that the potential successor becomes the next autocrat if he himself puts the present autocrat out of office, i.e., $\theta(A|O)$. The calculus furthermore includes the direct costs associated with putting the present autocrat out of office (C_t), as well as the costs if the overthrow is unsuccessful (C_o), and the probability of incurring such costs, i.e., $1 - \theta(A|O)$.

This payoff should be compared with the potential successor's expected payoff from remaining passive (Π_p). This may be seen as consisting of his benefits from being a potential successor (B_s) and the probability of remaining so, i.e., $\theta(S|P)$:

$$\Pi_p = B_s \theta(S|P) \tag{2}$$

It follows that the requirement for a potential successor to attempt to overthrow an existing autocrat and replace the latter with himself is that his expected payoff from doing so must exceed his expected payoff from remaining in his current position, i.e., $\Pi_o > \Pi_p$. In other words, it must be the case that $\Pi_o - \Pi_p > 0$. If this is not the case, then the rational course of action for the potential successor will be to do nothing.

This simple formalization may generate many useful insights, as demonstrated by Tullock's own informal analysis. But to see and appreciate these, it is necessary to go beyond the rather abstract formulation and consider in greater detail how different constitutional rules of succession may affect

the calculus. Most fundamentally, one should expect that there will be a relationship between how different constitutional rules of succession (and other institutional factors) may influence the various costs and benefits and the nature and frequency of attempts by potential successors to depose the autocrat, and hence that the dynamics will be quite different depending upon what constitutional rules are in place.

2.2. *Open succession*

One possible constitutional arrangement is that an autocratic regime has what may be called an "open" succession. A succession is "open", when no single particular individual is designated *ex ante* as being the automatic successor upon vacancy. Such open succession does not necessarily presuppose that there are no constitutional rules governing succession nor that everyone can become an autocrat. The succession may, for example, be constitutionally limited to members of a certain dynasty or family, a particular political party or some caste of class. Also, there may be constitutional rules governing the process whereby an individual comes to acquire the position as the new autocrat. As such a constitutional order where the succession is open may in reality cover a very wide range of forms of autocratic regimes, depending upon the degree and character of the institutionalization of the procedure of succession, for instance, whether the succession is governed by common law, statute law or simply by who can gather the most support in terms of coercive power. Examples of autocratic regimes with open succession are, for example, Anglo-Saxon England where the king had to be approved by the magnates assembled in the *Witan*, the Holy Roman Empire where the emperor was elected by the princely electors (*Kurfürsten*), many of the Communist regimes and military dictatorships, and the Roman-Catholic Church where the popes since the 11th century have been chosen by the Conclave of the College of Cardinals.[4]

In such systems there may be several individuals contending for the place as the autocrat's successor, i.e., there may be several potential successors. Furthermore, there may be considerable differences between the positions which these individuals hold, i.e., how much weight they have in the process of collective choice and hence in how "close" they are to becoming the actual successor.

How does such a constitutional order affect the calculus of the potential successor? It does so in at least two important ways. First of all, it seems obvious that there may be quite large differences in terms of benefits between being the actual autocrat and one of his potential successors – between being the general secretary of the Communist Party and a member of the central committee of the same, between being the military dictator and a colonel in

the junta, or between being the pope and a cardinal, etc. It could, in other words, be the case that $B_s/B_a < 1$ and it may indeed approach 0.

Secondly, it is a historical fact that it has been a relatively low-cost enterprise to depose autocrats. A successful coup may of course presuppose the coordination of the activities of several individuals and hence include the costs of such, but the direct costs of eliminating an autocrat may be seen as typically being quite small – often just the investment in some poison, a knife, or a gun. As such the costs of the overthrow itself (C_t) may be rather negligible.

Furthermore, a contender is an autocratic regime with open succession does not know for certain that it is exactly him, who will obtain the benefits of being the autocrat at some time in the future; it may turn out to be some other contender. In other words, he may miss the rents from becoming an autocrat, if he does not do something himself to become so. Indeed, if he is a serious contender – i.e., a very likely successor – other possible, but more remote contenders may have an interest in "putting him out of business". This will clearly negatively affect his expected benefits from remaining passive, and hence increase his expected utility of attempting an overthrow relatively.

The only thing in a straightforward cost-benefit analysis, which should prevent a potential successor from overthrowing the autocrat is, if there is a real danger that the enterprise will fail, and if the costs thereof are considerable. In that case the expected costs of attempting a coup may be significant.

Together these circumstances may be seen as creating a significant uncertainty for any potential successor in a regime without automatic succession, where it becomes imperative for him to try to do something about the situation – his own situation and that of the autocrat. Indeed, under such circumstances all the potential successors may be seen as finding themselves in an n-person generalized Prisoner's Dilemma-game with each other, where the dominant strategy is to attempt an overthrow, no matter what the others do.

If that is the situation, i.e., if there are several contenders in an autocratic regime with no constitutional rules of succession at all, the interaction may conceivably come to resemble one of the behavior of voters in a multidimensional policy space with open agendas (McKelvey, 1976; Schofield, 1978). If taken to the extreme the various contenders will continuously come up with alternative solutions, which will be able to beat the existing, and this process will go on indefinitely, as long as transaction costs are low. In such a situation the coalitions will be continuously shifting and result in coups and counter-coups, and there will be no Condorcet-winner, i.e., no stable equilibrium outcome.

On the other hand, the uncertainty may also work in exactly the opposite direction, namely if the expected costs of an unsuccessful coup attempt are considerable. In that case the equilibrium may turn out to be one of considerable stability. Nobody dares move first. Some autocracies with open succession have indeed exhibited remarkable degrees of stability, for example, the Holy Roman Empire from the 12th century to 1806, and the Roman-Catholic Church since the Great Schism. The point is of course, as pointed out by, e.g., Tullock (1981) and Shepsle (1989), that institutions of collective choice may be developed which can minimize the cycling over the alternatives, for example, by increasing the transaction costs of continuing the process, and thus supporting structure-induced equilibria. Most notably the autocrat himself may as agenda-setter play an important role in this process.

It may accordingly be that an autocratic regime with open succession will exhibit extreme instability, but it may also be that it exhibits a considerable degree of stability. The determining factor will be whether institutions may be developed which will be able to induce and support equilibria.

2.3. *Appointed succession*

Another possible constitutional arrangement is that an autocrat may have an appointed successor. Such a successor may be chosen in a number of ways, depending upon the underlying constitutional order. The successor may, for example, be chosen, or at least approved, by the members of some body, but it seems that more often a successor is appointed at the discretion of the autocrat himself. This is in fact a procedure which was used widely in early Celtic and Teutonic tribal society, and it was on the basis of such an appointment that William the Conqueror based his legal claim for the throne of England in 1066. Other examples include, for example, the position which Rudolf Hess had under Hitler or the tradition practices by some emperors of Rome of "adopting" a son to succeed them.

But the autocrat's problem is that unless he chooses someone as successor who is incapable of being a serious threat against himself, he may risk digging his own grave by making the appointment. For while an appointed successor may be relatively better off than one who is merely one out of several potential successors under an open succession, it is clear that his expected benefits of overthrowing the autocrat are considerable. If the appointed successor is certain that he will become the new autocrat (as he usually will be, if he is appointed so), i.e., if $\theta(A|O) = 1$, then his expected benefits from eliminating the existing autocrat may be extremely high. Also, as mentioned in the case of open succession, the actual costs of the overthrow itself are likely to be rather negligible, and since he is the appointed successor the probabilities of getting away with it are quite favorable (Tullock, 1987b: 151).

Furthermore, the appointed successor must consider the risk that he, after all, will not succeed. For, on the other hand, there is the risk that the autocrat may change his mind and appoint another successor, while, on the other hand, there is also the risk that some other hopeful contender will try to eliminate the appointed successor in order for himself to take this place (Tullock, 1987b: 151–152). Both these possibilities will affect the appointed successor's expected benefits negatively so as to increase his expected utility of attempting an overthrow relatively and hence making an attempted coup against the autocrat the rational course of action.

Accordingly, if there is an established succession making it certain that the appointed successor will be the new autocrat, if the costs are relatively low, and if the benefits are quite high, then an overthrow will be very rational indeed. Again, as in the case of an open succession, the most important fact deterring the appointed successor from deposing the autocrat is if there is a considerable danger that the attempt will be unsuccessful.

These perspectives no doubt account for the empirical fact that a system of appointed succession occurs relatively infrequently – and for the fact that when it does, it often ends with the autocrat being "retired" by his appointed successor (Tullock, 1987b: 155). The autocrat's best defense against such an outcome is the well-known one of appointing someone who is too inept to engage in any plotting.

2.4. *Hereditary succession*

Finally, a third possible constitutional arrangement may be that succession within an autocratic regime takes place according to some specified constitutional rule whereby a particular individual is pre-selected as the autocrat's automatic successor. Such autocracies come in many forms, but the most common is some form of monarchy with a pre-specified line of hereditary succession, as found in, e.g., the history of most European states. The particular rules governing succession may come in a number of different forms and may also change over time.[5]

Given what has just been said about a system of appointed succession, it would, at first, seem that for an autocrat to designate a successor would be virtually the same as measuring out his own grave. But under closer scrutiny there may be considerable differences between being a potential, appointed successor and being the automatic, hereditary successor. The reasons may be seen by contrasting the situation of, for example, a crown prince (i.e., an heir apparent) in an autocratic regime with hereditary succession with that of either an appointed successor or a more remote potential successor in an autocratic regime with open succession.

Most fundamentally it seems that a great deal of heir apparents would be incapable of overthrowing the ruling monarchs, at least when compared with potential successors in autocratic regimes without automatic succession. The reason is, of course, that generally an heir apparent will be a child, or at least a relatively young person, whereas potential successors may be more resourceful individuals in their own right and of an age and experience comparable to that of the autocrat himself.

Furthermore, when it comes to the respective benefits of being monarch and heir apparent, the latter may have very high benefits from being such, i.e., it may be the case that B_s/B_a approaches 1. Indeed, when considering many of the examples of hedonistic playboys so abundantly found in European royalty in the 16th, 17th and 18th centuries, many of them would probably have preferred to remain the heir apparent rather than taking up the responsibilities of being the monarch, i.e., it may even be that $B_s/B_a > 1$.

In addition to this an heir apparent knows that he (barring his own premature death) will succeed at some point in the future. This may, of course, turn out to be a quite distant future; King Louis XIV of France (1638– 1715), for example, reigned for 72 years and was eventually succeeded by a great-grandson. But such examples are exceptions, and given average life expectancy the heir apparent has good reasons to believe that he will eventually succeed. In contrast, an appointed successor or a potential successor in an autocratic regime with open succession are more likely to be closer in age to the ruling autocrat.

The heir apparent is also faced with less "competition" than potential successors in other kinds of autocratic regimes. In the latter a potential successor may, as we have seen, have to do something actively about his own situation, both to further his own succession and to protect himself from others. But an heir apparent knows that there is not much of risk of anyone else putting him out of business, i.e., if he has sons of his own, these will typically be young. And even if the children are not young, or if there are other, more remote, possible heirs, these will have to kill off several individuals in order to succeed.

Finally, one should not disregard the possible importance of affection between parents and children (Tullock, 1987b: 163). It may very well be that there is an interdependency of utility functions between, for example, a king and his oldest son, and at least this seems more likely than an affection between autocrats and non-hereditary successors. If that is the case, overthrowing the monarch may very well be seen as carrying a special cost with it, just as a monarch eliminating his own son(s) may seem unlikely, at least in the absence of explicit threats.

In other words, the very certainty of succession, which may be seen to create the incentive for an appointed successor to kill off the autocrat, may work in exactly the opposite direction in an autocratic regime with hereditary succession. The introduction of constitutional rules of succession with specific individuals singled out as heirs may provide the system with some amount of stability, because it changes the payoffs and puts limits upon the possible coalitions and thereby supports a structure-induced equilibrium of peaceful succession.

2.5. *Choosing constitutional rules of succession*

Given this comparative analysis of different constitutional rules of succession in autocratic regimes it becomes clear that there are significant differences between their dynamics. The three scenarios are, of course, ideal typical generalizations and empirically hybrid versions may occur, but they may nonetheless be useful when it comes to deducing some general implications.

We should, for example, expect an autocratic regime with an open succession to be characterized by recurring struggles, between the autocrat and potential successors and possibly between the various contenders desiring to become the successor. This is particularly so, if there are no specific rules governing how a contender becomes the actual successor, or if the institutional structure allows for multiple equilibria. We should also expect coups to occur frequently in autocratic regimes with appointed successors, and perhaps even more frequently than in those with open succession. In contrast we should expect autocracies with fixed and specific rules of automatic, hereditary succession to be relatively more stable. In fact, we should expect the introduction of a constitutional system of hereditary succession to impose some order into the system, i.e., to make it more stable. Coups may, of course, take place in monarchies too, but – as Tullock (1987b: 162) has concluded – while "hereditary succession does not guarantee a peaceful succession of the throne", it nevertheless "seems to be more peaceful than other methods".

The previous analysis has, however, focused exclusively on one side of the problem, namely the behavior of the potential successor, but obviously the ruling autocrat himself has a say in the process too. Generally speaking, we should expect an autocrat to try to maximize his expected payoff from being an autocrat. This includes his benefits of being an autocrat (B_a) as well as the probability of maintaining this position, which we for the present purposes may assume is a function of the constitutional rule governing succession. Thus, if an autocrat is faced with a choice between the two constitutional rules contained in the set $A = \{R_0, R_1\}$, where R_0 is the present rule and R_1 is a possible new rule, we may assume that the autocrat – *ceteris paribus* – will favor the one, which will minimize the danger of coups against him. Con-

stitutional rules can, however, never be changed without costs, not even by an autocrat, and he must therefore when considering his own expected utility of alternative rules be assumed also to consider the costs of introducing a new rule (C_r). An autocrat must therefore be expected to compare two payoffs, when considering constitutional rules, where the one is that of maintaining the existing constitutional rule:

$$\Pi_{r_0} = B_a\theta(A|R_0) \tag{3}$$

This payoff must be compared with that of changing the rules of succession:

$$\Pi_{r_1} = B_a\theta(A|R_1) - C_r \tag{4}$$

The requirement for an autocrat to try to change a constitutional rule of succession thus is that $\Pi(R_1) > \Pi(R_0)$. In other words, if the costs of changing a constitutional rule of succession are low or non-existent, the ruling autocrat will prefer that rule which he believes will maximize his probability of remaining so. And if he has the power to do so, he will also change the constitutional rule from one he prefers less to one he prefers more.

The situation is, of course, hardly as simple as that; the evolution of constitutional rules are rarely the outcome of the decisions of a single individual, not even rules of succession in autocracies.[6] But the analysis highlights one important point, when combined with the analysis of the different situations of potential successors under various constitutional rules: We should expect that over time autocratic regimes will move from less specific constitutional rules to more specific so, and from constitutional rules of "open" succession to those of hereditary succession, while generally avoiding appointed succession. Another implication is that simultaneous with such a process, we should expect that there would be a decline in the number of coups against autocrats undertaken by potential successors.

3. An empirical application

The previous points match Tullock's general predictions: That non-hereditary autocracies will be less stable than hereditary ones, but also that they over time will tend to become hereditary (Tullock, 1987a: 365–366; 1987b: 157ff. and 161–166). Furthermore, Tullock has suggested that on average approximately one in five monarchs have been deposed by their successors (Tullock, 1987b: 162). These propositions clearly are testable, but while Tullock has supported his theory with some empirical examples, these have in his own words, been "mainly anecdotal" (Tullock, 1987b: 8). So far nobody has taken

up Tullock's challenge to apply his theory in any systematic way to empirical instances of succession in autocratic regimes.

3.1. *Coups against Danish monarchs*

In the following Tullock's challenge will be taken up by considering the monarchs of Denmark in the period ca. 935–1849. Denmark would seem to be a good case for applying Tullock's theory. First of all, it is one of the world's oldest continuous monarchies and hence allows for a study of larger historical tendencies.[7] Furthermore, Denmark would be well suited for a comparative study since different constitutional rules have been governing succession over time. The particular period is chosen since it begins with the accession of what seems to have been the first king of united and relatively stable state, King Gorm the Old (ca. 900–ca. 958) and ends with the last absolute monarch, King Frederik VII (1808–63), who in 1849–49 peacefully accepted the introduction of "constitutional" monarchy and representative democracy. In this period Denmark had approximately 52 monarchs, which are listed in the Appendix.[8]

Of these 52 monarchs 30 may be seen as having been succeeded "peacefully". A large number is generally believed to have died of natural causes (28), while one was killed in war and another abdicated voluntarily in order to become a monk. In addition to these, there is a considerable number of kings who have died under somewhat mysterious or unknown circumstances (7). The remaining 15 monarchs have either been murdered or otherwise deposed. But three of these cannot for the present purposed be counted as coups as the term is used here, i.e., where the autocrat is "retired" by the individual who succeeds him. King Erik VII (ca. 1382–1459), for example, was deposed in 1439 after a long constitutional crisis, where he himself had left the country, and where his successor, King Christoffer III (1416–48), played no role in the process. Also there are cases, where kings have been murdered, but where their successors cannot be seen as having been responsible. This is the case with, for example, King Erik V Cut-Money (ca. 1249–86), who was murdered by unknown assassins, but where his son and eventual successor, King Erik VI Men-Know (1274–1319), was only a little boy. It is also the case with King Erik II the Memorable (ca. 1090–1137), who was killed by a dissatisfied defendant in a legal case.

What we are left with are 12 monarchs, who may safely be said to have been deposed by their successors. In order to see the historical trend the 914 years have been divided into nine time periods. These data have been summarized in Table 1.

Considering these time periods a remarkable difference in terms of number of coups becomes visible. Some periods, particularly those of 1350–1449

Table 1. Monarchs and coups, Denmark ca. 935–1849 (chronological periods)

	935–1049	1050–1149	1150–1249	1250–1349	1350–1449	1450–1549	1550–1649	1650–1749	1750–1849	Total
No. of monarchs	7	10	5	9	5	4	3	4	5	52
No. of coups	1	4	2	4	0	1	0	0	0	12
Ratio coups/ monarchs	0,14	0,40	0,40	0,44	0	0,25	0	0	0	0,23

and 1550–1849, have been extremely stable, while others have been characterized by extreme instability, with somewhere between every seventh and every second monarch having been deposed by his successor. Actually, Tullock's claim that one in five monarchs have been deposed by their successors comes quite close to the over-all ratio of coups/monarchs (0,23).

3.2. *Danish constitutional rules of succession*

In order to evaluate how Tullock's theory squares off with the data, it is necessary to consider the constitutional rules of succession under which the Danish monarchs were operating. To do so the time-span may be divided into various constitutional periods, i.e., periods where different rules governed the succession, either by common law or by statute law.

In the period from ca. 935 to 1660 Denmark was, contrary to what is often assumed, *not* a real hereditary monarchy. Rather, it was an often blurred mixture between a hereditary and an electoral monarchy (Jørgensen, 1947: 261).[9] Briefly, the practice may be summarized as being that upon vacancy a member of the royal dynasty was elected as new king by some representative body. As such succession was characterized by being determined in two stages, governed by each their rules: First in terms of *who* would be *eligible* (eligibility rules) and second in terms of *how* one of the contenders would be *selected* (selection rules). Beyond this general description the particular constitutional rules of succession changed over time. These have, somewhat simplified, been summarized in Table 2.

In the two first centuries of the existence of the present Danish state there were no formal restrictions upon who could become kings, but the rule practiced *de facto* was that it had to be a male member of the royal dynasty, i.e., among the descendants of Gorm the Old (Jørgensen, 1947: 260–261)[10] Furthermore, while there were no formal rules saying so, the *de facto* rule was that as long as there were descendants in the male line, these had precedence to those of female lines (Jørgensen, 1947: 261).[11] As to what member of the

Table 2. General constitutional rules of succession, Denmark ca. 935–1849

Period	General constitutional form of succession	
	Eligibility rules	Selection rules
935–1165	De facto rule of agnatic seniority among descendants of Gorm the Old	Support from the armed forces at vacancy; election by regional assemblies
1165–1326	De facto rule of agnatic primogeniture among descendants of Valdemar I	Appointment by king before vacancy; election by regional assemblies; coronation
1326–1340	Civil war and Interregnum	Support from armed forces
1340–1536	De facto rule of agnatic primogeniture	Agreement with national parliament; election by regional assemblies at vacancy; coronation
1536–1660	Informal rule of agnatic primogeniture among descendants of Christian I	Agreement with National Council; election by national Assembly of the Estates; confirmation by regional assemblies; coronation
1660–1849	Fixed rule of agnatic primogeniture among descendants of Frederik III	Automatic at vacancy

royal family would be first in line the informal rule practiced was basically what might be called agnatic seniority, i.e., that it was the oldest male in the family who succeeded. Accordingly, a king would usually – but by no means always – be succeeded by his oldest brother and not by his own eldest son.

But despite this element of hereditary succession, the constitutional power to elect a king ultimately rested with the various regional assemblies (*landsting*) (Jørgensen, 1946: 261–262).[12] In principle, the choice seems to have been unrestricted, but in general the procedure was that upon vacancy the nearest senior member in the male-line of the royal family would be proposed as a candidate to the regional assemblies (Jørgensen, 1947: 261). No formal rules existed for how to conduct such an approval, but in practice the procedure seems to have been one of an informal vote for or against (Jørgensen, 1947: 263–264). This was a sequential process among the regional assemblies,[13] and in principle a regional assembly could reject a candidate and elect another, and the various regional assemblies could thus elect different candidates, i.e., a king could have a "counter-king" (*modkonge*). The

regional assemblies could also decide to elect more candidates with each as a "co-king" (*medkonge*).

Due to this procedure there was always a risk that there would be no agreement with a single king being elected in all parts of the country. To overcome this problem the Danish kings repeatedly tried to institute new constitutional procedures to secure stability by moving the initial choice from the regional assemblies to the national level. Most fundamentally every contender for the throne tried to secure himself the support of the royal guard (*hird*) and the national navy (*ledingsflåde*) in order to discourage anyone from challenging him at the regional assemblies. On at least two occasions the contenders prevented any dispute by gathering the military leaders and other magnates at the local assembly (*ting*) at Isøre, and letting them make the choice before proceeding to the regional assemblies. Should such attempts to reach a unique equilibrium fail, a king basically acceded by that most informal of all rules for collective choice: War.

A case in point is the period 1147–57, where the succession was open and there were no less than three contenders, namely the cousins Svend III Grathe (ca. 1127–57), Knud III the Strong (ca. 1128–57) and Valdemar I the Great (1131–82). These continuously entered into shifting two-against-one coalitions. This civil war lasted for ten years, and an equilibrium was not reached until 1157, when Knud was murdered by Svend, and where Svend himself was killed in combat with Valdemar soon after.

Valdemar I became one of the most important state-builders in Danish history and his reign marked a considerable centralization of power in the hands of the king. Quite naturally it was Valdemar I who then in 1165 reformed the constitutional rules of succession by introducing the practice of the king appointing his closest male heir as co-king and successor and subsequently having an assembly of military leaders and magnates confirm this. Valdemar I also instituted the procedure of a formal coronation of kings, witnessed by the leading members of the clergy and nobility.[14] These constitutional innovations generated a considerable stability for the next 125 years, although one coup occurred in 1250, when King Erik IV Plough-Penny (1216–50), who had no son, was murdered at the order of his own brother Abel (1218–52).

The system did, however, eventually break down as a result of another practice initiated by King Valdemar I, which weakened the very stability he tried to create: To divide the country into semi-sovereign dukedoms, which were given as feudal fiefs to the younger sons. This created a permanent group of powerful super-magnates, who were eager contenders and competitors for the throne. Furthermore, the centralization of power created a constantly increasing tension between the kings, who attempted to have successors elected and crowned in their own lifetime, and those of the nobility who insisted that

the regional assemblies should be free to choose upon vacancy. The powers of the latter were strengthened considerably in the late 13th century, when it became practice that a contender was forced by the national parliament of magnates (*Danehof*) to sign an accession charter (*håndfæstning*), often resembling English charters such as *Magna Carta*, before subsequently being elected by the regional assemblies. The final result was a civil war 1326–32 and an *interregnum* 1332–40.

From the time of King Valdemar IV Day-Again and until the introduction of absolute monarchy in 1660 there was a return to the practice of the monarch having a successor elected during his own lifetime. In this period, however, more complex procedures were introduced. It now became formal that a king should sign an accession charter in agreement with the National Council (*Rigsråd*), and the body with the ultimate right of electing the successor gradually passed from the regional assemblies to a national assembly of the estates (*stændermøde*), although a formal approval (*hyldning*) by the former was maintained. This period only saw one coup, namely in 1523, when King Christian II (1481–1559) was attacked and deposed by his uncle, who was reigning duke of Schleswig-Holstein and was elected as King Frederik I (1471–1533). The most important constitutional change came in 1536, when King Christian III (1503–59) managed to have the national assembly of estates acknowledge that kings should be elected exclusively among the members of his royal dynasty, i.e., among the descendants of King Christian I (1426–81), just as the dynasty was acknowledged as having hereditary rights to the throne of Norway.

In 1660–61 King Frederik III conducted a coup against the nobility of the National Council, whereby he introduced absolute monarchy so that the king now no longer ruled within the limits of an accession charter but had unlimited sovereignty "by the grace of God". Furthermore, in the first written Danish constitution, the "Law of the King" (*Kongeloven*) of 1665, a specific rule of hereditary succession was formulated explicitly for the first time, namely that of agnatic primogeniture among his own descendants. According to this a king would be succeeded by his oldest son, or alternatively, in the absence of such, by his oldest brother; should the male line become extinguished the heir would be the descendants of the closest female heir.[15] A formal coronation was abolished since the king now succeeded immediately at the death of his predecessor and hence did not need any confirmation. Instead a religious ceremony of anointment (*salvning*) performed by the Bishop of Sjælland was practiced.

3.3. *Matching coups and constitutional rules*

Given this division into periods of different constitutional rules, it is now possible to consider how well the theory of autocratic succession squares off with the data. As it turns out, the Danish data confirms Tullock's predictions quite neatly.

If one divides the monarchs into two periods, one with a more or less open succession (ca. 935–1536) and one with more or less formalized automatic, hereditary succession (1536–1849), a very clear picture is seen. In the former period no less than 12 out of 52 monarchs were deposed, mortally or otherwise, by their immediate successors. In contrast, not a single monarch was deposed in periods with some form of hereditary succession. But more importantly the data do indeed closely reflect the changes in the constitutional rules of succession. To see this the data may be divided into three categories of constitutional rules of succession: One of open succession (for the periods 935–1165 and 1326–40), one of appointed succession combined with election (for the periods 1165–1326 and 1340–1536), and one of more or less formalized hereditary succession (1536–1849). On the basis of this categorization the data have been summarized in Table 3.

Table 3. Monarchs and coups, Denmark ca. 935–1849

Constitutional rule	Monarchs	Coups	Ratio
Open succession	22	9	0,41
Appointed succession	18	3	0,17
Hereditary succession	12	0	0
Total	52	12	0,23

In the periods with open succession almost every second monarch was deposed by his successor. The informal rule of seniority and the possibility of regional assemblies electing more than one king often failed to produce unique equilibria. In contrast, the periods with more or less formalized hereditary succession guaranteed an extraordinary degree of stability. The slightly surprising finding is that the periods with a combination of appointed succession and subsequent election was relatively stable, at least when compared with those of open succession. This must no doubt be attributed to the possibility that kings are less likely to be killed by their sons than by their brothers and cousins, and the fact that the elections in this period gradually passed from the regional assemblies to national bodies, thus reducing the risk of multiple equilibria. As such the analysis also confirms Tullock's second

Table 4. Coups and constitutional rules of succession, Denmark ca. 935–1849

Constitutional rule	Coups	Non-coups	Total
Open succession	9	13	22
Appointed succession	3	15	18
Hereditary succession	0	12	12
Total	12	40	52

Q = 7,95

general prediction – that autocracies over time will tend to move from being personal to being hereditary.

In Table 4, the data have been submitted to a simple Q-test based on the hypothesis that the number of coups against monarchs should be independent of the constitutional rules of succession. With Q = 7, 95 the test shows at a level of significance of 97,5% that such a hypothesis must be rejected.[16]

4. Summary

The detailed analysis of 900 years of succession within one hereditary autocracy, the kingdom of Denmark, confirms Tullock's theoretical conclusion: That autocracies over time tend to become hereditary and that the introduction of automatic, hereditary succession seems to limit the number of coups, where an autocrat is deposed by his successor.

Alternative or complimentary explanations have not been considered, but there is no reason why one should not expect that the present theory would fit well into a larger theory of the institutionalization and centralization of political power. As such Tullock's model is an important contribution to the understanding of the nature of autocracies and the role of constitutional rules.

Notes

1. One of the very few attempts to extend Tullock's analysis of autocratic succession is Anderson and Boettke (1993). For a study of the decision-making and welfare economics of autocratic regimes, see McGuire and Olson (1996).
2. Tullock has never formalized his model, but see Tullock (1987a: 371–372; 1987b) as well as his model of coups and revolutions (1974). On this, see also Kurrild-Klitgaard (1997).
3. The term "constitutional rule" is used here in the widest possible sense, i.e., simply as a concept covering the generally prevailing set of rules underlying collective choice. If an autocrat is an absolute autocrat he may, of course, change any constitutional rules at

will and, for example, change who his successors would be; that would, however, itself constitute a distinct constitutional rule governing succession.

4. Even in the 20th century a similar constitutional rule has been practiced in the kingdom of Morocco, where a body of lay and religious dignitaries has had the right of electing a king from among the male members of the royal dynasty. Cf. Farran (1960).

5. Until the 17th century all laws of succession in European monarchies were in the form of common law rather than statute law, and it remained so for the majority until the 19th century. In continental European monarchies the most widely used rule of hereditary succession has been that of so-called *agnatic primogeniture*, i.e., the so-called Salic Law. According to this rule the throne passes to the oldest son of a monarch, and in the absence of such to the oldest brother, etc.; should all males have died without sons, the throne then typically passes to the line of the female closest to the last male monarch. In Britain and several other monarchies the rule has been that of so-called *agnatic-cognatic primogeniture*, i.e., that the throne passes to the eldest son in the absence of such to the eldest daughter. In recent years two "constitutional" monarchies, Sweden in 1980 and Norway in 1990, have introduced a rule of strict *lineal primogeniture*, i.e., succession by the first born child, or alternatively the oldest sibling, no matter sex. Among the less frequently used rules of succession is the one which has been used for succession to thrones in most Mohammedan states (e.g., the position as sultan of the Ottoman empire). According to this rule of what may be called *agnatic seniority* the position passes to the most "senior" member of the family, so that a man will be succeeded by his oldest brother rather than by his own eldest son. For a detailed introduction to this constitutional rule, see Farran (1960). Yet another, although quite rare, succession rule is that of *agnatic ultimogeniture*, where a monarch is succeeded by his youngest son. A quite unique rule of hereditary succession was the one practiced by the Pictish princes of medieval Scotland, where the throne could only pass through women and only to men, following the rule of primogeniture. Accordingly a king would typically be succeeded by the oldest son of his oldest daughter.

6. On the other hand, many an autocrat throughout history has been able to change the laws of succession at his own discretion. One need look no further than to Pope John Paul II's new constitution for the election of popes, the *Universi Dominici Gregis* (1996) which replaced the *Romano Pontifici Eligendo* (1975).

7. Virtually all the time since ca. 935 Denmark has had monarchs from among the descendants of King Gorm the Old (ca. 900–ca. 958). There are only two minor exceptions: For a few years (1042–47) the Norwegian King Magnus the Good was also king of Denmark, and for another brief period (1332–40) an *interregnum* occurred. In both cases the reason was no doubt the fact that there were no close adult male heirs to the last ruling king.

8. The number of kings is approximate, since the first half of the period (ca. 935–ca. 1340) is characterized by an occasional confusion about who were kings, and who were not (cf. Morby, 1989; and Dehn-Nielsen, 1996). In some cases there were more than one king as a result of a compromise, while in other there were more than one king as a result of various contenders effectively ruling over separate parts of the country. It should also be noted that the number of "monarchs" considered here is slightly higher than the number of actual kings. The reason is that one king, Christoffer II (1276–1332), had two reigns (1320–26, 1330–32). Furthermore one individual who was not a king has been treated as such, namely Margrete (I) (1353–1412) who was not only *de facto* ruler on behalf of first her son and later her nephew but also for a period *de jure* ruler in her own right, albeit without the title of sovereign. Finally, in the period 1332–40 a state-breakdown and *interregnum* occurred, where the country's *de facto* rulers were the two German counts,

Gerhard and Johann of Holstein, who had financial claims against the throne and were related to the royal dynasty; these have for the present purposes been treated as "one" monarch. For biographies of the Danish monarchs, see Dehn-Nielsen (1996).

9. In this respect the system resembled that governing the Holy Roman Empire from the 12th century and up until 1806, where the position as emperor was not hereditary but electoral among the major German princes.

10. There is only one exception to this general rule, namely King Magnus the Good of Norway (1024–47), who used the chance posed by an absence of adult male members of the Danish royal dynasty to seize power in Denmark and subsequently was elected king (1042–47).

11. The only female-line successor in the period 1047–1387 was King Erik III the Lamb (ca. 1100–1146), whose mother was of the royal family, and who became king at a point where all adult male-line contenders had been killed.

12. There were several such regional assemblies, corresponding to the old "countries" which supposedly at an earlier point had been independent political entities, and which were made up by the "free men" of the area, i.e., male adults who owned land. There were three primary *landsting*. In Viborg (for Jylland), in Lund (for Skaane and the other areas, which today are a part of Sweden), in Ringsted (for Sjælland). Furthermore, a role in electing kings were occasionally played by two smaller *landsting*. In Odense (for the island of Fyn and the Southern islands) and at Umehoved (for Southern Jylland). On the legal and institutional character of the *landsting*, see Jørgensen (1947: 238–251 and 261–264.

13. There seems to have been a rule so that the regional assemblies performed the elections in a fixed sequential order, so that the regional assembly for Jylland chose first, then the one for Skaane and finally the one for Sjælland.

14. These constitutional innovations may have been inspired by the elected Holy Roman emperors, who instituted the practice of having their oldest son crowned "King of the Romans" by the Pope in their own life-times. A similar rule was instituted in France by King Philippe II Auguste (1165–1223, king 1180–1223).

15. This became an actual problem, when it was realized that King Frederik VII (1808–63) – the last absolute monarch (1848–49) and the first "constitutional" monarch after the introduction of representative democracy (1849–63) – would be without heirs in the male line. The Law of Succession was changed in 1853 in order to try to take care of this fact. On the legal aspects of the succession rules specified in *Kongeloven*, see Fabricius (1920).

16. The data may indeed be underestimating how significant the differences are between the number of coups under open succession and under hereditary succession. First of all the data only considers the events, where a monarch was deposed by the subsequent monarch and does not include coups conducted by others. One example is the previously mentioned King Erik V Cut-Money, who was murdered in 1286 but where his son and successor, Erik VI Men-Know, obviously played no role. But in the first years of his reign, the country was *de facto* ruled by a Lord Protector, Valdemar, Duke of Southern Jylland, himself a grandson of King Abel, a contender for the throne and one of the chief suspects as the originator of the murder. Furthermore, Tullock (1987b: 152–153) has suggested that in general a large number of monarchs may have been killed off by their successors in secret – without anyone ever knowing so. This certainly is a possibility in the Danish case, especially in the early centuries, where a number of kings are believed to have been murder victims, e.g., Svend I Forkbeard (ca. 960–1014), Harald II (ca. 989–1018), Harde-Knud (1018–42), Magnus the Good (1024–47), Oluf I Hunger (ca. 1052–95) and Christoffer I (ca. 1219–59) all died under somewhat suspicious or unknown circumstances. It does, however, not seem to be the case with the later kings. Looking at the 13 kings from Christian III to Frederik VII there are no indications whatsoever that they should have

been killed by their successors, or anyone else for that matter. These 12 kings had an average life-span of approximately 58 years, ranging from 43 to 73 and with a median of 59 – certainly not extremely low given the times they lived in. As for the one king, who died at the early age of 43, King Frederik V (1723–66), the cause was apparently much more the contents of wine-bottles than of poison-bottles.

References

Anderson, G. and Boettke, P.J. (1993). Perestroika and public choice: The economics of autocratic succession in a rent-seeking society. *Public Choice* 75: 101–118.

Dehn-Nielsen, H. (1996). *Danmarks konger og regenter: Fra Hugleik til Margrethe 2.* Copenhagen: Holkenfeldt.

Fabricius, K. (1920). *Kongeloven: Dens tilblivelse og plads i samtidens natur- og arveretlige udvikling.* Copenhagen: H. Hagerup.

Farran, C. D'O. (1960). Succession to Mohammedan thrones and titles. *The Armorial* 1: 69–73.

Jørgensen, P.J. (1947). *Dansk retshistorie: Retskildernes og forfatningsrettens historie indtil sidste halvdel af det 17. aarhundrede.* Second edition. Copenhagen: G.E.C. Gad, 1971.

Kurrild-Klitgaard, P. (1997). *Rational choice, collective action and the paradox of rebellion.* Ph.D. dissertation. Institute of Political Science, University of Copenhagen. Copenhagen: Politiske Studier.

McGuire, M.C. and Olson, M. Jr. (1996). The economics of autocracy and majority rule. *Journal of Economic Literature* 34: 72–96.

McKelvey, R.D. (1976). General conditions for global intransitivities in formal voting models. *Econometrica* 47: 1085–1112.

Morby, J.E. (1989). *Dynasties of the world.* Oxford: Oxford University Press.

Schofield, N. (1978). Instability of simple dynamic games. *Review of Economic Studies* 45: 575–594.

Shepsle, K.A. (1989). Studying institutions: Some lessons from the rational choice approach. *Journal of Theoretical Politics* 1: 131–147.

Tullock, G. (1971). The paradox of revolution. *Public Choice* 11: 89–100.

Tullock, G. (1974). *The social dilemma: The economics of war and revolution.* Blacksburg: Center for Study of Public Choice.

Tullock, G. (1981). Why so much stability? *Public Choice* 37: 189–202.

Tullock, G. (1987a). Autocracy. In G. Radnitzky and P. Bernholz (Eds.), *Economic imperialism: The economic approach applied outside the field of economics*, 365–381. New York: Paragon.

Tullock, G. (1987b). *Autocracy.* Dordrecht: Kluwer.

Appendix

Data on monarchs and coups, Denmark ca. 935–1849

Monarch	Reign	Death etc.	Coups
Gorm the Old (–ca. 936/958)	ca. 936–ca. 958	–	
Harald I Blue-Tooth (–ca. 986)	ca. 936–ca. 986	Murdered	+
Svend I Forkbeard (ca. 960–1014)	ca 986–1014	Murdered?	?
Harald II (ca. 989–1018)	1014–18	Murdered?	?
Knud I the Great (ca. 995–1035)	1019–35	Natural death	–
Harde-Knud (1018–42)	1035–42	Murdered?	?
Magnus the Good (1024–47)	1042–47	Natural death?	?
Svend II Estridsen (ca. 1019–ca. 1074)	1047–ca. 1075	Natural death	–
Harald II the Soft (ca. 1041–80)	ca. 1075–80	Natural death?	?
Knud II the Holy (ca. 1043–96)	1080–86	Murdered	+
Oluf I Hunger (ca. 1052–95)	1086–95	Murdered	?
Erik I Evergood (ca. 1056–1103)	1095–1103	Natural death	–
Niels (ca. 1064–1134)	1104–34	Murdered	+
Harald IV Broad-Spear (ca. 1080–1135)	1134–35	Murdered	+
Erik II the Memorable (ca. 1090–1137)	1134–37	Murdered	–
Erik III the Lamb (ca. 1100–46)	1137–46)	Abdicated	–
Oluf II (–1143)	ca. 1140–43	Killed in battle	+
Knud III the Strong (ca. 1128–57)	1146–57	Murdered	+
Svend III Grathe (ca. 1127–57)	1146–57	Killed in battle	+
Valdemar I the Great (1131–82)	1154–82	Natural death	–
Knud IV (1162–1202)	1182–1202	Natural death	–
Valdemar II the Victorious (1170–1241)	1202–41	Natural death	–
Erik IV Plough-Penny (1216–50)	1241–50	Murdered	+
Abel (1218–52)	1250–52	Killed in battle	–
Christoffer I (ca. 1219–59)	1252–59	Murdered?	
Erik V Cut-Money (ca. 1249–86)	1259–86	Murdered	?
Erik VI Men-Know (1274–1319)	1286–1319	Natural death	–
Christoffer II (1276–1332) (1.)	1320–26	Deposed	+
Valdemar III (ca. 1315–64)	1326–30	Deposed	+
Christoffer II (1276–1332) (2.)	1330–32	Natural death	–
Interregnum	1332–40	Deposed	+
Valdemar IV Day-Again (ca. 1320–75)	1340–75	Natural death	–
Oluf III (1370–87)	1376–87	Natural death	–
Margrete (I) (1353–1412)	1387–1412	Natural death	–

Data on monarchs and coups, Denmark ca. 935–1849

Monarch	Reign	Death etc.	Coups
Erik VII of Pommerania (ca. 1382–1459)	1397/1412–39	Deposed	–
Christoffer III of Bavaria (1416–48)	1440–48	Natural death	–
Christian I (1426–81)	1448–81	Natural death	–
Hans (1455–1513)	1481–1513	Natural death	–
Christian II (1481–1559)	1513–23	Deposed	+
Frederik I (1471–1533)	1523–33	Natural death	–
Christian III (1503–59)	1534–59	Natural death	–
Frederik II (1534–88)	1559–88	Natural death	–
Christian IV (1577–1648)	1588–1648	Natural death	–
Frederik III (1609–70)	1648–70	Natural death	–
Christian V (1646–99)	1670–99	Natural death	–
Frederik IV (1671–1730)	1699–1730	Natural death	–
Christian VI (1699–1746)	1730–46	Natural death	–
Frederik V (1723–66)	1746–66	Natural death	–
Christian VII (1749–1808)	1766–1808	Natural death	–
Frederik VI (1768–1849)	1808–39	Natural death	–
Christian VIII (1786–1848)	1839–48	Natural death	–
Frederik VII (1808–63)	1848–49/63	Natural death	–